

# **CONSTITUTION OF THE CENTRAL COAST RUGBY UNION INC.**

**Last Updated**

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## **PART I**

### ***PRELIMINARY***

#### **1 Definitions**

In these Rules, except in so far as the context or subject matter otherwise indicates or requires -

<b>“Affiliated Body (or Bodies)”</b>	means any body (or bodies) which is (are) affiliated with the Union in accordance with Rule 4 of these rules
<b>“Annual General Meeting”</b>	means an Annual General Meeting of the Union other than a General Meeting or Special General Meeting
<b>“Board”</b>	means the Committee in so far as that word is referred to in the Act
<b>“By-Laws”</b>	means the By-Laws of the Union for the time being in force
<b>“Club(s)”</b>	means any Rugby Club(s) admitted to membership of the Union in accordance with Part III Rule 6 (1) of these Rules and which maintains such membership
<b>“Administration Officer”</b>	means: (a) the person holding office under these rules as Administration Officer of the Union, or (b) where no such person holds that office - the public officer of the Union
<b>“Council Meeting”</b>	means a Council Meeting of the Union other than an Annual General Meeting or Special General Meeting
<b>“Central Coast Junior Rugby Union”</b>	means the body which is affiliated under Rule 4 and controls the local juniors
<b>“Member”</b>	means any individual, affiliated body or club admitted to membership of the Union in accordance with Part III Rule 6 of these Rules and who maintains such membership
<b>“Central Coast Rugby Union Referees’ Association”</b>	means the body which is affiliated under Rule 4 and controls the local Referees
<b>“Non-Voting Member”</b>	means any individual member of any Club or affiliated body or any individual who has been approved for membership of the Union by the Board other than a life member of the Union and who has also

paid the fee and/or subscription prescribed by Rule **11** hereof and is entered on the Register of Members referred to in Rule 10 hereof

<b>“Office of the Union”</b>	means the home of the Administration Officer or such other place as is from time-to-time determined by the Union
<b>“Office Bearers of a Club or Affiliated Body”</b>	means the President, Secretary and Treasurer of the Club or Affiliated Body
<b>“Penalty Unit”</b>	means the amount as determined in accordance with Rule 56 (8).
<b>“The Act”</b>	means the Associations Incorporation Act, 1984
<b>“The Regulations”</b>	means the Associations Incorporation Regulation, 1985
<b>“The Unincorporated Body”</b>	means the unincorporated Association known as the Central Coast Rugby Union
<b>“Special General Meeting”</b>	means a meeting of the Union other than a General Meeting or the Annual General Meeting, convened in accordance with the Rules of the Union to discuss special business.
<b>“Union”</b>	means the Central Coast Rugby Union Incorporated under the Act

## **2 Interpretation**

. In these Rules:-

- (a) a reference to a function includes a reference to a power, authority, and duty, and
- (b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.
- (c) Words importing the singular number include plural, and the masculine gender includes the feminine or neuter and vice versa.

The provisions of the Interpretation Act, 1987, apply to and in respect of these Rules in the same manner as those provisions would so apply if these Rules were an instrument made under the Act.

## **PART II**

### **OBJECTS**

#### **3 Object**

The objects of the Union shall be to foster, promote and control Rugby Football in its area.

### **AFFILIATIONS**

#### **4 Local Affiliation**

- (1) Affiliation is open to all bodies interested in the game of Rugby Union.
- (2) Application for affiliation shall be made in writing together with the prescribed annual subscription.
- (3) The Board at its meeting next after the receipt of application shall consider the application and its decision shall be final.
- (4) Affiliation shall remain current until the end of the AGM for that year of the Union as defined in these rules. Any body seeking continued affiliation shall be required to make a fresh application annually in the manner prescribed and set out herein.
- (5) The Board may direct anybody applying for affiliation to select some other title than that registered or proposed.
- (6) Each affiliated body shall register with the Union the uniform to be worn by its representatives or teams and the Board may refuse to register any uniform considered not sufficiently distinctive.

#### **5 Affiliation**

The Union shall affiliate with the New South Wales Country Rugby Union and shall adopt the laws of the game as played by NSWRU and also the Rules as to 'Professionalism' as observed by the Australian Rugby Union.

## **PART III**

### **MEMBERSHIP**

#### **6 Membership Qualifications**

- (1) A Club or body is qualified to be a member of the Union if, but only if:-
  - (a) the Club is of a class referred to in Section 15 (1) (a), (b) or (c) of the Act and has not ceased to be a member of the Union at any time after incorporation of the Union under the Act; or
  - (b) the Club is one formed within the area of the Union as defined from time-to-time by the Country Rugby Union of New South Wales and has been approved for membership of the Union by the Board; and
  - (c) the Club maintains a team or teams playing in a competition run by the Union; or
  - (d) it is a body who applies for affiliation in accordance with Part II Rule 4 of these Rules and whose application is approved by the Board; and
  - (e) the club or body applying for membership or affiliation demonstrates to the satisfaction of the Union that the individual members of the club or body agree to be bound and acknowledge that they are bound by these Rules and By- Laws hereunder.
  
- (2) An individual is qualified to be a member of the Union if that person is an existing life member of the unincorporated body or is a person upon whom life membership is conferred pursuant to Rule 12 (6).
  
- (3) An individual is qualified to be a member of the Union and shall be deemed to be a member of the Union if:
  - (a) The individual is a member of a Club or affiliated body which has demonstrated to the satisfaction of the Union that the individual members of that Club or affiliated body have agreed to be bound and acknowledge that they are bound by these Rules and By-Laws: or
  - (b) An individual not being a member of a member Club, body or affiliated body, nor a life member of the Union, but who has:
    - (i) Been approved for membership of the Union by the Board; and
    - (ii) Paid the appropriate fee or subscription as prescribed for the time being and from time to time pursuant to Rule 11 hereof; and
    - (iii) Is entered on the Register of Members maintained for the time being and from time to time pursuant to Rule 10 hereof.

#### **7 Cessation of Membership**

A Member ceases to be a member of the Union if the Member:-

- (a) Resigns that membership, or
- (b) Is expelled from the Union, or.
- (c) Is a member of a Club or Affiliated Body, which ceases to be a member.

## **8 Membership Entitlements not Transferable**

A right, privilege or obligation which a Member has by reason of being a member of the Union:-

- (a) Is not capable of being transferred or transmitted to another Club or Affiliated Body, and
- (b) Terminates upon cessation of the Member's membership.

## **9 Resignation of Membership**

- (1) A Member is not entitled to resign that membership except in accordance with this Rule.
- (2) A Member who has paid all amounts payable by the member to the Union in respect of the Member's membership may resign from membership of the Union by first giving notice (being not less than 1 month or not less than such other period as the Board may determine) in writing to the Administration Officer of the Member's intention to resign and, upon the expiration of the period of notice, the Member ceases to be a member.
- (3) Where a Member ceases to be a Member pursuant to Rule (7) and in every other case where a Member ceases to hold membership, the Administration Officer shall make an appropriate entry in the Register of Members recording the date on which the Member ceased to be a Member.

## **10 Register of Members**

- (1) The Administration Officer shall establish and maintain a Register of Members of the Union specifying the name and address of :-
  - (a) each Office Bearer of each Club which is a Member of the Union together with the date on which the Club became a Member
  - (b) each Office Bearer of each Affiliated Body which is an Affiliated Body of the Union under Rule 4 together with the date on which the Affiliated Body became affiliated
  - (c) each Life Member
  - (d) each Individual member who is a member under Rule 6 (3) (b)
- (2) The Register of Members shall be kept at the office of the Union and shall be open for inspection, free of charge, by a member of the Union at any reasonable hour and upon reasonable notice.
- (3) Clubs and Affiliated Bodies shall inform the Administration Officer within 28 days of any changes in the name and / or address of any Officer Bearer.
- (4) Life Members and Individual members, who are members under Rule 6 (3) (b), shall inform the Administration Officer within 28 days of any changes in their address.
- (5) The Administration Officer shall make an appropriate entry in the Register of Members when any member under Clause (1) ceases to be a member.

## **11 Fees, Subscriptions, etc.**

- (1) A Member, upon admission to membership, shall pay the Union a fee of \$5.00 or such other amount as is determined by the Union at an Annual General Meeting.
- (2) In addition to any amount payable by the Member under Rule 11 (1), a Member shall pay to the Union an annual membership of \$5.00 or such other amount as is determined by the Union at an Annual General Meeting -
  - (a) except as provided by paragraph (b), before 1<sup>st</sup> April in each calendar year
  - (b) where the Member becomes a Member on or after 1<sup>st</sup> April in any calendar year - upon becoming a Member and before 1<sup>st</sup> April in each succeeding calendar year
- (3) The Board may exempt any member from payment of annual membership.
- (4) The Board, at its discretion, shall set the annual team registration fee.

## **12 Patrons and Life Members**

- (1)
  - (a) The Board may invite any person to accept the title of Patron of the Union subject to ratification of such invitation and acceptance by the majority of the members present and voting at an Annual General Meeting of the Union and further, the Board may thereafter confer on such person the title of Patron provided that the number of Patrons at any time shall not exceed one (1) in number.
  - (b) The appointment of the Patron shall be for a term of twelve (12) calendar months commencing on the date of the meeting upon which the position of Patron was conferred unless the patron: -
    - (i) dies
    - (ii) resigns by notice given in writing to the Administration Officer
    - (iii) is removed in accordance with the provisions of Rule 32 hereof.
  - (c) Should the position of Patron become vacant because of sub-clause (b) (i), (ii) or (iii), the Board may fill the vacancy with another Patron for the remainder of the term until the next Annual General Meeting.
- (2)
  - (i) The Patron shall be permitted to attend any Board Meeting, Annual General Meeting, Council Meeting, or Special General Meeting of the Union, address such meetings, and join in discussion.
- (3) The existing Life Members of the Unincorporated Body shall on the incorporation of the Union become Life Members of the Union and entitled to have their names entered in the Register of Members.
- (4) For the nomination of Life Membership, three (3) months notice must be given in writing. Such nomination must be approved by a Life Membership Review Committee consisting of two (2) members of the Board, two (2) Office Bearers and

one (1) Life Member. The Board shall form this Committee as and when the need arises and the Committee shall report to the Board.

- (5) The number of Life Members shall be limited to twelve (12) and no election shall be made unless there are less than twelve (12).
- (6) The Union may at any Annual General Meeting by Special Resolution and providing such special resolution is passed by seventy - five percent (75%) of members present and voting may confer on any person subject to his or her consent being had and obtained the title of Life Member for meritorious service rendered to the Union or to the Unincorporated body and upon such appointment his or her name shall be entered in the Register of Members.
- (7) All voting for Life Membership shall be by ballot if more than the required number is standing.
- (8) The Life Members of the Union shall be provided with a Badge/Card, which shall admit them free of charge to all matches controlled by the Union.
- (9) A Life Member shall be permitted to attend any Annual General Meeting, Council Meeting or Special General Meeting of the Union and address such meetings, join in discussion and shall be entitled to vote.
- (10) The provisions of Rules 8, 9, 15, 16, 17 and 18 of this Part shall apply to Life Members. A Life Member shall not be required to pay the amount payable under Rule 11.

### **13 Members' Liabilities**

The Liability of a member of the Union being a Member or a Life Member to contribute towards the payment of the debts and liabilities of the Union or the costs, charges and expenses of the winding up of the Union is limited to the amount, if any, unpaid by the member in respect of membership of the Union as required in Rule 11.

### **14 Non-Voting Members**

A non-voting member as defined in these Rules:

- (1) Shall be bound by these Rules and the By-Laws hereunder.
- (2) Shall not be entitled to speak at any Board Meeting, or any Council Meeting, Annual General Meeting or Special General Meeting or any other meeting of the Union unless permission is first had and obtained from the Board.
- (3) Shall not be entitled to vote at any Board Meeting, Council Meeting, Annual General Meeting or Special Meeting of the Union or any other Meeting of the Union.

- (4) Is not entitled to receive any Notice of any meeting of the Union provided that the Board may, in its absolute discretion, serve upon such non-voting member, or such of them as the Board in its absolute discretion thinks fit, a Notice of such meeting(s).
- (5) Shall not be entitled to inspect books of record and account and other documents of the Union, unless the Board, in its absolute discretion, deems it fit for such non-voting member to do so and then only on such terms and conditions as the Board may in its absolute discretion require.

## **15 Disciplining of Members**

- (1) Where the Board is of the opinion that a member of the Union:
  - (a) has refused or neglected to comply with a provision or provisions of these rules, or
  - (b) has acted in a manner prejudicial to the interests of the Union,  
the Board may :
    - (a) expel the member from the Union, or
    - (b) suspend the member from membership of the Union for a specified period.
- (2) Where the Board decides under Clause (1), the Administration Officer shall, as soon as practicable, cause a notice in writing to be served on the member –
  - (a) setting out the decision of the Board and the ground on which it is based,
  - (b) stating that the member may address the Board at a meeting to be held not earlier than 14 days and not later than 28 days after the service of the notice,
  - (c) stating the date, place and time of that meeting; and
  - (d) informing the member that he may do either or both of the following:-
    - (i) attend and speak at that meeting.
    - (ii) submit to the Board at or prior to the date of that meeting written representations relating to the resolution.
- (3) At a meeting of the Board held as referred to in Clause (2) the Board shall –
  - (a) give to the member an opportunity to make oral representations
  - (b) give due consideration to any written representations submitted to the Board by the member at or prior to the meeting; and
  - (c) by resolution determine whether to confirm or to revoke the resolution.

- (4) Where the Board confirms a decision under Clause (3), the Administration Officer shall, within 7 days after that confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under Rule 17.
- (5) A decision confirmed by the Board under Clause (3) does not take effect –
  - (a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period, or
  - (b) where within that period the member exercises the right of appeal, unless and until the Board confirms the resolution pursuant to Rule 17 (4).

## **16 Prejudicial Conduct and the Like**

Any Member, Officers of the Union or Board Member infringing any Rule or By-Law of the Union or Laws of the game, or guilty of conduct which the Administration Officer in his absolute discretion, considers to be prejudicial to the game of Rugby Union may be referred by the Administration Officer to the Judiciary Committee to be dealt with in accordance with these Rules and By-Laws.

## **17 Right of Appeal of Disciplined Member**

- (1) A member may appeal to the Union in a Special General Meeting against a resolution of the Board which is confirmed under Rule 15 (3), within 7 days after notice of the resolution is served on the member, by lodging with the Administration Officer a notice to that effect.
- (2) Upon receipt of a notice from a member under Clause (1), the Administration Officer shall notify the Board which shall convene a Special General Meeting of the Union to be held at least 21 days after the date on which the Administration Officer sends the notice of the meeting.
- (3) At a Special General Meeting of the Union convened under Clause (2) -
  - (a) no business other than the question of the appeal shall be transacted
  - (b) the Board and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and
  - (c) the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked
  - (d) the appellant may be represented by a legally qualified practitioner at the discretion of the meeting.
- (4) If at the Special General Meeting the Union passes a resolution in favour of the confirmation of the resolution, the resolution is confirmed.
- (5) The provisions of this Rule do not apply to matters dealt with in accordance with Rule 43 (8).

## **18 Resolution of Internal Disputes**

- (1) Disputes between members in their capacity as members of the Member Clubs or Affiliated Bodies and between members and the Union shall be referred by the Administration Officer to a qualified or trained mediator appointed by the parties
- (2) In default of agreement as to the appointment of a mediator thereto the dispute shall be referred to a mediator appointed by the Union's Solicitor (or a Solicitor nominated by the Union) for the purpose of alternative dispute resolution.
- (3) Costs of the alternative dispute resolution must be borne in accordance with the determination of the mediator.
- (4) In the event that both parties in dispute do not wish to refer the matter to a qualified or trained mediator then the Union will convene a disputes committee to hear and mediate the dispute.
- (5) The disputes committee will be a panel comprising three independent persons being:
  - (a) a person appointed by the member being a member of their Club or Affiliated Body;
  - (b) a person appointed by the Union who is a member of the Union;
  - (e) a person agreed to by both the Union and the member and in default of agreement thereto such person shall be the Union's Solicitor or a Solicitor appointed by the Union.
- (6) In the event that the parties in the dispute are unable to resolve the dispute by mediation the Union shall convene a disputes committee, comprising the persons referred to in the preceding paragraph, to hear the dispute in any manner it thinks appropriate. The disputes committee must advise the parties to the dispute, in writing, of its decision within thirty (30) days of receiving notice of the dispute and that decision shall be final and binding upon the parties.

## **PART IV**

### **BOARD OF DIRECTORS**

#### **19 Power, etc. of Board of Directors**

The Committee as is referred to in the Act shall be called the Board of Directors of the Union and subject to the Act, the Regulation and these Rules and to any resolution passed by the Union in Council Meeting -

- (1) shall control and manage the affairs of the Union in accordance with the powers conferred by these Rules and any By-Laws thereunder
- (2) may exercise all such functions as may be exercised by the Union other than those functions that are required by these Rules to be exercised by a Council Meeting of members of the Union, and
- (3) has power to perform all such acts and do all such things as appear to the Board to be necessary or desirable for the proper management of the affairs of the Union
- (4) the Board shall have power to make Rules for its procedure, which shall be valid until revoked
- (5) the Board shall have power to admit or exclude strangers at its meetings

#### **20 Constitution and Membership**

- (1) Subject in the case of the first members of the Board to Section 21 of the Act, the Board shall consist of -
  - (a) the office-bearers of the Union,
  - (b) three (3) ordinary members, each of whom shall be elected at the Annual General Meeting of the Union pursuant to Rule 21 of this part,
  - (c) a representative of the Executive of the Central Rugby Union Referees' Association Inc, and,
  - (d) a representative of the Executive of the Central Coast Junior Rugby Union
- (2) The Office-Bearers of the Union shall be -
  - (a) The President
  - (b) Vice Presidents (2)
- (3) (a) Each elected member of the Board shall, subject to these Rules, hold office until the conclusion of the Annual General Meeting following the date of the member's election, but is eligible for re-election.

- (b) The representatives appointed as Board Members by the Central Coast Junior Rugby Union and the Central Coast Referees' Association will hold their positions until the next Annual General Meeting of those bodies.
- (4) (a) In the event of a casual vacancy occurring in the membership of the Board as appointed under sub-clause (1) (a) or (1) (b), a Council Meeting may appoint a person to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the Annual General Meeting next following the date of the appointment.
- (b) In the event of a casual vacancy occurring by the representative appointed under sub-clause (1) (c) or (1) (d), the vacancy can be filled after discussion between the representative's committee and the Board. A person so appointed will hold office until the next Annual General Meeting of the body from which they were appointed.
- (5) The representatives nominated under sub-clauses (1) (c) and (1) (d) shall only continue to be part of the Board as long as their respective bodies remain affiliated with the Central Coast Rugby Union Inc as required under Rule 4 - Affiliation.
- (6) There is no maximum number of consecutive terms for which a Board member may hold.

## **21 Conducting Elections**

- (1) The election of Office Bearers and Board Members shall be decided by ballot.
- (2) The method of deciding the ballot shall be by a count of the largest number of votes in favour of any candidates, and in no case shall a system of preferential voting be considered in determining the results of such ballot.
- (3) Nominations for all Office Bearers and ordinary members of the Board shall be in writing, signed by the proposer, and shall be lodged with the Union office at least twenty-eight (28) days before the time fixed for the Annual General Meeting. The proposer shall be the Secretary (by whichever title such position shall be known) of a Member Club or affiliated association or a Life Member or a current Office Bearer or Board Member.
- (4) The newly elected Office Bearers and Board Members shall take office immediately upon closure of the meeting at which they are elected.

## **22 Casual Vacancies**

For the purpose of these Rules a casual vacancy in the office of a member of the Board as appointed in Rule 20 (1) or (4) occurs if the member -

- (1) dies;
- (2) becomes an insolvent under administration within the meaning of the Companies (NSW) Code;
- (3) resigns office by notice given in writing to the Administration Officer;

- (4) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health, or
- (5) is absent without the consent of the Board from all meetings of the Board held during a period of six (6) meetings;
- (6) is removed in accordance with Rule 32.

### ***DUTIES OF OFFICE BEARERS***

#### **23 President**

- (1) The President shall preside at all meetings of the Board and at all meetings at which his attendance may be required, and he shall see that the business is conducted in a proper manner.
- (2) He may, at his discretion, and shall, at the requisition in writing and signed by five (5) members of the Union, call Special Meetings of the Union.
- (3) In all matters, he shall have a deliberative vote and in the case, of an equality of votes, he may give a casting vote.

#### **24 Vice Presidents (2)**

- (1) The Vice Presidents shall assist the President in every manner possible,
- (2) In the absence of the President from any meeting, the one of the Vice Presidents shall preside and conduct, and in so doing, he shall have a deliberative vote and in the case, of an equality of votes, he may give a casting vote.

### ***ADMINISTRATION OFFICER***

#### **25 Appointment**

- (1) The Board shall engage on behalf of the Union an Administration Officer, this appointment to be on such terms and conditions and for such remuneration as the Board in its absolute discretion shall determine.
- (2) The Administration Officer's position shall be filled from applications in writing received within fourteen (14) days of the position having been advertised both within the Union and the daily press circulated within the area of the Union.
- (3) The Board, at a Special Meeting called for the purpose, may remove the Administration Officer from Office summarily without notice of any cause for which summary dismissal is permitted and otherwise dispense with the Administration Officer's services for any reason whatsoever after one (1) months' notice in writing of its intention to do so and given to the Administration Officer at any time during his term of office.
- (4) In the event that the Administration Officer's position is for any reason not filled, the duties and functions of the Administration Officer shall be exercised by the Board or by any person being an Officer of the Union or an ordinary Board Member as the Board shall determine.

## **26 Duties**

- (1) The Administration Officer, in essence, shall be the Director of Administration.
- (2) The Administration Officer shall attend all meetings of the Board at which he shall furnish a written report of:-
  - (a) any Judiciary and or Appeals Committee hearings; and
  - (b) report on the management of the Union since the last meeting of the Board
- (3) The Administration Officer shall keep a correct account of all monies belonging to the Union which shall be paid into a bank or financial institution as shall be approved by the Board.
- (4) The Administration Officer shall balance his books previously to the Annual Audit or whenever required to do so by the Board of Directors.
- (5) The Administration Officer shall prepare and submit to the auditor(s) a Cash Statement and Balance Sheet for presentation at the Annual General Meeting of the Union, and furnish interim or periodical statements to the Board whenever required to do so.
- (6) The Administration Officer shall in conjunction with the President and Vice Presidents, sign all cheques and take receipt of all payments made to him.
- (7) The Administration Officer shall receive all correspondence and answer such questions as may be asked in accordance with these Rules.
- (8) The Administration Officer shall keep a complete register of all Clubs and of their Office Bearers and of all Bodies affiliated with the Union,
- (9) The Administration Officer shall record all registrations, keep accurate and up to date statistics and report weekly during the playing season including all breaches of the By-Laws.
- (10) The Administration Officer shall perform all such duties and services as the Board may from time to time direct.
- (11) Minutes can be kept in written or electronic form and that the Chairperson can sign the minutes of meeting proceedings electronically.

## **BOARD MEETINGS**

### **27 Notice and Quorum**

- (1) The Board shall meet at least one (1) time in each calendar month (excluding January) at such place and time as the Board may determine.
- (2) Additional meetings of the Board may be convened by the President or by any member of the Board.
- (3) Oral or written notice of a meeting of the Board shall be given by the Administration Officer to each member of the Board at least forty-eight (48) hours (or such other

period as may be unanimously agreed upon by the members of the Board) before the time appointed for the holding of the meeting.

- (4) Notice of a meeting given under Clause (3) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the Board members present at the meeting unanimously agree to treat as urgent business.
- (5) Any four (4) members of the Board constitute a quorum for the transaction of the business of a meeting of the Board.
- (6) No business shall be transacted by the Board unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day of the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.
- (8) At a meeting of the Board -
  - (a) the President, or in the President's absence, a Vice President shall preside; or
  - (b) if the President and the Vice President(s) are absent or unwilling to act such one of the remaining members of the Board as may be chosen by the members present at the meeting shall preside.
- (9) Board members have the option to request an additional Board meeting electronically.

## **28 Standing Orders for Conduct of Board Meetings**

So as to maintain good order and to facilitate the business of the meetings, the following Rules shall be observed :

- (1) A member of the Board giving notice of motion shall read it aloud, having given a copy to the Administration Officer of the Union, at least fourteen (14) days before the meeting at which it is intended such motion shall be moved.
- (2) No motion entered on the notice paper shall be proceeded with unless the member of the Board who has given such notice or some person authorised by him is present when the business is called in order. Notices not so proceeded with shall be struck out.
- (3) Any motion not seconded shall not be further debated but shall lapse.
- (4) As soon as a debate on a question is concluded, the Chairman shall put the question to the meeting in a distinct and audible manner.
- (5) The question being put shall be resolved in the affirmative or negative on the voices; but if so required by two (2) members, the question shall be decided on a division.
- (6) A motion, having been proposed, may be amended by leaving out, substituting or adding words, and such amendments shall be resolved by a majority of votes.

- (7) When an amendment is declared carried, it shall take the place of the original motion, when a further amendment can be proposed until the question is finally decided.
- (8) No new business shall be taken after 10.30 pm at any meeting.
- (9) Unless a motion is carried to the contrary, reports and correspondence shall be taken as “received” immediately upon being read.
- (10) If any case should arise not provided for in these Standing Orders, the same shall be decided in accordance with the Standing Orders in practice in the Parliament of the State.
- (11) Board Meetings can be held at 2 or more venues using any technology the Board approves. Whatever technology is used, it must give each Board member a reasonable opportunity to participate.  
Board members who participate at a committee meeting using such technology have the same rights as members who are present at the meeting, including voting rights.

## **29 Suspension of Standing Orders**

It shall be lawful to suspend standing orders at any meeting by the agreement of a majority of members present.

## **30 Order of Debate**

- (1) Any Board member desiring to propose a motion or amendment or to discuss any matter under consideration must address the Chairman. No member may speak to any motion after the same has been put by the Chairman and has been voted upon. When two (2) or more members seek to speak, the Chairman shall call upon the member who, in his opinion, first sought to speak. In the discussion, no member shall be allowed to speak more than once (excepting strictly in explanation), except the mover of the original motion, who shall have the right of reply.
- (2) A member, when speaking, must confine his remarks to the subject under debate and avoid personalities. He shall not use any discourteous language or reflect on any member whilst in debate. Any member feeling dissatisfaction with the decision on any point of order may appeal to the members present, provided the appeal is seconded. In cases of appeal from the ruling of the Chairman, a temporary Chairman shall be appointed and the question shall be as follows: “Shall the decision of the Chairman stand as the judgement of the meeting?” and the question shall be decided without debate.
- (3) If, after two (2) speakers have spoken successively on the same side of the question, no speaker follows on the other side, the Chairman shall submit the motion or amendment to the meeting after affording the mover the right of reply.
- (4) No motion that “The question be now put” shall be entertained at any meeting.

**31 Rescind of a Previous Resolution or Ruling**

Any resolution passed at any meeting of the Union, or any ruling given by the Chairman and accepted by a majority of voting members at any meeting of the Union, shall not be rescinded or varied except by a resolution carried by a seventy - five percent (75%) majority of persons present at the meeting and entitled to vote at such meeting.

**32 Removal of Board Member, Patron, Member of the Judiciary Committee or Selection Committee or any other Sub-Committee**

- (1) The Union in Special General Meeting convened for the purpose may by resolution remove from office any member of the Board, The Patron, any member of the Judiciary Committee or any member of the Selection Committee or any sub-committee before the expiration of the member's term of office.
- (2) Where a member of the Board, The Patron, any member of the Judiciary Committee or any member of the Selection Committee or any sub-committee to whom a proposed resolution referred to in Clause (1) relates makes representation in writing to the President or Vice-President(s) and requests that the representations be notified to members of the Union, the President or Vice-President(s) shall as soon as possible and not less than seven (7) days prior to the holding of the Special General Meeting send a copy of the representations to each member of the Union.

**PART V**

**GENERAL MEETINGS**

**33 Annual General Meetings - holding of**

- (1) The Union shall, at least once in each calendar year, convene an Annual General Meeting of its members.
- (2) The quorum for an Annual General Meeting shall comprise of fifteen (15) members.
- (3)
  - (a) The Annual General Meeting shall be held not later than the third week in November and at least twenty-one (21) days written notice of such meeting shall be given by the Administration Officer to the Officers of the Union and Board Members, Secretaries of Clubs, Affiliated Bodies and Life Members of the Union.
  - (b) The notice shall state the place and time of the meeting and list the business to be conducted. It shall also list the nominees for the elected positions, which are to be filled at the meeting.
  - (c) The ordinary business to be transacted at an Annual General Meeting shall be :- Apologies, Minutes of the previous Annual Meeting, consideration of the Annual Report and Balance Sheet, duly audited, to elect Officers of the Union and Board Members for the ensuing year, to appoint Honorary Auditor for ensuing year, Notices of Motion, determine the annual membership fee as per

Rule 11 (1) and (2), determine the annual affiliation fee as per Rule 4 and Honorariums.

- (d) Notice of any general business for consideration at any Annual General Meeting shall be given in writing to the Administration Officer at least twenty eight (28) days prior to day of such meeting.
- (e)
  - (i) In any election required at the Annual General Meeting, voting shall be by ballot paper. Any ballot paper, which contains more or less than the required number of names crossed out, shall be declared informal by the scrutineers.
  - (ii) Scrutineers shall be selected at the Annual General Meeting from those present and preferably from persons having no voting rights at the meeting.
  - (iii) All ballot papers shall be destroyed at the end of the meeting.
- (f) Notice of the Annual General Meeting can be given electronically.

### **34 Special General Meetings - calling of**

- (1)
  - (a)
    - (i) Administration Officer at the discretion of the Board will convene a Special General Meeting of the Union. Written notice of such meeting will be given to the Officers of the Union and Board members, secretaries of Clubs, Affiliated Bodies and Life Members of the Union.
    - (ii) The notice shall state the place and time of the meeting and the business to be conducted.
    - (iii) The only business to be conducted at the Special General Meeting will be that business as set out in the meeting notice.
  - (b) The Administration Officer shall, on the requisition in writing of not less than twenty (20) percent of the total number of members, convene a Special General Meeting of the Union.
  - (c) The quorum for any Special General Meeting shall comprise of fifteen (15) members.
- (2) A requisition for a Special General Meeting
  - (a) shall state the purpose or purposes of the meeting;
  - (b) shall be signed by the members making the requisitions;
  - (c) shall be lodged with the Administration Officer, and
  - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (3) If the Administration Officer fails to convene a Special General Meeting to be held within one month after the date on which a requisition of members for a meeting is lodged with the Administration Officer, anyone or more of the members who made

the requisition may convene a Special General Meeting to be held not later than three months after that date.

- (4) A Special General Meeting convened by a member or members as referred to in Clause (3) shall be convened as nearly as is practicable in the same manner as General Meetings are convened by the Administration Officer.
- (5) Special General Meetings can be held at 2 or more venues using any technology the Board approves. Whatever technology is used, it must give each member a reasonable opportunity to participate.  
Members who participate at a Special General Meeting using such technology have the same rights as members who are present at the meeting, including voting rights.
- (6) Notice of the Special General Meeting can be given electronically.

### **35 Council Meetings - calling of**

- (1) The Administration Officer may, whenever he thinks fit, convene a Council Meeting of the Union provided that he calls at least four meetings each year which shall be held in February, April, June and August or at such other times as the Board decides.
- (2) The Administration Officer shall at least twenty one (21) days before the date fixed for the holding of the Council Meeting, cause to be sent by pre-paid post or electronic mail to each member at the member's address appearing in the Register of Members, a notice specifying the place, date and time of the meeting and a call for any business to be discussed at the meeting.
- (3) The Administration Officer shall, at least seven (7) days before the date fixed for the holding of the Council Meeting, cause to be sent by pre-paid post or electronic mail to each member at the member's address appearing in the Register of Members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting and the order of the transaction of that business.
- (4) No business other than that specified in the notice convening a Council Meeting shall be transacted at the meeting.
- (5) A member desiring to bring any business before a Council Meeting may give notice in writing of that business to the Administration Officer who shall include that business in the next notice calling a Council Meeting given after receipt of the notice from the member.
- (6) Clubs must be represented by the President or, in his absence, a member of the Executive of the club.
- (7) Attendance at the meeting is compulsory for clubs. Failure to attend will result in a fine of 4 Penalty Units.
- (8) Notice of the Council Meeting can be given electronically.

### 36 Voting Rights at Meetings

- (1) The meetings of the Union shall be the Annual General Meeting, Council Meetings, Special General Meetings and Board Meetings.
- (2) Votes at an Annual General Meeting and Special General Meetings shall be as follows
  1. Officers of the Union 1 vote each
  2. Ordinary Board Members 1 vote each
  3. Life Members 1 vote each
  4. Clubs 2 votes (1 per each delegate)
  5. Affiliated Bodies 1 vote each
- (3) Votes at a Council Meeting shall be as follows -
  1. Officers of the Union 1 vote each
  2. Ordinary Board Members 1 vote each
  3. Life Members 1 vote each
  4. Clubs 2 votes (1 per each delegate)
  5. Affiliated Bodies 1 vote each
- (4) The right of a Club to vote at any meeting of the Union as referred to in sub-clause (2) hereof shall not be capable of being exercised by that Club in respect of any team which:-
  - (a) is not actively participating in any competition under control of the Union at the time of the meeting; or
  - (b) did not actively participate for the duration of the competition under the control of the Union in the season immediately preceding the Annual General Meeting.
- (5) The right of a Club to vote at a Council Meeting of the Union shall not be capable of being exercised by that Club if that Club is not a financial member of the Union as at the time of holding that Council Meeting.

### 37 Procedure

- (1) No item of business shall be transacted at a Council Meeting unless a quorum of members entitled to vote under these Rules is present during the time the meeting is considering that item.
- (2) Ten members present in person (being members entitled under these Rules to vote at a Council Meeting) constitute a quorum for the transaction of the business of a Council Meeting.
- (3) If within half-an-hour after the appointed time for the commencement of a Council Meeting a quorum is not present, the meeting which is convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half-an-hour after the time appointed from the commencement of the meeting, the members present (being not less than 3 and being members entitled under these Rules to vote at a General Meeting) shall constitute a quorum.

- (5) Council Meetings can be held at 2 or more venues using any technology the Board approves. Whatever technology is used, it must give each member a reasonable opportunity to participate.  
Members who participate at a Special General Meeting using such technology have the same rights as members who are present at the meeting, including voting rights.
- (6) A resolution can be put to its members in a postal ballot or in an electronic ballot. There cannot be a combination of postal and electronic voting to pass an ordinary resolution or special resolution under the Act. Similarly, it does not permit a combination of postal voting and voting at a general meeting, or electronic voting and voting at a general meeting.

### **38 Procedure for Motions at Meetings**

- (1) A notice of motion placed before an Annual General Meeting, a Special General Meeting or a Council Meeting will only be accepted, debated and voted on if the procedure for informing members as set out in these Rules is followed.
- (2) The mover of the motion is to be present to start the debate, with the seconder of the motion to be the second speaker. The third speaker will speak against the motion, then speakers will alternate, until all persons permitted to speak have done so.
- (3) A motion "that the motion be put" will cease debate and the motion will be put.
- (4) In case of the mover of the motion not being present and nobody being nominated to speaker on their behalf, the motion will lapse.
- (5) The voting will be as per Rule 36(2) or 36(3), dependent on the type of meeting.

### **39 Presiding Member**

The President or, in the President's absence, a person nominated by the Board, shall preside as Chairperson at each Council Meeting of the Union.

### **40 Adjournment**

- (1) The Chairperson of a Council Meeting at which a quorum is present may, with the consent of the majority of members present (being members entitled under these Rules to vote at a Council Meeting) at the meeting, adjourn the meeting from time-to-time and place-to-place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where a Council Meeting is adjourned for fourteen (14) days or more, the Administration Officer shall give written or oral notice of the adjourned meeting to each member of the Association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in Clauses (1) and (2), notice of an adjournment of a Council Meeting or of the business to be transacted at an adjourned meeting is not required to be given.

#### **41 Making of Decision**

- (1) A resolution arising at a Council Meeting of the Union shall be determined on a show of hands and, unless before or on the declaration 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, or an entry to that effect in the minute book of the Union, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (2) The provisions of Rule 36 of these Rules shall apply to any Council Meeting.
- (3) At a Council Meeting of the Union, a poll may be demanded of the Chairperson by not less than three (3) members present in person at the meeting.
- (4) Where a poll is demanded at a Council Meeting, the poll shall be taken -
  - (a) immediately in the case of a poll which relates to the question of an adjournment; or
  - (b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

#### **42 Voting Rights**

- (1) Upon any question arising at any Council Meeting of the Union, voting rights shall be in accordance with Rule 36 (3).
- (2) All votes shall be given personally and there shall be no voting by proxy.
- (3) In the case of an equality of votes on a question at a Council Meeting, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- (4) A member is not entitled to vote at any Council Meeting, Annual General Meeting or Special General Meeting of the Union unless all money due and payable by the member to the Union has been paid, other than the amount of the annual subscription payable in respect of the then current year.
- (5) On any question arising at any Annual General Meeting or Special General Meeting of the Union, voting rights shall be in accordance with Rule 36 (2).

### **PART VI**

#### **COMMITTEES**

#### **43 Delegation by Board to Sub-Committee**

- (1) The Board may, by instrument in writing, delegate to one or more sub-committees the exercise of such of the functions of the Board as are specified in the instrument, other than
  - (a) this power of delegation, and

- (b) a function which is a duty imposed on the committee by the Act or by any other law.
- (2) A function, the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time-to-time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Notwithstanding any delegation under this Rule, the Board may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this Rule has the same force and effect as it would have it if had been done or suffered by the Board.
- (6) The Board may, by instrument in writing, revoke wholly or in part any delegation under this Rule.
- (7) A sub-committee may meet and adjourn, as it thinks proper.
- (8) Notwithstanding anything to the contrary contained in these Rules, any person feeling aggrieved by any decision of any sub-committee of the Union may appeal in writing to the Administration Officer requesting that the matter be referred to the Board. The appeal shall state the name and address of the applicant, the name of the sub-committee having heard and determined the matter, the date on which it was so heard and determined, the finding of the sub-committee and the grounds upon which he feels aggrieved by the decision.
- (9) An appeal shall be invalid unless lodged within seven (7) days from the date of the decision or receipt of the report by the Board, whichever last occurred in writing, with the Administration Officer and accompanied by a deposit of two hundred (\$200) dollars and this amount shall be refunded only in the case of the appeal being upheld or a previously imposed sentence reduced.
- (10) All evidence in relation to the appeal shall be made available by that *Sub -* Committee. A member of that *Sub -* Committee shall be invited to attend the hearing of the appeal.
- (11) The Board's decision shall be final and to that extent the provisions of Rule 17 shall not apply.

#### **44 Voting and Decisions**

- (1) Questions arising at a meeting of the Board or of any sub- committee appointed by the Board shall be determined by a majority of the votes of members of the Board or sub-committee present at the meeting.

- (2) Each member present at a meeting of the Board or of any sub-committee appointed by the Board (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to Rule 27 (5) of Part IV, the Board may act notwithstanding any vacancy on the Board.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the Board or by a sub-committee appointed by the Board, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the member or sub-committees.

#### **45 Committees and Honorary Officers to be Appointed by the Board**

- (1) The Board shall at its first meeting following the Annual General Meeting appoint the following committees and Honorary Officers of the Union:-
  - (a) Judiciary Committee, Match & Grounds Committee, Selection Committee, Publicity Officer and Appeals Committee.
  - (b) Honorary Medical Officer, Honorary Auditor and Honorary Solicitor.
- (2) The Board shall, upon the completion of the then current representative season, appoint the Coaches and Managers for the CCRU Representative Teams for the following season.
- (3) The Board shall decide the membership and function of such committees.

#### **SPECIAL COMMITTEES**

#### **46 Judiciary Committee**

- (1) The Judiciary Committee shall be appointed by the Board and consist of six (6) members, none of whom can be active players or active Referees. Three (3) members of the Judiciary Committee shall constitute a quorum.
- (2) The Judiciary Committee shall deal with all admission and complaints of misconduct of players, officials and individual members of member clubs or affiliated bodies and any disciplinary matter arising out of any match within the jurisdiction of the Union or CCJRU.
- (3) The Judiciary Committee shall have jurisdiction to hear and determine all disciplinary matter arising out of:-
  - (a) Any ordering off from the playing enclosure;
  - (b) Citing complaints (Made pursuant to Rule 16);
  - (c) Breaches of the Union's Code of Conduct;
  - (d) Any other matters that the Administration Officer considers appropriate in all the circumstances.
- (4) The Judiciary Committee shall meet as directed by the Administration Officer or at such times as the Judiciary Committee deems necessary throughout the season to hear cases. Any player who is ordered off the field must attend the next meeting of

the Judiciary Committee. Such player must check with the Union on the first business day following the match in which he/she was ordered off, for the time and place of the hearing.

NOTE: The attention of Club Secretaries is drawn to this Rule as failure to attend the next meeting of the Judiciary Committee results in automatic suspension of the player until his/her case is dealt with at a subsequent meeting. It is the responsibility of the player and his/her club Secretary to ascertain when the next meeting will be held.

- (5) In the event of there being special circumstances subsequent or prior to the normal meeting of the Judiciary Committee, the Administration Officer may convene a Special Meeting.
- (6) The Judiciary Committee shall have power to regulate its own procedures depending upon the circumstances of each case.
- (7) In dealing with any matter arising under Clause (3), the Judiciary Committee shall have power to, but not limited to:-
  - (a) Suspend a player, official or individual member or club from participating in or attending any match, within the jurisdiction of the Union for such period as the Judiciary Committee deems fit; or
  - (b) Take no action in respect of the incident; or
  - (c) Defer the commencement of suspension for such period as the Judiciary Committee deems fit; or
  - (d) Impose a penalty as prescribed in the By-Laws.
- (8) No proceeding heard by the Judiciary Committee shall be quashed or held invalid by reason only of any defect, irregularity, omission or other technicalities provided there has been no miscarriage of justice.
- (9) Burden of Proof
  - (a) In any case where the Judiciary Committee is required to consider an incident of foul play or alleged foul play it may decide to impose a penalty or take no further action.
  - (b) In any case where the Judiciary Committee is required to consider an ordering off, the Judiciary Committee may review the Referee's decision and the circumstances surrounding it. In any such case, the Judiciary Committee shall not make a finding contrary to the Referee's decision unless it is comfortably satisfied on the evidence that the Referee's reasons for his decision are wrong.
  - (c) In any case where the Judiciary Committee is required to consider a citing complaint in relation to an incident where the Referee has made a decision on the field of play in relation to the incident, the Judiciary Committee may review the Referee's reasons for the decision and the circumstances surrounding it. In any such case the Judiciary Committee shall not make a finding contrary to the Referee's decision unless it is comfortably satisfied on the evidence that the Referee's reason for the decision is wrong.

- (d) In any case where the Judiciary Committee is required to consider an incident not the subject of a determination on the field of play by a Referee, it shall not impose any penalty unless it is comfortably satisfied that the allegation is proved.
- (10) On a person being cited pursuant to Rule 16 hereof, the Administration Officer shall cause to be served upon such person a Notice advising as to the reason that person has been referred to the Judiciary Committee pursuant to Rule 16 hereof and advise that person of the time, date and place of the meeting of the Judiciary Committee at which such person is required to attend and in whose absence or presence the matters referred to in the Notice shall be the subject of discussion and a decision of the Judiciary Committee.
- (11) The Judiciary Committee may require a player who is ordered off the playing enclosure or a person cited pursuant to Rule 16 to appear in person before the Judiciary Committee. A player or cited person who is required to attend a hearing by a Judicial Committee shall be entitled to be represented at the hearing by an official of his/her club and/or a legally qualified practitioner at the discretion of the Judiciary Committee.
- (12) Should a player or cited person be unable to attend the Judiciary Committee hearing, the case may be heard in their absence, if the Judiciary Committee so desires, and the player/person may be represented by an official of their club and/or a legally qualified practitioner at the discretion of the Judiciary Committee.
- (13) The Judiciary Committee does not review the decision of the Referee and decide whether it was correct or not. The Referee is the sole judge of fact and law on the playing enclosure during the game.  
The task of the Judiciary Committee is to consider the circumstances surrounding the incident for which a player is sent off or complaint referred to and impose such penalty as it believes is necessary in the circumstances.
- (14) Referees MUST, prior to 5.00 pm on the Sunday following the day of the match, report in writing to the Administration Officer on a Central Coast Rugby Union Send Off Report Form, any player or players ordered off the field of play for any reason or any misconduct. The Administration Officer will then submit this form, and accompanying judicial information, to the relevant club and to the Chairman of the Judiciary Committee.
- (15) Any player ordered off the field shall be suspended from playing until his case has been heard by the Judiciary Committee and any member Club playing a person so disqualified shall lose the match in which that player took part. (By-Law Part 28 (1))
- (16) The Referee is not required to attend any hearing of the Judiciary Committee or Appeals Committee but may appear if he or she so desires.
- (17) Notwithstanding anything to the contrary contained in these Rules, any person feeling aggrieved by any decision of the Judiciary Committee may appeal in writing to the Administration Officer requesting that the matter be referred to the Appeals Committee. The appeal shall state the name and address of the applicant, the date on

which it was so heard and determined by the Judiciary Committee, the finding of the Judiciary Committee and the grounds upon which he feels aggrieved by the decision.

- (18) An appeal, which shall be in writing and addressed to the Administration Officer, shall be invalid unless lodged within seven (7) days from the date of the decision and shall include the reason for the appeal, and the evidence to be submitted and relied upon in the appeal.
- (19) All appeals lodged pursuant to these rules shall be accompanied by a deposit of eight (8) penalty points and this amount shall be refunded only in the case of the appeal being upheld or a previously imposed sentence reduced.
- (20) All evidence in relation to the appeal shall be made available by the Judiciary Committee to the Appeals Committee. A member of the Judiciary Committee shall be invited to attend the hearing of the appeal.
- (21) The use of video equipment as evidence is allowed but the video tape remains the property of the CCRU until all avenues of appeal are finalised or have expired.

#### **47 Judiciary Procedures**

- (1) The Judiciary Committee shall have the powers to regulate its own procedures depending upon the circumstances of each case.
- (2) The Board may produce guidelines to assist the Judiciary Committee.
- (3) Within 24 hours of the completion of the Judiciary Committee meeting, the Chairperson will supply a report of the findings of the Judiciary Committee to the Administration Officer and such report should include the following details:
  - (a) Date of hearing
  - (b) Judiciary personnel who heard the case
  - (c) Name of person sent off or cited
  - (d) Club
  - (e) Game
  - (f) Venue and date of incident
  - (g) Person(s) accompanying accused
  - (h) Others persons in attendance
  - (i) Charge
  - (j) Person who reported or cited accused
  - (k) Verdict
  - (l) Sentence
  - (m) Matter taken into account in reaching decision
  - (n) Any notes relevant to hearing
- (4) The Administration Officer shall forward within 24 hours of the receipt of the Judiciary Committee's report, a copy to the Secretary of the player's club.

## **48 Appeals Committee**

- (1) An Appeals Committee will deal with all appeals from the decisions of the Judiciary Committee.
- (2) The Appeals Committee shall decide whether the decision of the Judiciary Committee shall be confirmed, revoked or varied.
- (3) The Appeals Committee shall have the power to regulate its own procedures depending upon the circumstances. No proceedings heard by an Appeals Committee shall be quashed or held invalid by reason only of any defect, irregularity, omission or other technicalities provided there has been no miscarriage of justice.
- (4) In the event any decision of the Judiciary Committee is revoked or varied by the Appeals Committee, the Appeals Committee may impose such penalty as it believes is necessary in all of the circumstances and may exercise such of the powers as are conferred upon the Judiciary Committee by Rule 46 as may be necessary or appropriate for the exercise of the powers and duties imposed upon the Appeals Committee.
- (5) The Appeals Committee will consist of persons invited to participate by the Board. Where possible, some of the Appeal Committee members shall have legal expertise.
- (6) The Appeals Committee is to consist of persons none of whom can be active players and who are independent of all the parties concerned with the appeal - i.e. clubs, Referees, judiciary member, Administration Officer and the like.
- (7) A quorum for a meeting of the Appeals Committee shall be not less than three (3) members.
- (8) The Appeals Committee shall meet at such time and place as shall be directed by the Administration Officer.
- (9) The Administration Officer, upon receipt of an appeal, shall notify as soon as possible, in writing, the Judiciary Chairman, that an appeal has been lodged.
- (10) The Administration Officer shall notify the Judiciary Chairman and the appellant's club, in writing and with at least 48 hours notice of the time, date and venue of the appeal.
- (11) A player or cited person who is required to attend a hearing by the Appeals Committee shall be entitled to be represented at the hearing by an official of his/her club and/or a legally qualified practitioner at the discretion of the Appeals Committee.
- (12) On completion of the Appeal Committee meeting, the Chairperson will, within 24 hours, supply a report of the findings of the Appeal to the Administration Officer and such report should include the following details:
  - (a) Date of hearing
  - (b) Appeal personnel who heard the case
  - (c) Name of person sent off or cited
  - (d) Club

- (e) Game
  - (f) Venue and date of incident
  - (g) Person accompanying accused
  - (h) Others persons in attendance including any Judiciary Committee representative
  - (i) Charge
  - (j) Person who reported or cited accused
  - (k) Verdict
  - (l) Sentence
  - (m) Matter taken into account in reaching decision
  - (n) Any notes relevant to hearing
- (13) Notwithstanding anything to the contrary contained in these Rules, any person feeling aggrieved by any decision of the Appeals Committee may appeal in writing to the Executive Officer of Country Rugby Union requesting that the matter be referred to the Country Rugby Union Judiciary Committee.
- (14) The appeal to Country Rugby Union shall state the name and address of the applicant, the date on which the matter was so heard and determined by the Appeals Committee, the finding of the Judiciary and Appeals Committees and the grounds upon which they feel aggrieved by the decision together with any fee required and within any time period so imposed by the Country Rugby Union.

#### **49 Match & Grounds Committee**

- (1) The Match & Grounds Committee shall arrange the competition matches for the season.
- (2) The Match & Grounds Committee shall allocate such competition matches to the grounds under the control of the Union.
- (3) Games are to be played on a “Home and Away” basis when that ground is available and when the Match & Grounds Committee decides it is appropriate.

#### **50 Selection Committee**

- (1) The Selection Committee shall consist of a maximum of five (5) persons.
- (2) The Selection Committee shall select such teams as directed from time-to-time by the Board and the decision of the Selection Committee shall be final.
- (3) No active player will be eligible to stand for this Committee.

#### **51 Awards Committee**

- (1) A medal to be known as the **Noble Medal** shall be awarded to the player from a first grade club, who is judged the best and fairest player for the season.

- (2) To determine the winner of this medal, points will be awarded on a 3, 2, 1 basis by judges appointed by the Board, and the player with the most points at the completion of the competition rounds shall be awarded the medal.
- (3) The points shall be collected by the Administration Officer following each fixture.
- (4) A Committee appointed by the Board shall calculate the points at the end of the season.
- (6) In the case of several players receiving the same number of points, a count back shall be done to determine a winner. In the event of a count back not determining a clear winner, joint winners will be declared.
- (7) Anybody who is suspended by the Judiciary Committee during the season shall be ineligible for the winning of the Noble Medal in that season.

## **52 Referees Appointments Board**

The Referees Appointment and Examination Board shall be elected by the Central Coast Rugby Union Referees Association and shall appoint Referees for matches controlled by the Union.

## **PART VII**

### **FUNDS**

#### **53 Source**

- (1) The Funds of the Union shall be derived from entrance fees and annual subscriptions of members, donations and subject to any resolution passed by the Board such other sources as the Board determines.
- (2) All money received by the Union shall be deposited as soon as practicable and without deduction to the credit of the account of the Union with any financial institution approved by the Board.
- (3) The Union shall, as soon as practicable after receiving any money, issue an appropriate receipt.

#### **54 Monies Collected from Spectators**

- (1) All monies collected by gatekeepers employed by the Union shall be the property of the Union.

#### **55 Punishment for non-payment of fees and dues**

- (1) All monies required to be paid by a Club shall be paid within twenty-eight (28) days of the Administration Officer notifying the offending club of the amount due. If these funds are not received within the time, then that Club should be deemed to be unfinancial. If a Club is unfinancial, it shall not be allowed to participate in any

fixtures under the control of the CCRU. This includes trial games, competition games or any Council Meeting held.

- (2) The non-payment of monies within the due time shall result in a fine of 2 Penalty Units or ten percent of the outstanding monies; whichever is the greater, per month until the monies are paid.
- (3) Notice sent by pre-paid Australia Post or electronic mail to the offending Club from the Administration Officer shall be deemed satisfactory notice.
- (4) The Board has the right to exempt any Club from this ruling or defer the payment of any moneys payable in pursuance of this Clause for such times as the Board may deem fit.

## **56 Management**

- (1) Subject to any resolution passed by the Board the funds of the Union shall be used in pursuance of the objects of the Union in such manner as the Board determines.
- (2) All monies received for or on behalf of the Union shall be held in the name of the Union by the President, Vice President(s) and Administration Officer, and paid to the credit of the Union into such financial institutions as the Board shall from time-to-time direct, and all monies paid by or on behalf of the Union shall be paid by cheque drawn against the funds of the Union on such financial institutions and shall be signed by any two (2) of the President, Vice President(s) and Administration Officer.
- (3) Endorsement of cheques, drafts, bills, notes and other instruments payable to or to the order of the Union and lodged for credit or their bank accounts may be made by the President, Vice President(s) and Administration Officer.
- (4) The Board may at any time, and from time-to-time, create for any special purpose and may subscribe the means by which such funds shall be maintained, and, at any time thereafter, may order that such special funds be closed and prescribed the manner in which all monies remaining therein shall be used or applied.
- (5) The Financial Year of the Union shall end on the tenth (10th) day of October in each and every year, and a Statement of Income and Expenditure and a Balance Sheet shall be made up to that date in each year and such accounts duly reported on by the Auditor(s) shall be laid before the members of the Union at its next Annual General Meeting.
- (6) Registered Auditor(s), who shall not be office bearers of the Union, shall be appointed annually at the Annual General Meeting of the Union.
- (7) The assets and income of the Union shall be applied solely in furtherance of the above mentioned objectives and no portion shall be distributed directly or indirectly to the members of the organisation except as “bona fide” compensation for services and / or reimbursement of out of pocket expenses incurred in carrying out fiduciary duties or voluntary services on behalf of the Union.
- (8) The Board shall determine at the first Board Meeting following the Annual General Meeting each year, the value of a Penalty Unit (GST inclusive).

(9) **Association is Non-Profit**

The association must apply its funds and assets so as to be consistent with its objectives. The association is prohibited from providing pecuniary gain for any of its members.

(10) **Distribution of property on winding-up of association**

If this association winds up and closes, any surplus property of the association is to be transferred to NSW Country Rugby Union and is not to be carried on for the profit or gain of its individual members.

**57 Challenge to Right to Vote**

The rights of delegates or representatives of Members to vote at any Council Meeting, Annual General Meeting or Special General Meeting of the Union may be challenged on ground that the Member concerned has not paid its Annual Subscription or other monies due and payable under these Rules or the By-Laws of the Union (unless exempted by the Board from payment thereof or unless payment thereof is deferred by the Board) and their vote shall be disallowed if the Chairman is satisfied that the member concerned is in default. A member shall be deemed to be in default if its subscription or other monies due remain unpaid twenty-eight (28) days after same becomes due. The due date for payment shall be the date as shown on any statement or account presented to the Member or other body.

**PART VIII**

**MISCELLANEOUS**

**58 Insurance**

- (1) The Union shall effect and maintain insurance pursuant to Section 44 of the Act.
- (2) In addition to the insurance required under Clause (1), the Union may effect and maintain other insurance.

**59 Central Coast Representative Uniforms**

The Central Coast colours shall be Red, Black and Yellow.

**60 Common Seal**

- (1) The common seal of the Union shall be kept in the custody of the Administration Officer.
- (2) The common seal shall not be affixed to any instrument except by the authority of the Board and the affixing of the common seal shall be attested by the signatures either of two (2) members of the Board or of one (1) member of the Committee and of the Public Officer or Administration Officer.

**61 Custody of Books, etc**

Except as otherwise provided by these Rules, the Administration Officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the Union.

**62 Inspection of Books, etc**

The records, books and other documents of the Union shall be open to inspection, free of charge, by a member of the Union at any reasonable hour.

**63 Service of Notices**

- (1) For the purpose of these Rules, a notice may be served by or on behalf of the Union upon any member either personally or by sending it by post or electronic transmission to the member at the member's address shown in the Register of Members.
- (2) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purpose of these Rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.
- (3) Where a document is sent to a person by electronic transmission, the document shall, unless the contrary is proven, be deemed for the purpose of these Rules to have been served on the person at the time at which the transmission occurred and subject to the keeping of a verification report from the electronic transmitter.

**64 Dissolution of the Union**

The Union shall be deemed to have been dissolved if and when -

A resolution in favour of dissolution shall be carried by a seventy - five percent (75%) majority of the whole of the Union at the Special General Meeting of the Union specially called for the purpose of considering such dissolution.

**65 Surplus Property**

- (1) At the first Council Meeting of the Union the Union shall pass a special resolution nominating an incorporated Association as the Association in which is to vest its surplus property pursuant to Section 53(2) of the Act in the event of the winding up or the cancellation of the incorporation of the Union.
- (2) The incorporated Association so nominated shall be one which fulfils the requirements specified in Section 53(2) (a) (c) of the Act.
- (3) In the event that the Association nominated in pursuance of sub-paragraph (a) hereof has been wound up or is no longer incorporated at the date of winding up or cancellation of incorporation of the Union the surplus property of the Union shall, subject to any trust affecting that property or any part of it be paid and applied by the Board pursuant to a Special Resolution to an incorporated association which fulfils

the requirements of Section 53 (2) of the Act and which is exempt from income tax under Section 23 of the Income Tax Assessment Act.

## **66 Special Resolutions**

- (1) A special resolution must be passed by a Special General Meeting or Annual General Meeting of the Union to effect the following:
  - (a) A change in the Union's name.
  - (b) A change of the Union's rules.
  - (c) A change of the Union's by-laws.
  - (d) An amalgamation with another incorporated association.
  - (e) To voluntarily wind up the Union and distribute its property.
  - (f) To apply for registration as a company or a co-operative.
- (2) Not less than twenty-one (21) days notice of the meeting (the Notice specifying the intention to propose the Resolution at the meeting as a Special Resolution and not being a resolution limited to the matters referred to in sub-paragraph 1 hereof) must be given to persons entitled to vote at the meeting, unless a majority of members having the right to attend and vote and representing at least ninety-five per cent (95%) of those entitled to vote agree that the resolution be proposed and passed as a Special Resolution at a meeting of which less than twenty-one (21) days notice has been given.
- (3) Any Special Resolution must be passed by a majority of not less than seventy-five per cent (75%) of members as being entitled so to do, vote in person.

## **67 Public Officer**

- (1) The Board shall ensure that a person is appointed as Public Officer.
- (2) The first Public Officer shall be the person who completed the application for incorporation of the Union.
- (3) The committee may, at any time, remove the Public Officer and appoint a new Public Officer provided the person appointed is eighteen (18) years of age or older and a resident of New South Wales.
- (4) The Public Officer shall be deemed to have vacated his position in the following circumstances:
  - (a) Death
  - (b) Resignation
  - (c) Removal by the Committee or at a Council Meeting
  - (d) Bankruptcy or financial insolvency
  - (e) Mental illness
  - (f) Residency outside New South Wales

- (5) If a vacancy occurs in the position of Public Officer, the Board shall, within fourteen (14) days, notify the Corporate Affairs Commission by the prescribed form and appoint a new Public Officer.
- (6) The Public Officer is required to notify the Corporate Affairs Commission by the prescribed form in the following circumstances:
  - (a) a change of residential address (within 14 days)
  - (b) change in the Union's objects or rules (within one month)
  - (c) change in the membership of the committee (within 14 days)
  - (d) the Union's financial affairs (within one month after the Annual General Meeting)
  - (e) change in the Union's name (within one month)
- (7) The Public Officer may be an Office Bearer, Board Member, or any other person regarded by the Board as suitable for the position.