

Christian Schools Sports Association



Constitution & Membership Application

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**CONSTITUTION
OF
CHRISTIAN SCHOOLS SPORTS ASSOCIATION INC.**

ABN 96 059 090 366

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**CONSTITUTION
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1. PRELIMINARY

1.1 Definitions

In this Constitution, unless the context requires otherwise:

"**Act**" means the *Associations Incorporation Act 1984* (NSW);

"**Annual Membership Fee**" means the amount set from time to time in accordance with Clause 10;

"**Annual Subscription Fee**" means the amount set from time to time in accordance with Clause 11;

"**Association**" means Christian Schools Sports Association Inc. ABN 96 059 090 366;

"**Commissioner**" means the Commissioner of the Office of Fair Trading;

"**Committee**" means the Committee of Management of the Association described in Clause 15;

"**Delegate**" means a delegate of a Member appointed under Clause 25.1(a);

"**Executive Officer**" means the person appointed as executive officer under Clause 18.5;

"**Member**" means a school admitted as a member of the Association under Clause 4.1;

"**Membership Declaration**" means the declaration and associated documents required under Clause 5.1(b);

"**Office Bearer**" means a member of the Committee appointed as an office bearer under Clause 16.1(a)(i);

"**Ordinary Committee Member**" means a member of the Committee appointed as an ordinary committee member under Clause 16.1(a)(ii);

"**Principal**" means the individual occupying the office of Principal of a school which is a Member;

"**Principal Representative**" means a member of the Committee appointed as a principal representative under Clause 16.1(b);

"**Public Officer**" means the public officer of the Association for the purposes of the Act appointed from time to time under Clause 18.6;

"**Register**" means the register of Members kept pursuant to Clause 9;

"**Regulation**" means the *Associations Incorporation Regulation 1999* (NSW);

"**Special Majority**" means a resolution passed by a majority comprising not less than three-quarters of Committee members (excluding the Executive Officer) present and entitled to vote at a meeting at which a quorum is present;

"**Special Resolution**" means a resolution passed in accordance with Clause 34; and

"**Statement of Affirmation**" means the statement of affirmation set out in Clause 2.

1.2 Interpretation

In this Constitution unless the context otherwise requires:

- (a) words importing the singular include the plural and vice versa;
- (b) words importing any gender include the other gender;
- (c) the word person shall include corporations, incorporated and unincorporated associations, schools and other entities;
- (d) a reference to a statute, code or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them (whether of the same or any other legislative authority having jurisdiction);
- (e) references to writing include any mode of representing or reproducing words in tangible and permanently visible form, and includes electronic and facsimile transmission;
- (f) reference to a month means a calendar month;
- (g) headings do not affect the interpretation of this Constitution;
- (h) a reference to a function includes a reference to a power, authority and duty;
- (i) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty; and
- (j) the provisions of the *Interpretation Act 1987* (NSW), apply to this Constitution in the same manner as those provisions would so apply if this Constitution were an instrument made under that Act.

2. STATEMENT OF AFFIRMATION

2.1 About the Supreme Authority of the Bible

WE AFFIRM that the Scriptures of the Old and New Testaments are God's infallible and inerrant revelation to **humanity** It is thus the **ultimate authority** by which all things are to be judged, and the authoritative guide for all life and conduct.

2.2 About the Sovereignty of God

WE AFFIRM that there is one God and He is sovereign and eternal. He is revealed in the Bible as three equal divine Persons - Father, Son and Holy Spirit.

God depends on nothing and no one; everything and everyone depends on Him. God is holy, just, wise, loving and good.

God created all things of His own sovereign will. By His Word and Spirit God rules over all. For those who trust in Him, He redeems their life in its entirety renewing them in His image. He restores them to fellowship with himself.

God is the God and Father of our Lord Jesus Christ. He is also Father of all whom He has adopted as His children. God holds each person responsible and accountable for choices made and actions pursued. Human responsibility and accountability do not limit God's sovereignty. God's sovereignty does not diminish human responsibility and accountability.

2.3 **About the work of the Holy Spirit**

WE AFFIRM the necessity of the work of the Holy Spirit to make the death of Christ effective to the individual sinner, granting them repentance towards God and faith in our Lord Jesus Christ.

2.4 **About the Lordship of Christ**

WE AFFIRM that Jesus Christ is from eternity God's only begotten Son; He was born of a virgin and is therefore truly God and man. Through Him God created and sustains the world. Jesus suffered and died for our sins and rose again for our salvation. He ascended into heaven where He now sits at the right hand of the God the Father making intercession for His people. Christ is the Head of the Church and will come again to judge the living and the dead and complete the salvation of His people and the Kingdom of God.

We AFFIRM the justification of the sinner by the grace of God through Christ alone

2.5 **About the task of the Christian School**

WE AFFIRM that a Christian school is a school where Christ is confessed as the Lord of Creation. Empowered by the Holy Spirit, its special task is to teach the child to understand the world from a Christ-centred perspective and to equip them for their calling in life in subjection to Jesus Christ as Lord.

WE AFFIRM that, in pursuit of their task, Christian schools only employ Christian teachers who are able to subscribe to this Statement of Affirmation.

2.6 **About the role of Government**

WE AFFIRM that all citizens owe obedience to the legally instituted governments of our nation which derive their authority from God and are responsible to Him for promoting and maintaining public security, justice and welfare.

2.7 **About the responsibility of parents**

WE AFFIRM that the responsibility for the education and guidance of children lies in the first instance with their parents or legal guardians, and the governments are duty bound to provide, without distinction and on general terms of equality, both the legal right and the opportunity for parents and guardians to choose for their children schools other than those established by public authorities that provide for the education of their children in conformity with their own convictions.

3. OBJECTS

The objects of the Association are:

- (a) to foster Christian thought, practice and administration in relation to sports and sporting events within and between Christian schools;
- (b) to co-ordinate, conduct, manage and raise funds for the conduct of sporting events involving Members;
- (c) to encourage and assist Members in organising their own inter school sporting events;
- (d) to develop and promote appropriate policies, rules and guidelines based on Christian principles, for the conduct of inter-school sporting events;
- (e) to assist Members to develop and improve their physical education and sporting programmes and activities;
- (f) to facilitate the participation of the Association, or representatives of the Association, in sporting events other than those arranged by the Association;
- (g) to promote the objectives and strategies of the Association to parents, friends and students of Members; and
- (h) to do all other lawful things incidental or conducive to the attainment of these objects,

and for these purposes the Association has the legal capacity of a natural person with all the consequential powers as conferred by the Act.

4. MEMBERS

4.1 The Members of the Association are any schools that were members of the Association at the time of adoption of this Constitution and any school admitted as a Member under Clause 4.2.

4.2 A school may be admitted as a Member if that school :

- (a) is a school established or registered under the *Education Act 1990* (NSW) or similar legislation in another State or Territory of Australia;
- (b) has been nominated for membership of the Association as provided by Clause 5;
- (c) has had its school Principal signify agreement in writing with the Statement of Affirmation;
- (d) employs only teachers who also subscribe to a statement of faith comparable to the Statement of Affirmation;
- (e) has been approved for membership of Association by the Committee under Clause 5.2; and
- (f) agrees to pay the Annual Membership Fee (in full) and Annual Subscription Fee (pro rata to the remainder of the year until the next annual general meeting) if admitted.

5. NOMINATION FOR MEMBERSHIP

- 5.1 The nomination of a school for membership of the Association:
- (a) shall be made and seconded by 2 Principals of existing Members in writing, in the form set by the Public Officer from time to time;
 - (b) shall include a Membership Declaration signed by the applicant's school principal (or other authorised officer of the applicant) attesting to the requirements of Clause 4.2, in the form set by the Public Officer from time to time, and enclosing a copy of the applicant's teachers' statement of faith and the applicant's employment policy; and
 - (c) shall be lodged with the Public Officer.
- 5.2 As soon as practicable after receiving a nomination for membership, the Public Officer shall refer the nomination to a meeting of the Committee which shall, in its complete discretion, determine whether to approve or reject the nomination after examination of the applicant's Membership Declaration.
- 5.3 Where the Committee determines to approve a nomination for membership, the Public Officer shall, as soon as practicable after that determination, notify the applicant of that approval and request the applicant to pay, within a period of 30 days after the receipt by the applicant of the notification, the Annual Membership Fee and the Annual Subscription Fee in accordance with Clause 4.2(f). On payment within that period, the applicant becomes a Member, and the Public Officer must enter the applicant's name in the Register.
- 5.4 Where the Committee determines to reject the nomination for membership, the Public Officer shall, as soon as practicable, notify the applicant of that determination. The Committee need not give reasons for its refusal to admit any person as a Member.

6. CESSATION OF MEMBERSHIP

- 6.1 A school ceases to be a Member if it:
- (a) is wound up or dissolved;
 - (b) resigns that membership under Clause 0; or
 - (c) is terminated as a Member under Clause 13.
- 6.2 Where a school ceases to be a Member, the Public Officer shall make an appropriate entry in the Register recording the date on which the Member ceased to be Member.

7. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

A right, privilege or obligation which a school has by reason of being a Member:

- (a) is not capable of being transferred or transmitted to another school or person; and
- (b) terminates upon cessation of membership.

8. RESIGNATION OF MEMBERSHIP

- 8.1 A Member is not entitled to resign its membership of the Association except in accordance with this Clause 0.
- 8.2 A Member who has paid all amounts payable to the Association in respect of the Member's membership may resign from membership of the Association by giving notice (being not less than 30 days or such other period as the Committee may subsequently determine) in writing to the Public Officer of the Member's intention to resign and, upon expiration of the period of notice, the Member ceases to be a Member.

9. REGISTER OF MEMBERS

- 9.1 The Public Officer shall establish and maintain a register of Members specifying the name and address of each Member together with the date on which membership commenced and (if relevant) ceased.
- 9.2 The Register shall be kept at the principal place of business of the Association and shall be open for inspection, free of charge, by designated representatives of any Member at any reasonable hour on reasonable notice.

10. ANNUAL MEMBERSHIP FEE

Every Member must pay the Annual Membership Fee each year, determined from time to time by resolution of the Members in general meeting, for each Primary Department and each Secondary Department from which it sends a Delegate.

11. ANNUAL SUBSCRIPTION FEE

Every Member must pay an Annual Subscription Fee each year determined from time to time by resolution of the Members in general meeting.

12. MEMBERS' LIABILITIES

The liability of a Member to contribute towards the payment of debts and liabilities of the Association or the cost, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the Member in respect to membership of the Association as required by Clause 10.

13. DISCIPLINING OF MEMBER SCHOOLS

13.1 Complaint mechanism

Where the Committee is of the opinion that a Member:

- (a) has persistently refused or neglected to comply with a provision or provisions of this Constitution;
- (b) by statement or conduct, has indicated that the Member no longer adheres to the Statement of Affirmation;

- (c) has conducted itself in a manner injurious or prejudicial to the character or interests of the Association;
- (d) has failed to pay its Annual Membership Fee or Annual Subscription Fee by the due date set for the relevant membership year; or
- (e) no longer fulfils the requirements of membership under Clause 4.2,

The Committee may by Special Majority:

- (f) terminate the membership of the Member; or
- (g) suspend the Member from the membership of Association and participation in the Association's activities for a specific time; or
- (h) transfer the Member from full membership entitlements to Provisional Membership entitlements which has no voting rights but can continue to participate in the Association's activities for a specific time; or
- (i) impose such other sanctions as the Committee sees fit.

13.2 Where the Committee makes a resolution under Clause 13.1, the Public Officer shall, within 14 days after the making of the resolution, by notice in writing inform the Member of the fact and of the Member's right to appeal under Clause 14.

13.3 A resolution under Clause 13.1 does not take effect:

- (a) until the expiration of the period within which the Member is entitled to appeal against the resolution; or
- (b) where within that period the Member exercises the right of appeal, unless and until the Association confirms the resolution pursuant to Clause 14.3(b).

14. RIGHT OF APPEAL OF DISCIPLINED MEMBER

14.1 A Member to be disciplined under Clause 13 may appeal to the Association in general meeting against the resolution of the Committee under Clause 13.1, to dispute that the Member has breached Clause 13.1(a) to 13.1(e), or that a penalty imposed under Clause 13.1(f) to 13.1(i) is not appropriate, within 30 days after notice of the resolution is served on the Member, by lodging with the Public Officer a notice to that effect.

14.2 Upon receipt of a notice from a Member under Clause 14.1, the Public Officer shall notify the Committee which shall place the matter on the agenda for the next general meeting.

14.3 At that general meeting:

- (a) a representative nominated by the Committee and the Principal of the Member under notice of discipline shall be given an opportunity to state their respective cases orally or in writing, or both; and
- (b) the Members present in person or by proxy and entitled to vote shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

15. THE COMMITTEE OF MANAGEMENT

15.1 Powers of Committee

The organising executive of the Association shall be called the "Committee of Management" of the Association (referred to in this Constitution as the "**Committee**") and, subject to the Act, the Regulation, this Constitution and to any resolution of the Members in general meeting:

- (a) shall control and manage the affairs of the Association;
- (b) may exercise all such functions of the Association other than those that are required by this Constitution to be exercised by a general meeting of Members;
- (c) has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Association; and
- (d) may at its discretion, convene a meeting of Principals to assist in discussion and make recommendations on major or contentious issues in the running of the Association.

16. MEMBERSHIP OF THE COMMITTEE

16.1 Constitution of Committee

(In the case of the first members of the Committee, subject to Section 21 of the Act) the Committee shall consist of:

- (a) up to 7 persons being:
 - (i) 4 Office-Bearers of the Association who are elected under Clause 17.3(c)(i) as President, Vice President, Secretary and Treasurer; and
 - (ii) up to 3 Ordinary Committee Members who are elected under Clause 17.3(c)(i);
- (b) up to 3 Principal Representatives who are Principals elected under Clause 17.3(c)(ii);
- (c) a Primary Liaison Officer who is a Delegate employed within the Primary Department of a Member, elected under Clause 17.3(c)(i);
- (d) a Secondary Liaison Officer who is a Delegate employed within the Secondary Department of a Member, elected under Clause 17.3(c)(i); and
- (e) any Executive Officer appointed under Clause 18.5.

17. ELECTION OF COMMITTEE MEMBERS

17.1 Nomination for Office Bearer or Ordinary Committee Member

Nominations of candidates for election to the positions of Office Bearers, Ordinary Committee Members, Primary Liaison Officer or Secondary Liaison Officer which have been left open by retirement or casual vacancy at the time of calling for nominations:

- (a) must be made by a Delegate, Principal or member of the Committee, either:

- (i) in writing (which may be by electronic means) signed by the nominating person and by the nominee by way of consent to their nomination; or
 - (ii) at the time of the election at an annual general meeting subject to that person's acceptance of the nomination;
- (b) shall be delivered to the Public Officer before the time fixed for the holding of the annual general meeting at which the election is to take place, or shall be received at the time of the election at the annual general meeting;
 - (c) (if the nominee is employed by a Member) must be approved by the Principal of the Member which employs the nominee; and
 - (d) (if the nominee is not employed by a Member) must be accompanied by a statement endorsing the Statement of Affirmation, in the form set by the Public Officer from time to time.

17.2 **Nomination for Principal Representative**

Nominations of candidates for election to the positions of Principal Representatives on the Committee which have been left open by retirement or casual vacancy at the time of calling for nominations:

- (a) shall be called for 8 weeks prior to the scheduled date of the annual general meeting, such notification being circulated by mail to all Principals by the Public Officer; and
- (b) must be received by the Public Officer in writing (which may be by electronic means) not less than 5 weeks prior to the scheduled date of the annual general meeting in order for a candidate to be eligible for election.

17.3 **Conduct of elections generally**

In the case of elections to any position on the Committee:

- (a) If insufficient nominations are received to fill the relevant position(s) on the Committee, any candidates nominated shall be deemed to be elected and any vacant positions remaining on the Committee shall be deemed to be casual vacancies.
- (b) If the number of nominations received for the relevant position(s) on the Committee is equal to the number of vacancies to be filled, the person(s) nominated shall be deemed to be elected to those positions and no postal ballot or election will be required.
- (c) If the number of nominations received for the relevant position(s) on the Committee exceeds the number of vacancies to be filled, the Public Officer shall conduct an election by ballot:
 - (i) (in the case of Office Bearers, Ordinary Committee Members, Primary Liaison Officer or Secondary Liaison Officer) at the annual general meeting in such usual and proper manner as the Committee may direct in accordance with Clause 0; or
 - (ii) (in the case of Principal Representatives) by a postal ballot conducted by the Public Office in accordance with Clause 18.6(b)(v) of all Principals prior to the annual general meeting,

immediately following the closing of nominations, and the Committee will appoint a returning officer to receive ballot papers, to count the votes and to declare the result.

- (d) The results of both ballots will be declared at the annual general meeting and all Principals will be advised in writing (which may be by electronic means) of the result immediately following the annual general meeting.

17.4 **Conduct of elections at the annual general meeting**

In the case of the positions of Office Bearers, Ordinary Committee Members, Primary Liaison Officer and Secondary Liaison Officer, separate elections shall be held for such positions as are left open by retirement or casual vacancy at the time of sending notices of the annual general meeting, in the following order (of descending seniority):

- (a) President;
- (b) Vice-President;
- (c) Treasurer;
- (d) Secretary;
- (e) Secondary Liaison Officer;
- (f) Primary Liaison Officer; and
- (g) Ordinary Committee Members,

and the candidate with the highest number of votes for each position, who is not already elected or continuing in the role as Office Bearer, Ordinary Committee Member, Primary Liaison Officer or Secondary Liaison Officer for the upcoming year, shall be deemed to be elected to the relevant position.

17.5 **Term of office**

For the avoidance of doubt, each Committee member who is elected shall serve in the position he or she was last elected to for a term of 3 years unless such person retires, resigns or is removed from office at an earlier time in accordance with this Constitution.

18. **OFFICE BEARERS, PUBLIC OFFICER AND EXECUTIVE OFFICER OF THE ASSOCIATION**

18.1 **President**

The President of the Association is responsible for ensuring the proper conduct of all Committee meetings and general meetings of the Association. The President will offer leadership within the Association and, subject to any resolution of a Committee or the Association in general meeting, will act as spokesperson or representative of the Association.

18.2 **Vice President**

The Vice President of the Association is responsible for supporting the President in the conduct of his/her duties. If the President is unavailable to carry out any of their responsibilities, the Vice President shall act in their place.

18.3 **Secretary**

If the Committee has nominated another person as Public Officer, the role of the Secretary shall be to assist the Public Officer and, if the Public Officer is unavailable to carry out their responsibilities, the Secretary shall act in their place.

18.4 **Treasurer**

- (a) It is the duty of the Treasurer of the Association to ensure that:
 - (i) all money due to the Association is collected and received and that all payments authorised by the Association are made;
 - (ii) correct books and accounts are kept showing the financial affairs of the Association including full details of all receipts and expenditure connected with the activities of the Association; and
 - (iii) the annual Financial Reports are audited in time to be presented to the annual general meeting of the Association.

18.5 **Executive Officer**

The Committee may appoint an Executive Officer from time to time to act as chief executive officer of the Association. The Executive Officer will normally attend but has no right to vote at meetings of the Committee.

18.6 **Public Officer**

- (a) The Committee may appoint any person to the role of Public Officer in accordance with Clause 18.3. If no such person is appointed, the Secretary for the time being is the Public Officer.
- (b) It is the duty of the Public Officer to:
 - (i) maintain a register of all appointments of members of the Committee;
 - (ii) maintain a register of the names of all members and their Principals and Delegates from time to time;
 - (iii) keep the minutes of all proceedings at Committee meetings and general meetings of the Association;
 - (iv) submit copies of the minutes of proceedings of meetings to be signed by the Chairperson of the meeting or by the Chairperson of the next succeeding meeting;
 - (v) conduct the postal ballots for Principal Representatives;
 - (vi) at the start of each year calculate the number of Delegates each Member may appoint;
 - (vii) calculate Annual Membership Fees and Annual Subscription Fees for each Member each year;
 - (viii) in writing at the start of each year, call on the Principals of all Member to nominate their Delegate(s); and
 - (ix) submit any statutory returns, as may be required and comply with all other requirements under the Act.
- (c) As soon as practicable after being appointed as Public Officer, a Public Officer lodge notice with the Association of their address.

19. CASUAL VACANCIES

19.1 For the purposes of this Constitution, a casual vacancy in the office of a member of the Committee occurs if:

- (a) this Constitution provides that a casual vacancy has occurred; or
- (b) the Committee member is automatically removed, which shall be deemed to have occurred if the Committee member:
 - (i) dies;
 - (ii) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* (Cth);
 - (iii) resigns office by notice in writing given to the Secretary, which is effective on the date of receipt of that notice unless otherwise specified in the notice;
 - (iv) is removed from office under Clause 21;
 - (v) fails to attend 3 or more meetings, of the Committee (or a sub-committee) without the permission of the Committee, and the Committee resolve that the individual should be removed from office as a result; or
 - (vi) 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.

19.2 In the event of a casual vacancy occurring in the membership of the Committee, the Committee may appoint another person (or in the case of a position as a Principal Representative another Principal) to fill the vacancy and a person so appointed shall hold office, subject to this Constitution, until the conclusion of the annual general meeting next following the date of the appointment.

19.3 In the event of a casual vacancy occurring in the office of an Office Bearer, the remaining members of the Committee may appoint another person as a member of the Committee and/or may elect one of their number (excluding any person so appointed) to the office left vacant by the departing Office Bearer until the conclusion of the annual general meeting next following the date of appointment (at which time, if that person is entitled to continue in office under Clause 20 they revert to their original elected position).

20. RETIREMENT OF COMMITTEE MEMBERS

20.1 Annual general meeting following adoption of constitution

At the first annual general meeting following the adoption of this Constitution, all members of the Committee shall resign from office, but are eligible for re-election.

20.2 One-third retirement

Except where Clause 20.1 applies, the following members of the Committee must resign at the conclusion of each annual general meeting:

- (a) any member of the Committee filling a casual vacancy;
- (b) any member of the Committee wishing to stand for election to another position or office on the Committee; and
- (c) excluding any member of the Committee under Clauses 20.2(a) and 20.2(b) and the Executive Officer:

- (i) one-third of the remaining members of the Committee for the time being, rounded down to the nearest whole number if necessary; and
- (ii) any other member of the Committee who at the conclusion of the annual general meeting shall have held office for 3 or more consecutive years since last elected to that position.

20.3 Order of retirement

The members of the Committee to retire at an annual general meeting are those who have been longest in office since their last election, but, as between persons who become members of the Committee on the same day, those to retire shall (unless they otherwise agree) be those of lowest seniority as described in Clause 0 or, as between persons of equal seniority, determined by lot.

20.4 Re-election

A retiring member of the Committee is eligible for re-election.

21. REMOVAL OF COMMITTEE MEMBER

21.1 The Association in a general meeting may by Special Resolution remove any member of the Committee from office before the expiration of the Committee member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the Committee member so removed.

21.2 Where a member of the Committee to whom a proposed resolution referred to in Clause 21.1 relates makes representations in writing to the Public Officer or President (not exceeding a reasonable length) and requests that the representations be notified to the Members, the Public Officer or the President may send a copy of the representations to each Member or, if they are not so sent, the Committee member is entitled to require that the representations be read out at the general meeting at which the resolution is considered.

22. COMMITTEE MEETINGS AND QUORUM

22.1 The Committee shall meet at least 2 times in each period of 12 months at such place and time as the Committee may determine.

22.2 Additional meetings of the Committee may be convened by the President or by any 2 other Office Bearers.

22.3 Oral or written notice of a meeting of the Committee shall be given by the Public Officer to each member of the Committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the Committee) before the time appointed for the holding of the meeting.

22.4 Notice of a Committee meeting given under Clause 22.3 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 Committee members present at the meeting unanimously agree to treat as urgent business.

22.5 Any 3 members of the Committee (which must include either the President or 2 Office Bearers, and which does not include the Executive Officer) constitute a quorum for the transaction of the business of a meeting of the Committee.

22.6 No business shall be transacted by the Committee 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 in the following week.

- 22.7 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.
- 22.8 At a meeting of the Committee:
- (a) the President or, in the President's absence, the Vice-President shall act as chairperson; or
 - (b) if the President and the Vice-President are absent or unwilling to act such, the Committee members present may elect one of their number to act as chairperson of that meeting.

23. DELEGATION BY COMMITTEE TO SUB-COMMITTEE

- 23.1 The Committee may, by instrument in writing, delegate to one or more Sub-Committees (consisting of one or more members of the Committee, Delegates Principals or such other person or persons as the Committee thinks fit) the exercise of such of the functions of the Committee 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, the Regulation or any other law.
- 23.2 A function the exercise of which has been delegated to a Sub-Committee under this Clause 23 may, while the delegation remains unrevoked, be exercised from time to time by the Sub-Committee in accordance with the terms of the delegation.
- 23.3 A delegation under this section may be made subject to such conditions or limitations as the Committee may specify in the instrument of delegation or by their other directions.
- 23.4 Notwithstanding any delegation under this Clause 23, the Committee may continue to exercise any function delegated.
- 23.5 Any act or thing done or suffered by a Sub-Committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the Committee.
- 23.6 The Committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.
- 23.7 A Sub-Committee may meet and adjourn as it thinks proper or otherwise as directed by the Committee.

24. VOTING AND DECISIONS AT MEETINGS OF THE COMMITTEE

- 24.1 Questions arising at a meeting of the Committee or of any Sub-Committee appointed by the Committee shall be determined by a majority of the votes of members of the Committee or Sub-Committee present at the meeting (excluding the Executive Officer).
- 24.2 Each member of the Committee (excluding the Executive Officer) present at a meeting of the Committee or of any Sub-Committee appointed by the Committee is entitled to one vote but, in the event of an equality of votes on any question, President or, in his or her absence, the person presiding as chairperson may exercise a second or casting vote.
- 24.3 Subject to Clause 22.5, the Committee may act notwithstanding any vacancy on the Committee.
- 24.4 Any act or thing done or suffered, or purporting to have been done or suffered, by the Committee or by a Sub-Committee appointed by the Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or Sub-Committee.

25. GENERAL MEETINGS

25.1 Delegates

- (a) Each Member shall be entitled to appoint one natural person as a Delegate for each Primary Department and one Delegate for each Secondary Department to attend general meetings.
- (b) Each Delegate shall be considered to be a representative of the Member who appointed them and has authority to commit the appointing Member's vote applicable to that Delegate on matters previously notified on the agenda for such general meetings.
- (c) Delegates will be appointed for each calendar year and must be notified to the Association by each Member on the form set by the Public Officer from time to time . A Member may change a Delegate during the course of a year by giving notice to the Public Officer in the form set by the Public Officer from time to time.

26. VOTING AT GENERAL MEETINGS

- 26.1 Upon any question arising at a general meeting of the Association each Delegate present in person or by proxy has one vote on a show of hands or a poll.
- 26.2 In the case of an equality of votes on a question at a general meeting, the chairperson (whether or not a Delegate) is entitled to exercise a second or casting vote.
- 26.3 A Delegate or their proxy is not entitled to vote at any general meeting unless all money due and payable to the Association by the Member to which they are associated has been paid, other than the amount of the Annual Membership Fee or Annual Subscription Fee payable in respect of the then current year.
- 26.4 Each Delegate shall be entitled to appoint another natural person approved by the Principal of the Member to which that Delegate is associated as its proxy, by giving notice to the Public Officer prior to the commencement of the meeting in respect of which the proxy is appointed, in the form set by the Public Officer from time to time.

27. ANNUAL GENERAL MEETINGS

- 27.1 Subject to any extension or permission granted by the Commissioner under the Act, the Association shall, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the Association, convene an annual general meeting of its Members.
- 27.2 The annual general meeting of the Association shall, subject to the Act and to this Clause 0, be convened on such date and at such place and time as the Committee thinks fit.
- 27.3 In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be to:
- (a) confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
 - (b) receive from the Committee reports upon the activities of the Association during the last preceding financial year;
 - (c) elect Office Bearers, Ordinary Committee Members, Secondary Liaison Officers and Primary Liaison Officer;
 - (d) receive and consider the statement which is required to be submitted to Members pursuant to Section 26(6) of the Act; and
 - (e) declare the result of the postal ballot for Principal Representatives under Clause 17.3(c)(ii).
- 27.4 An annual general meeting shall be called as such in the notice convening it.

28. GENERAL MEETINGS

- 28.1 The Committee may, whenever it thinks fit, convene a general meeting of the Association.
- 28.2 The Committee shall convene a general meeting of the Association, on the requisition in writing of not less than 5% of the Members which:
- (a) must state the purpose or purposes of the meeting;
 - (b) must be signed by a Delegate or Principal of each Member making the requisition;
 - (c) must be lodged with the Public Officer; and
 - (d) may consist of several documents in a similar form, each by at least one Delegate or Principal of each of the Members making the requisition.
- 28.3 If the Committee fails to convene a general meeting within 1 month after the date on which a requisition for the meeting is lodged with the Public Officer, any one or more of the Members who made the requisition may convene a general meeting to be held not later than 3 months after that date.
- 28.4 A general meeting convened for or by Members under Clause 28.2 or 28.3 must be convened as nearly as is practicable to the manner general meetings are convened by the Committee.

29. NOTICE OF GENERAL MEETINGS

- 29.1 The Public Officer shall cause to be sent to each Delegate at the Member's address appearing in the Register, a notice specifying the place, date and time of the general meeting and the nature of the business proposed to be transacted at the general meeting.
- 29.2 Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the Public Officer shall, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each Delegate in the manner provided in Clause 29.1 specifying, in addition to the matter required under Clause 29.1, the intention to propose the resolution as a special resolution.
- 29.3 No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted pursuant to Clause 27.3.
- 29.4 A Delegate, Principal or member of the Committee desiring to bring any business before a general meeting may give notice in writing of that business to the Public Officer who must include that business in the next notice calling a general meeting given after receipt of the notice from the Delegate.

30. PROCEDURE

- 30.1 No item of business shall be transacted at a general meeting unless a quorum of Delegates entitled to vote is present during the time the meeting is considering that item. 20% of the number of Members present in person and entitled to vote constitute a quorum for the transaction of the business of a general meeting.
- 30.2 If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the general meeting:
 - (a) if convened upon the requisition of Members under Clause 28.2 or 28.3 is dissolved; or
 - (b) in any other case, shall stand adjourned to the same day in the following week at the time (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to Delegates given before the day to which the meeting is adjourned) at the same place.
- 30.3 If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the Delegates present (being not less than 3 Delegates of different Members) shall constitute a quorum.

31. PRESIDING OFFICER

- 31.1 The President or, in the President's absence, the Vice-President, shall preside as chairperson at each general meeting of the Association.
- 31.2 If the President and the Vice-President are absent from a general meeting or unwilling to act, the Delegates present shall elect one of their number to preside as chairperson at the meeting.

32. ADJOURNMENT

- 32.1 The Chairperson of a general meeting at which a quorum is present may, with the consent of the majority of Delegates present 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.

- 32.2 Where a general meeting is adjourned for 14 days or more, the Public Officer shall give written notice of the adjourned meeting to each Delegate stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 32.3 Except as provided in Clauses 32.1 and 32.2 notice of an adjournment of general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

33. MAKING OF DECISIONS AT GENERAL MEETINGS

- 33.1 A question arising at a general meeting of Members 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 Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- 33.2 At a general meeting of the Association, a poll may be demanded by the Chairperson or by not less than 3 Delegates of different Members present in person or by proxy at the meeting.
- 33.3 Where a poll is demanded at a general meeting, the poll shall be taken:
- (a) immediately in the case of a poll which relates to the election of the Chairperson of the meeting or 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.

34. SPECIAL RESOLUTION

A resolution of the Association is a Special Resolution if:

- (a) it is passed by a majority which comprises not less than three-quarters of Delegates present in person or by proxy at a general meeting of which not less than 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these clauses; or
- (b) where it is made to appear to the Commission that it is not possible or practicable for the resolution to be passed in the manner specified in Clause 34(a) the resolution is passed in a manner specified by the Commissioner.

35. INSURANCE

The Association must effect and maintain insurance as required by the Act, and may effect and maintain such other insurance as the Committee in its sole discretion deems fit.

36. INDEMNITY

The Association shall, to the maximum extent permitted by law, indemnify the Committee members of the Association out of the assets of the Association against any liability (including legal defence costs) incurred by such a person in their capacity as a Committee member of the Association, save in relation to:

- (a) a liability owed to the Association; or
- (b) a liability owed to some person other than the Association which did not arise out of the good faith acts or omissions of such person in their capacity as Committee members,

and in this Clause 0 "Committee member" shall include present and past members of the Committee.

37. SOURCE OF FUNDS

37.1 The funds of the Association shall be derived from Annual Membership Fees and Annual Subscription Fees, donations and, such other sources as the Committee determines, subject to any resolution of the Members in general meeting.

37.2 All money received by the Association shall be deposited as soon as practicable and without deduction to the credit of the Association's bank account.

37.3 The Association shall, before or as soon as practicable after receiving any money, issue an appropriate receipt or tax invoice.

38. MANAGEMENT OF FUNDS

38.1 Subject to any resolution passed by the Association in general meeting, the funds of the Association shall be used in pursuance of the objects of the Association set out in Clause 0 in such manner as the Committee determines.

38.2 All cheques, draft, bills of exchange, promissory notes and other negotiable instruments shall be signed by any 2 members of the Committee or employees of the Association who are authorised to do so by the Committee.

38.3 As a part of the good management of the funds entrusted to the Association on behalf of the Members, the Committee will cause an annual budget and reports of income and expenditure against this budget to be tabled at each annual general meeting of the Association.

39. ALTERATIONS OF OBJECTS AND RULES

The statement of objects and this Constitution may be altered, rescinded or added to only by a Special Resolution of the Members.

40. CUSTODY OF BOOKS ETC.

Except as otherwise provided by this Constitution, the Public Officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the Association.

41. INSPECTION OF BOOKS ETC.

The records, books and other documents of the Association shall be open to inspection, free of charge, by any Delegate or other authorised representative of a Member at any reasonable hour.

42. SERVICE OF NOTICES

42.1 For the purposes of this Constitution, a notice or document may be served by or on behalf of the Association upon any Delegate, Principal or Member either personally or by sending it by post by facsimile transmission or by electronic mail to the Member's address shown in the Register, or upon any person by giving it either personally or by post to the last address notified by the person to the Association.

42.2 Where a document is properly addressed and sent by pre-paid post to a person, the document shall be deemed for the purposes of this Constitution to have been served on the person 2 days after the day the notice was sent.

42.3 Where a document is properly directed and sent by facsimile transmission or electronic mail, the document shall be deemed for the purposes of this Constitution to have been served by the person at the time the machine from which the transmission was sent produces a report or otherwise indicates the document was sent.

43. WINDING UP

43.1 In the event of the winding up of the Association, the Association shall first pass a special resolution nominating an Association as the Association in which is to vest any property of the Association remaining after satisfaction of its debts and liabilities, and the costs, charges and expenses of winding up the Association pursuant to Section 53(2) of the Act.

43.2 Any such distribution:

- (a) must be made in accordance with the Act; and
- (b) must be made to an organisation with similar purposes to the Association which is not carried on for the profit of its members.

**APPLICATION FOR MEMBERSHIP OF ASSOCIATION
CHRISTIAN SCHOOLS SPORTS ASSOCIATION INCORPORATED
(incorporated under the Associations Incorporation Act, 1984)**

NAME OF SCHOOL:
ADDRESS:
POSTAL ADDRESS:
POST CODE :
TELEPHONE : FAX NUMBER :
PRINCIPAL:
PRINCIPAL'S EMAIL ADDRESS :
INCORPORATED BODY OPERATING SCHOOL:
YEAR LEVELS TAUGHT:
NUMBER OF STUDENTS IN YRS 3-12 (as at last census):
PRIMARY SPORTS COORDINATOR/CONTACT :
EMAIL ADDRESS :
SECONDARY SPORTS COORDINATOR/CONTACT :
EMAIL ADDRESS :

APPLICATION:

On behalf ofI hereby apply
(name of school)

for our school to be admitted as a member of the Christian Schools Sports Association Incorporated. I confirm that our school's Statement of Faith is in agreement with, and not inconsistent with, the Association's Statement of Affirmation. I confirm that our school employs Christian staff only and requires that they subscribe to our school's Statement of Faith. In the event of our admission to the Association, I agree, on behalf of the staff of this school, to be bound by the rules of the Association for the time being in force.

Signed: School:

Position: Date:

MOVER

I, a Principal of an
(full name)
existing member school of the Association, have read the Statement of Faith and the employment policies of the
above named school and, having formed the opinion that they are in agreement with the requirements of the
Association, do hereby nominate the applicant for membership of the Association.

Signed: School:

Position: Date:

SECONDER

I, a Principal of an
(full name)
existing member school of the Association, have read the Statement of Faith and the employment policies of the
above named school and, having formed the opinion that they are in agreement with the requirements of the
Association, do hereby second the nomination of the applicant for membership of the Association.

Signed: School:

Position: Date:

APPOINTMENT OF PROXY

I,.....
(full name)

of.....
(address)

being an official Delegate to General Meetings of the Christian Schools Sports Association Incorporated hereby appoint

.....
(full name of proxy)

of
(address)

being an official Delegate to the General Meetings of that Association, as my proxy to vote for me on my behalf at the General Meeting to be held on the day of20..... and at any adjournment of that meeting.

- My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution : (insert details)

.....
.....
.....
.....

Signed:
(Signature of Delegate appointing proxy)

Position: Date:

Note: A proxy may not be given to a person who is not an official Delegate to General Meetings of the Association.

APPOINTMENT OF DELEGATE(S) TO GENERAL MEETINGS OF THE ASSOCIATION

I,
(Name of Principal)

Principal of.....
(Name of School)

such school being a financial member of the Christian Schools Sports Association, do hereby appoint

..... as official Primary Delegate and/or
(Name of Primary Delegate)

.....as official Secondary Delegate
(Name of Secondary Delegate)

to all General Meetings of the Association as may be called in the coming calendar year, and I do hereby authorise this/these Delegate(s) to represent this school and vote on behalf of this school on any motion that has been duly notified on the agendas of such meetings.

Signed:
(Signature of Principal)

Position: Date:

PRIMARY DELEGATE'S DECLARATION

I,hereby accept appointment as the
(Name of Primary Delegate)

official Primary Delegate ofto
(Name of School)

General Meetings of the Christian Schools Sports Association for the coming calendar year and agree to serve in this capacity under the rules of the Association for such Meetings. I also agree to keep my Principal informed of any motion that may be notified on the agendas for such meetings and come to the meetings prepared to vote on such motions on behalf of my school.

Signed:
(Signature of Primary Delegate)

Position: Date:

SECONDARY DELEGATE'S DECLARATION

I,hereby accept appointment as the
(Name of Secondary Delegate)

official Secondary Delegate of.....to
(Name of School)

General Meetings of the Christian Schools Sports Association for the coming calendar year and agree to serve in this capacity under the rules of the Association for such Meetings. I also agree to keep my Principal informed of any motion that may be notified on the agendas for such meetings and come to the meetings prepared to vote on such motions on behalf of my school.

Signed:
(Signature of Secondary Delegate)

Position: Date:

**NOMINATION FOR PRINCIPALS' REPRESENTATIVE ON
COMMITTEE OF MANAGEMENT**

I,....., Principal of
(Name of Nominator)

.....such school
(Name of Nominator's School)

being a financial member of the Christian Schools Sports Association, do hereby nominate

....., Principal of
(Name of Nominee)

..... such school
(Name of Nominee's School)

also being a financial member of the Christian Schools Sports Association, for the position of Principals' Representative on the Committee of Management of the said Association.

Signed:
(Signature of Nominator)

Position: Date:

SECONDER

I,....., Principal of
(Name of Nominator)

.....such school
(Name of Nominator's School)

being a financial member of the Christian Schools Sports Association, do hereby second the above nomination.

Signed:
(Signature of Seconder)

Position: Date:

ACCEPTANCE

I, Principal of
(Name of Nominee)

....., such school
(Name of Nominator's School)

being a financial member of the Christian Schools Sports Association, do hereby accept nomination for the position of Principals' Representative on the Committee of Management of the Christian Schools Sports Association.

Signed:
(Signature of Nominee)

Position: Date:

NOMINATION FOR AN OFFICER AND/OR COMMITTEE MEMBER ON COMMITTEE OF MANAGEMENT

I, of
(Name of Nominator) (Name of Nominator's school : if applicable)

do hereby nominate
(Name of Nominee)

of such school
(Name of Nominee's School : if applicable)

for the position of

1. President or failing this nomination succeeding (delete if not applicable)
2. Vice President or failing this nomination succeeding, (delete if not applicable)
3. Secretary or failing this nomination succeeding, (delete if not applicable)
4. Treasurer or failing this nomination succeeding, (delete if not applicable)
5. Ordinary member on the Committee of Management of the said Association

Signed:
(Signature of Nominator)

Position: Date:

SECONDER

I, of
(Name of Nominator)

.....such school
(Name of Nominator's School : if applicable)

do hereby second the above nomination.

Signed:
(Signature of Seconder)

Position: Date:

ACCEPTANCE

I, of
(Name of Nominee)

.....such school
(Name of Nominee's School : if applicable)

do hereby accept nomination for the Committee of Management of the Christian Schools Sports Association and do hereby declare that I have the support and approval of the Principal of my school (if applicable) to accept a position on the Committee should I be elected.

Signed:
(Signature of Nominee)

Position: Date: