

**THE CONSTITUTION
OF
ATHLETICS SOUTH INC.**



As adopted at the Special General Meeting held on 8 August 2013

CONSTITUTION

1. Name of the Association

The name of the Association shall be:

“Athletics South Inc” and hereinafter referred to as The Branch ", trading under the name of “Athletics South” [ABN 64 261 645 588].

2. Interpretation

2.1. In these rules unless the contrary intention appears -

"Act" means the Associations Incorporation Act 1964.

"Affiliated Body" means a member of this Branch under Rule 5.1 (a), (b) or (c).

"Application for renewal of membership" means an application for membership by a member during the immediately preceding financial year of the Branch as defined by these Rules.

“Branch Year” means a period from 1 April to the following 31 March.

“Board” means the Board of Management pursuant to Rule 27.

"General Meeting" means a general meeting of members convened in accordance with rule 16 and includes the annual general meeting and any general meeting.

"Member" means a member of the Branch pursuant to Rule 5 of these Rules.

"Individual Registered Member" means a person registered with the Branch (Association) pursuant to Rule 6 of these Rules.

“Southern Tasmania” refers to that area falling within the Southern Tasmania telephone district.

2.2. In these rules, expression referring to writing shall, unless the contrary intention appears, be construed as including reference to printing, email, lithography, photography, and other modes of representing or reproducing words in a visible form.

2.3. Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1931 and the Act as in force on the date on which these rules are adopted by the Branch.

2.4. In these Rules "Person" includes any individual person, club, association, corporation, branch of an association or other body, organisation, educational or other institution or department thereof, Government department or authority or other body. References to the masculine gender shall also refer to the feminine and vice versa."

3. Office of the Association

The office of the Association shall be in Hobart in Tasmania.

4. Objects, Affiliation and Powers of the Branch

4.1. The objects of the Branch are to foster and promote athletics (including but not limited to track and field; cross country, road and mountain running, and race walking) and athletic competition and to administer and regulate athletic activity and competition in, and in respect of, Southern Tasmania and include specifically:

- (a) Acting alone or in conjunction with any other person or body in the furtherance, promotion, sponsorship, management or otherwise in connection with athletic activity or competition in Southern Tasmania;
- (b) The promotion, management and conduct of championships, meetings and such other events as may, from time to time, be allocated to it.;
- (c) The establishment, administration and enforcement of regulations governing or concerning athletic or athletic activity, athletic competition conducted under the auspices of Athletics Tasmania, including the conduct and participation in, athletic meetings, races and events in Southern Tasmania and all matters connected therewith;
- (d) The keeping of records;
- (e) The recruitment and retention of coaches, officials, administrators and volunteers.

4.2. Affiliation

The Branch shall affiliate with the Athletics Tasmania (Short title A.T.).

4.3. The powers of the Branch include:

- (a) The purchase, taking on lease or in exchange, and the hiring or other acquisition of any real or personal property as may be necessary or convenient for any of the objects of the Branch including the laying down of tracks or other provision of facilities for use for athletic activity;
- (b) The sale, supply, letting, hiring or other dealing with any real or personal property;

- (c) The construction, maintenance, and alteration of buildings or works necessary or convenient for any of the objects of the Branch;
- (d) The employment of officials, coaches, masseurs, trainers, caretakers, administrative, clerical, managerial or other staff;
- (e) The acceptance of any gift upon any trust or otherwise;
- (f) The taking of such steps from time to time as the Board or the members in general meeting may deem expedient for the purpose of procuring contributions to the funds of the Branch, whether by way of donations, subscriptions, or otherwise;
- (g) the production and publication of such newspapers, periodicals, books, leaflets or other documents and electronic and digital communications as the Board or the members in general meeting may think desirable;
- (h) the borrowing and raising of money in such manner and on such terms as the Board may think fit or as may be approved or directed by resolution passed at a general meeting;
- (i) subject to the provisions of the Trustee Act 1898, the investment of any moneys of the Branch not immediately required for any of its objects or purposes in such manner as the Board may from time to time determine;
- (j) the establishment, adoption, making, administration and enforcement of regulations, rules and By-Laws concerning athletics and of penalties including disqualification from events, suspension from competition, fine or otherwise for breach thereof in so far as such rules or by-laws are not inconsistent with this Constitution or with the rules of Athletics Tasmania or Athletics Australia;
- (k) the establishment and support, or aiding in the establishment or support, of any other association formed for any of the objects of the Branch;
- (l) the purchase or acquisition and undertaking, of all or any part of the property, assets, liabilities and engagements of any association with which the Branch may at any time become amalgamated in accordance with the provisions of the Act and the rules of the Branch;
- (m) the selection, sponsorship and sending of representative athletes or teams of athletes with or without accompanying officials or other persons;

And the doing of all such other lawful things as are incidental or conducive to the attainment of all or any of the objects of the Branch stated herein.

5. Membership of the Branch

5.1. Membership of the Branch shall be available under the following categories:

- (a) Full Member Clubs
- (b) Event Member Clubs
- (c) Associate Members
- (d) Life Members
- (e) Board Members
- (f) Individual Registered Members

5.2. These Categories of Membership are defined as follows:

- (a) Full Member Club membership shall be open to any club whose objects and purpose include the fostering, advancement, encouragement or involvement in athletic activity or competition, or any aspect or form thereof, in Southern Tasmania and which comply with the By-Laws set by Athletics Tasmania and the Branch for such initial and ongoing membership.
- (b) Event Member Club membership shall be open to any club or organisation which organises one or more athletic events in Southern Tasmania each year and which comply with the By-Laws set by Athletics Tasmania and the Board for such initial and ongoing membership.
- (c) Associate Member membership shall be open to any club or organisation whose objects and purpose include the fostering, advancement, encouragement or involvement in athletic activity or competition, or any aspect or form thereof, in Southern Tasmania.
- (d) Life Members shall be those natural persons appointed previously as Life Members of the Branch or subsequent to the adoption of this Constitution, in accordance with these Rules and any Bylaws made pursuant to them.
- (e) Board members shall be those persons from time to time elected or appointed to their positions in accordance with Rule 29.
- (f) Individual Registered Members
Any person accepted for registration by Athletics Tasmania as an Athlete, Official, Administrator or Coach in accordance with the relevant Athletics Tasmania Rules and/or By-Laws, and who selects Athletics South as their nominated Branch in completing the registration process, is recognised as an Individual Registered Member of the Branch for the period of such registration.

5.3. An application for membership of the Branch under Rule 5.1 (a), (b) or (c) shall be in writing, lodged or sent by post or electronic transmission to the office of the Branch and contain the undertaking of the applicant to observe and be bound by these Rules and the By-Laws, and resolutions of the Branch.

As soon as practicable after the receipt of an application, it shall be referred to the Board, which shall only approve the application if it is satisfied that the applicant does and is likely to continue to meet the requirements of the Branch as set out in these Rules and the By-Laws made pursuant thereto.

5.4. An application for renewal of membership under Rule 5.1 (a), (b or (c) shall be in writing, usually on the form provided by the Branch for such purpose, lodged or sent by post or electronic transmission to the office of the Branch and contain the undertaking of the applicant, upon the granting of renewal of the Membership, to observe and be bound by these Rules and by the By-Laws, Regulations, and resolutions of the Branch.

Eligibility for renewal of membership shall be determined annually by the Executive by no later than 1 March of each year.

5.5. An applicant for membership under Rule 5.1 (a), (b) or (c) or for renewal of such Membership, shall furnish to the Board such information, declaration or documentation as the Board may require.

5.6. Upon an application under Rules 5.3 and 5.4 being approved by the Board, the applicant shall be notified in writing that the application for Membership of the Branch (or renewal of same) has been approved and, upon payment of the annual subscription and provision of any other information required under the Membership category to which Membership has been approved, the applicant's name shall be entered (or in the case of a renewal, maintained) in a "Register of Members" whereupon the applicant becomes (or continues as) a Member of the Branch.

5.7. A person may be granted Life Membership in accordance with Rule 9.

5.8. A person holding office as a Board member, unless a Life Member, must be registered with the Association as an individual under Rule 6 in any category.

5.9. A person may be granted Individual Registered Membership in accordance with Rule 6.

5.10. A Member of the Branch may, at any time, deliver or send by post to the Executive Director or President a written notice of resignation. Upon receipt of such a notice of resignation and upon satisfaction or other discharge by that person of any debt or liability due by it to the Branch, the name of such person shall be removed from the register of members, whereupon that person ceases to be a member of the Branch.

5.11. A Member ceases to be a Member upon death, or expulsion as provided in these Rules or upon the decision by the Executive not to offer a renewal.

5.12. A right, privilege or obligation of a person by virtue of their membership of the Branch is not capable of being transferred or transmitted to another person and terminates upon the cessation of their membership, whether by death, or following resignation, expulsion or otherwise.

5.13. No Member shall be entitled to any right or privilege, nor capable of the exercise of any power provided by these Rules, if and for so long as the annual affiliation or registration fee due and payable by such Member is unpaid.

6. Individual Registered Members

6.1. Any individual male or female person who is normally resident in Southern Tasmania or who otherwise wishes to become a member of the Branch and who:

- (a) seeks to or competes or participates as a competing athlete in an athletic activity or competition controlled by the Branch must be registered with Athletics Tasmania in accordance with the relevant Athletics Tasmania By-Law.
- (b) otherwise participates in an athletic activity or competition controlled by the Branch including but not limited to as an official, administrator or coach may be registered with Athletics Tasmania in accordance with the relevant Athletics Tasmania By-Law.

6.2. Unless otherwise provided in the Athletics Tasmania By-Laws such persons will be deemed to be Individual Registered Members under Rule 5.1 (f) and such registrations shall be effected by the entry of the name of such persons upon a register to be kept for that purpose and shall remain in effect for the period designated by the Board, following which time it will cease unless and until a fresh registration is effected.

6.3. Individual Registered Membership may be recognised in more than one category as determined by the Board from time to time. No registration shall however be deemed to have been effected until the lodgement with Athletics Tasmania of an electronic or written application for registration and the payment of any applicable Branch fee as from time to time shall be determined by the Board.

6.4. In the case of an athlete who has been a member of another affiliated body of Athletics Tasmania within the preceding three years, registration shall not be effected until such athlete has completed and lodged with Athletics Tasmania such transfer documentation as that Association may require of him.

6.5. The Branch or the Board may at any time recommend to Athletics Tasmania the refusal or disqualification of a person from registration, or suspend the registration of any person, for any period and during the period of such disqualification or suspension that person shall be deemed not to be registered.

7. Annual Affiliation and Registration Fees

7.1. The annual affiliation fee payable by Members under Rule 5.1 (a), (b) and (c) and the annual registration fee payable by Members under Rules 5.1 (f) shall include such amount as fixed by the Board by no later than 1 March in each year.

The fees shall apply for the Branch Year beginning on 1 April immediately thereafter and are additional to any fees imposed for the same purpose.

- 7.2. The amount of annual affiliation and registration fees may vary as between members according to category or sub-category of member.
- 7.3. The Branch may fix at nil the annual fee payable for any year by any category or sub-category of member and in such case the fee payable by such members shall be deemed to be paid in respect of that year upon their application for membership or renewal thereof.
- 7.4. No fee is payable to the Branch by a Life Member nor, unless he seeks registration as an athlete, shall he be required to make application for registration each year.
- 7.5. Annual subscriptions are due and payable in advance on the 1 April each year, and when paid, that member is deemed financial until 30 days after the expiry of that Branch year.
- 7.6. The Board may expel or suspend from membership or otherwise sanction or penalise in its absolute discretion any member under Rule 5.1 (a), (b) and (c) whose subscription has not been paid before 30 June in any year.
- 7.7. Subject to any By-law made pursuant to these Rules, an Individual Registered Member shall not be eligible to participate in any competition conducted by the Branch or an Affiliated Body or otherwise under the jurisdiction or permit of the Branch or any Branch program or activity until registration is effected for the applicable Branch year.

8. Obligations of Affiliated Bodies

- 8.1. Every affiliated body shall provide in writing to the Branch, every actual or proposed alteration, amendment, addition to or substitution or adoption of any Constitution, Memorandum of Articles, or Rules of Association by which its activities are governed or any rules, regulations or by-laws relating in any way whatsoever to athletics, within 28 days of any such alteration, amendment, addition, substitution or adoption becoming effective.
- 8.2. No such alteration, amendment, addition, substitution or adoption shall be effective against or in relation to the Branch in the absence of the consent of the Board advised in writing to such affiliated body.
- 8.3. The Board may in its absolute discretion expel or suspend from membership, fine or otherwise discipline or penalise any affiliated body upon any failure to comply with Rule 8.1 hereof, or upon any act or omission by such affiliated body not authorised by, or in contravention of, its constitution, articles or Rules of Association, rules or by-laws if any.

- 8.4. Upon receipt of notice pursuant to Rule 8.1 hereof of any actual or proposed alteration, amendment, addition, substitution or adoption which is inconsistent with or contrary to the objects, interests or purposes of the Branch, the Board may suspend or expel such body from membership of the Branch.
- 8.5. Every affiliated body shall supply to the Branch once every year, and on such further or other occasions as the Board may request, a copy of its constitutional documents, a report of its financial position and affairs, including a statement of the value of assets and liabilities and any other matter the Board may request, such report to be prepared by a legally qualified practising auditor should the Board so require.

9. Life Membership

- 9.1. A nomination for life membership must be in writing and be signed by two (2) registered members of the Branch. A history of the service of the nominee shall accompany the nomination which is to be forwarded to the Executive Director for consideration by the Board. A nomination can be made at any time however all nominations will be considered together at the final Board meeting prior to the Annual General Meeting.
- 9.2. The Board, by a majority of three-fourths of its members present and entitled to vote at any meeting of the Board, may resolve to recommend to the members of the Branch at an annual general meeting that a natural person be elected to be a Life Member of the Branch.
- 9.3. Except in exceptional circumstances, as determined by the Board, such persons should have contributed a minimum of 15 years of service to the Branch and its affiliated bodies provided that such service is of direct relevance to the affairs of the Branch. Length of service is not, of itself, a qualification for Life Membership - the value of the contribution must be distinctive.
- 9.4. The Branch may at any annual general meeting, by majority of three fourths of the members there present and entitled to vote elect any person whose election is recommended pursuant to sub-rule (1) hereof to be a Life Member of the Branch.
- 9.5. As soon as practicable following the election of any person as a Life Member pursuant to this Rule the name of such person shall be entered in the register of members kept pursuant to these Rules whereupon such person becomes a Life Member of the Branch.
- 9.6. A Life Member shall have all the powers, rights, entitlements and privileges of a member of the Branch without the payment of any registration or other fee and shall enjoy the right of admission without fee to any event or function conducted or held by the Branch.

9.7. Life membership of any person may be terminated by the Branch in any general meeting by majority of three fourths of the members there present and entitled to vote.

9.8. Upon termination of life membership pursuant to Rule 9.5, the name of such person shall be struck or removed from the register of members of the Association.

10. Income and Property of the Branch

10.1. The income and property of the Branch, however derived, shall be applied solely towards the promotion of the objects and purposes of the Branch.

10.2. The Branch shall not appoint a person who is a member of the Board to any office of the holder of which there is payable any remuneration by way of salary, fees, or allowances in money or money's worth other than an honorarium of no more than \$5000 per annum and/or the repayment of out of pocket expenses.

10.3. Nothing in the forgoing provisions of this Rule prevents payment in good faith to an employee, contractor or member of the Branch of:

- (a) remuneration in return for services actually rendered to the Branch by the employee, contractor or member or for the goods supplied to the Branch by the employee, contractor or member in the ordinary course of business; and/or
- (b) reasonable and proper sum for the use of any premises or other property made available to the Branch by the employee, contractor or member.

11. Accounts of Receipts and Expenditure

11.1. True accounts shall be kept of:

- (a) all sums of money received and expended by the Branch and the manner in respect of which the receipt or expenditure takes place; and
- (b) the property, credits and liabilities of the Branch, and subject to any reasonable restrictions as to time and manner of inspecting them that may be imposed by the Branch for the time being, those accounts shall be open to the inspection of the members of the Branch.

11.2. The Finance Director shall faithfully cause to be kept all general records, accounting books, and records of receipts and expenditure connected with the operations and business of the Branch in such form and manner as the Executive or the Board may direct.

11.3. The accounts, books, and records referred to in Rules 11.1 and 11.2 shall be kept at the Branch's office or at such other place as the Executive or Board may decide.

- 11.4. The financial and reporting year of the Branch shall be the period of twelve months ending on the 31st day of March in each year.

12. Banking and Finance

- 12.1. The Finance Director in conjunction with the Executive Committee shall, on behalf of the Branch, make appropriate arrangements for the receipt, handling and banking of all moneys paid to the Branch, the recording of same and where appropriate or requested, the issuing of official receipts.
- 12.2. The Executive on behalf of the Board shall cause to be opened or kept with such bank or banks or other financial institution as the Board selects one or more banking accounts in the name of the Branch or entities thereof, into which all moneys received shall be paid, as soon as possible after receipt thereof.
- 12.3. The Board may receive from the Branch's bank or bankers for the time being the cheques drawn by the Branch on any of its accounts with the bank or bankers and may release and indemnify the bank or bankers from and against all claims, actions, suits, or demands that may be brought against the bank or bankers arising directly or indirectly out of those cheques or the surrender thereof to the Branch.
- 12.4. No cheques or other form of payment shall be drawn on the Branch's bank account except for the payment of expenditure that has been authorised in accordance with the procedures set from time to time by the Board or Executive.
- 12.5. All cheques or other forms of payment, drafts, bills of exchange, promissory notes, and other negotiable instruments shall be authorised and/or signed by any two of the signatories (at least one of whom in each case must be a member of the Executive) as the Executive may appoint for that purpose.

13. Auditor

- 13.1. At each annual general meeting of the Branch, the members present shall appoint as the Auditor of the Branch a person holding such qualifications as are required by law.
- 13.2. The Auditor shall hold office until the annual general meeting next after that at which he is appointed, and is eligible for re-appointment.
- 13.3. If an appointment is not made at an annual general meeting or thereafter in the event of a resignation or inability to act, the Board shall appoint an Auditor of the Branch for the then current financial year of the Branch.
- 13.4. The Auditor may only be removed from office by special resolution (not less than three-quarters) of such members as are present and voting.

14. Audit of Accounts

- 14.1. Once at least in each financial year of the Branch, the Accounts of the Branch shall be examined by the Auditor.
- 14.2. The Auditor shall undertake an external audit to express an opinion as to whether, in all material respects, the financial statements are fairly stated in accordance with applicable accounting standards and other mandatory requirements applying to the Branch. The financial statements, including the audit report, shall be presented to the members of the Branch at the annual general meeting.
- 14.3. The Branch shall cause to be delivered to the Auditor of all relevant accounts, books, and records of the Branch and any such other documentation that may be lawfully requested by him.
- 14.4. The Auditor has a right to access to the accounts, books, records, vouchers, and documents of the Branch and may:
 - (a) require from the employees, contractors and officers of the Branch such information and explanation as may be necessary for the performance of his duties as auditor;
 - (b) employ persons to assist him in investigating the accounts of the Branch; and
 - (c) in relation to the accounts of the Branch, interview and/or examine any member of the Board or any employee or contractor of the Branch.

15. Annual General Meeting

- 15.1. The Branch shall between 15 April and 31 July of each year, hold an annual general meeting at such time, date and place as the Board may determine.
- 15.2. At least eight weeks (8) prior to each annual general meeting the Executive Director shall request from full member clubs
 - (a) any notices of motion or discussion topics proposed for the annual general meeting. These are to be received at least twenty one (21) days before the annual general meeting.
 - (b) details of the two club delegates to the annual general meeting. These are to be received not later than seven (7) days prior to the annual general meeting.
 - (c) nominations for life membership the closing date for which being such as to enable consideration at the final Board meeting before the Annual General Meeting.
- 15.3. The annual general meeting shall be specified as such in the notice convening it.
- 15.4. The ordinary business of the annual general meeting shall be:
 - (a) to confirm the minutes of the last preceding annual general meeting and of any other general meeting held since that meeting;
 - (b) to receive from the Board, the Finance Director and employees and contractors of the Branch reports on transactions and activities;

- (c) to elect the officers of the Branch in accordance with these rules;
- (d) to appoint or confirm the Patron of the Branch;
- (e) to appoint an auditor;
- (f) to elect Life Members that have been nominated in accordance with these Rules;
- (g) to consider such other business, as has been notified in writing twenty-one days prior to the Annual General Meeting.

15.5. The annual general meeting shall transact no other business. Any resolution passed at the annual general meeting shall be referred to the Board for action or consideration as may be applicable.

15.6. The annual general meeting shall be in addition to any other general meetings that may be held in the same year, including other general meetings that may be held in conjunction with it.

16. General Meetings

16.1. A general meeting, other than the Annual General Meeting, of the Branch may be convened at any time, in accordance with these Rules,:

- (a) by a resolution of the Board;
- (b) by the President;
- (c) upon receipt by the Board of a requisition of at least three Full Member Clubs.

16.2. A requisition for a general meeting under Rule 16.1(c) shall state the objects of the meeting and shall be signed or otherwise executed by the persons making the requisition and deposited at the office of the Branch and may consist of several documents in the like form, each signed by one or more of those making the requisition.

16.3. If the Board does not cause a general meeting to be held within twenty-eight days from the date on which such a requisition is deposited at the office of the Branch, the requisitioners, or any of them, may convene the meeting; but any meeting so convened shall not be held after three months from the date of the deposit of the requisition.

17. Notice of General Meetings

The Branch, shall, at least fourteen days before the date fixed for holding of the annual or a general meeting of the Branch, give notice to every member under Rule 5.1 (a), (d), and (e) specifying the place, day, and time for the holding of the meeting, and the nature of the business to be transacted thereat.

18. Business and Quorum of General Meetings

18.1. No item of business shall be transacted at the annual or a general meeting unless a quorum of members entitled under these Rules to vote is present during the time when the meeting is considering that item.

- 18.2. Eight (8) members personally present (and being entitled under these rules to vote thereat) shall constitute a quorum for the transaction of business of a general meeting. Amongst these eight there must be at least one Executive Member.
- 18.3. For the purpose of transacting business at the annual or a general meeting, the following voting structure shall apply on any question arising:
- (a) Full Member Clubs will be entitled to two votes each;
 - (b) The President, Deputy President and Directors will be entitled to one vote each.
 - (c) No other Member in any categories shall be entitled to a vote.

In order to be able to vote in accordance with these Rules at a general meeting (including the annual general meeting), a Member must be recorded as a Member upon the register of Members held at the office of the Branch and must be financial with the Branch as defined at least seven days prior to the meeting.

- 18.4. If within one hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved; and in any other case it shall stand adjourned to the same day in the next week, at the same time and (unless another place is specified by the presiding officer at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place, and if at the adjourned meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting shall be dissolved.

19. Presiding Officer at General Meetings

- 19.1. The President, or in his absence, the Deputy President, shall preside as presiding officer at every general meeting of the Branch. If the President and Deputy-President are both absent from a general meeting, or unwilling to act, the members present shall elect one of their number to act as presiding officer thereat.
- 19.2. The presiding officer shall have both a deliberative vote and in the case of an equality of voting, a second or casting vote.

20. Adjournment of General Meeting

- 20.1. The presiding officer of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than business left unfinished at the meeting at which the adjournment took place.
- 20.2. Where a meeting is adjourned for fourteen days or more, the like notice of the adjourned meeting shall be given as in the case of the original meeting.

20.3. Except as provided in the forgoing provisions of this rule, it is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

21. Determination of a question arising at a General Meeting

A question arising at a general meeting of the Branch shall be determined on the voices or a show of hands and unless before or on the declaration of the result on the voices or a show of hands a formal vote is demanded, a declaration by the presiding officer that a resolution has, on the voices or a show of hands, been carried, or carried unanimously, or carried by a particular majority, or lost, and an entry to that effect in the minute book of the Branch is evidence of the matters stated in the entry, without further proof.

22. Making of a Formal vote

If at a meeting a formal vote on any question is demanded it shall be taken at that meeting in such manner as the presiding officer may direct, and the result of the formal vote shall be deemed to be the resolution of the meeting on that question.

23. When a formal vote is to be taken

A formal vote that is demanded on the election of a presiding officer, or on a question of adjournment, shall be taken forthwith, and a formal vote that is demanded on any other question shall be taken at such time before the close of the meeting as the presiding officer may direct.

24. Affairs of the Branch to be managed by the Board

24.1. The business and affairs of the Branch shall be controlled and managed by the Board constituted as provided in these Rules.

24.2. The Board may, subject to these rules, exercise all such powers and functions as may be exercised by the Branch, other than those powers and functions that are required by these rules to be exercised by general meetings of members of the Branch.

24.3. Subject to the Act and these rules, the Board has power to perform all such acts and things as appear to the Board to be essential for the proper management of the business and affairs of the Branch.

24.4. Without limiting the generality of any of the forgoing provisions of this Rule the Board shall have the following powers:

- (a) to promote and manage championships and other sports meetings and such other events as may from time to time be considered expedient;
- (b) to call for, receive and deal with reports from the clubs, committees, affiliated bodies, subsidiary bodies, officers or officials;
- (c) to appoint any committee or working group for any specified purpose;
- (d) to deal with any alleged infringement of any competition laws where not otherwise provided for in these Rules or any By- laws or Regulations made there under.
- (e) to appoint competition delegates, technical officials and handicappers;

- (f) to deal with appeals;
- (g) to select and manage team officials and competitors and appoint delegates to represent the Branch;
- (h) to suspend, expel, fine or otherwise deal with any affiliated body whose subscription or other money due to the Branch remains unpaid;
- (i) to suspend, expel, disqualify, fine or otherwise deal with any affiliated body or any member or officer thereof, or any other member for any breach of these Rules or the By-Laws or Regulations made there under or for any conduct arising out of or in connection with athletic activities or competition including its administration, which conduct is deemed by the Board to be unfair or contrary to the interests of athletics or which brings the sport of athletics or any aspect of the conduct thereof into disrepute;
- (j) to call upon any affiliated body or member thereof to produce its books and any other documents for inspection or to report on any matter;
- (k) to regulate its own procedure;
- (l) to appoint from registered members additional officers but who shall not thereby, be entitled to vote at Board or general meetings;
- (m) to secure for the purposes of the Branch the use of and hire out grounds, buildings or equipment;
- (n) to delegate to or withdraw from subsidiary or affiliated bodies committees or other bodies such power as it may deem expedient;
- (o) to make, rescind or amend Regulations or By-Laws insofar as they are not inconsistent with these Rules or any By-Laws or Regulations made or adopted by the Branch in general meeting;
- (p) to do such other things as may be delegated to it by the Branch;
- (q) to make recommendations with respect to life memberships and to determine the recipients of other Branch awards and recognitions.

25. Officers of the Branch

25.1. In addition to the members of the Executive elected in accordance with Rule 29, and as provided under 24.4 (l) the Officers of the Branch shall be as appointed by the Board.

Such officers shall be ex-officio members of the Board without voting rights.

25.2. The Board may, subject to Rule 10.2, appoint an Officer on either a paid or honorary basis to assist with the administration of the Branch. The Board may nominate a sub-committee of the Branch to undertake the appointment process and to set remuneration and conditions for the position.

25.3. The Board shall annually nominate a suitable person to act as the role of Public Officer of the Branch.

25.4. The Board may invite one or more persons to accept the office of Vice Patron(s) of the Branch.

26. Officials of the Branch

At the first Board Meeting after the annual general meeting, in each year, the Board may appoint the following officials.

- (a) Honorary Registrar(s)
- (b) Honorary Archivist

27. Constitution of the Board

27.1. The Board of Management shall comprise:

- (a) President
- (b) Deputy President
- (c) Executive Director
- (d) Finance Director
- (e) Track and Field Director
- (f) Winter Competitions Director
- (g) Equipment and Technical Director
- (h) Public Relations Director
- (i) Development Director
- (j) One representative from each full member club

27.2. With the exception of the Winter Competitions Director, each Board Member will hold office until the completion of the annual general meeting held the following year. Any person so appointed is eligible for re-election.

27.3. The Winter Competition Director shall be elected by the Board at the first Board meeting held on or after 1 November in each year and shall hold office until the November Board meeting the following year.

27.4. In the event that a vacancy occurs in any of the positions of the Directors during their term, the Board shall reserve the right to appoint any suitable person to that position. Any person so appointed shall serve only until the next annual general meeting following their appointment at which time the position will be up for election.

27.5. No member shall hold more than one position on the Board of Management.

27.6. Each Club shall advise the Branch of the name of its representative on the Board prior to or at the annual general meeting each year. If a club representative is unable to attend a meeting of the Board, the President of the Club may appoint a substitute representative who shall maintain full voting rights.

28. The Executive Committee

28.1. The President, Deputy President, Executive Director and Finance Director shall comprise the Executive Committee of the Branch and shall oversee the day-to-day running of the organisation.

- 28.2. The Executive Committee on behalf of the Board, shall issue instructions to the employees and contractors of the Branch in matters connected with the management of the affairs of the Branch in accordance with decisions taken by the Board or the Branch in general meeting. Where no applicable such decision has been taken, the Executive shall act in such manner as it deems fit and report accordingly to the next meeting of the Board.
- 28.3. The Executive Committee shall meet at such times as may be necessary. Any Board Member who is not a member of the Executive Committee is entitled to attend and participate in the proceedings of an Executive Committee meeting but without the right to vote thereat. When practicable and/or appropriate, notice shall be given to all Board Members of any proposed Executive Committee meeting.
- 28.4. The Executive Committee shall not make any decision upon any question affecting or concerning the general policy of the Branch but shall refer any such questions to a meeting of the Board or to a general meeting of the Branch.
- 28.5. The Executive Committee shall:
- (a) determine, implement and monitor the remuneration and conditions of service of any employees and contractors of the Branch on behalf of the Board;
 - (b) be responsible for the banking arrangements of the Branch, the appropriate investment of Branch funds and the proper management of the debtors and creditors ledgers, including the referral of an outstanding debts of longer than 90 days to collection or legal recovery procedures;
 - (c) be responsible for the approval, oversight and signing of all contracts, leases, grant deeds and like documents in accordance with any relevant decisions of the Board;
 - (d) assume and undertake any other powers, duties or responsibilities delegated to it by a decision taken at meeting of the Board or a general meeting of the Branch.

29. Election of Board Members

- 29.1. Other than for club representatives, nominations of candidates for election as Board Members shall be:
- (a) made in writing signed by two (2) members of the Branch and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination or otherwise provided); and
 - (b) delivered to the Branch (by any means as set out in Rule 34.1) at least seven (7) days before the date fixed for the holding of the annual general meeting or, in the case of the Winter Competitions Director, the first Board meeting to be held on or after 1 November.
- 29.2. If no nomination is received to fill a vacancy, further nominations shall be received at the annual general meeting.

- 29.3. If only a single nomination is received to be fill a vacancy, the person nominated shall be deemed to be elected.
- 29.4. If more than one nomination is received to be fill a vacancy, a ballot shall be held.
- 29.5. A ballot for the election of a Board member shall be conducted at the annual general meeting, or in the case of the Winter Competitions Director, the November Board meeting, in such usual and proper manner as the Board may direct. Preferential voting shall be used for all ballots.
- 29.6. In the case of ballot being required the votes from members will be received only from those present and eligible to vote at the annual general meeting, or in the case of the Winter Competitions Director, the November Board meeting, with no proxy votes to be accepted.

30. Vacation of Office

- 30.1. For the purpose of these Rules, the office of an officer of the Branch or of a member of the Board becomes vacant if the officer or member of the Board:
- (a) dies;
 - (b) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his creditors, or makes assignment of his estate for their benefit;
 - (c) becomes of unsound mind;
 - (d) resigns his office by writing under his hand addressed to the Board or the Executive Director or President;
 - (e) fails, without leave granted by the Board, to attend three consecutive meetings of the Board;
 - (f) fails to pay any arrears of subscription due by him within fourteen days after he has received a notice in writing from the Branch stating that he has ceased to be a financial member of the Branch;
 - (g) is expelled from the Branch.

31. Meetings of the Board

- 31.1. The Board shall meet at such time, date and place as the Board may determine, such meetings to take place at least once in any two month period.
- 31.2. Additional meetings of the Board may be convened by the President or at the request of any six (6) of its members.
- 31.3. Notice shall be given by email to each member of the Board of any scheduled or additional meeting, at a reasonable time before the meeting. Where a member specifically requests notice other than by email, he shall be advised orally and sent a notice to his address provided to the Branch for this purpose.

- 31.4. The quorum of the Board for the transaction of the business at any meeting of the Board shall be 50 per cent of its members plus one when the Board consists of an even number of members or plus 0.5 when there is an odd number of Board members.
- 31.5. No business shall be transacted 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 shall stand adjourned for at least seven days and no more than 14 days thereafter at a place, time and date as determined by the presiding officer, unless the meeting was an additional meeting, in which case it lapses.
- 31.6. At any meeting of the Board the President, or in his absence the Deputy-President, shall act as presiding officer. If both the President and Deputy President are absent or unwilling to act, such one of the remaining members of the Board as may be chosen by the members present shall preside.
- 31.7. Questions arising at meetings of the Board or the Executive shall be determined by the voices, on a show of hands or, if demanded by a member, by a formal vote taken in such manner as the person presiding at the meeting may determine.
- 31.8. Except as provided for in 31.9, each member present at a meeting of the Board, and each Executive Members present at a meeting of the Executive (including the person presiding at the meeting), is entitled to one vote and, in the event of any equality of votes on any question; the person presiding may exercise a second or casting vote.
- 31.9. Should a Board member also attend a Board meeting as a club representative that person will be entitled to two (2) votes at that Board meeting and be counted as two (2) towards the quorum of the meeting

32. Disclosure of Interest in Contracts

- 32.1. A member of the Board who is interested in any contract or arrangement made or proposed to be made with the Branch shall disclose his interest at the first meeting of the Board at which the contract or arrangement is first taken into consideration, if his interest then exists, or, in any other case, at the first meeting of the Board after the acquisition of his interest.
- 32.2. If a member of the Board becomes interested in a contract or arrangement after it is made or entered into he shall disclose his interest at the first meeting of the Board after he becomes so interested.
- 32.3. No member of the Board shall vote as a member of the Board in respect of any contract or arrangement in which he is interested and if he does so vote his vote shall not be counted.

33. Committees and Working Groups

- 33.1. The Board may appoint at any time such Committees or Working Groups as it may think fit and shall prescribe the powers and functions thereof. The President shall be an ex-officio member of each.
- 33.2. A Chairman will oversee each Commission or Committee. Each Chairman shall be appointed in accordance with these Rules and the By-Laws of the Branch. A convenor shall be appointed for each working group.
- 33.3. Each Committee or Working Group may make recommendations to the Board on any matter under their area of responsibility, whether at the behest of the Board or as a result of their own deliberations.
- 33.4. Each Committee will operate under the roles and responsibilities that are drawn up and amended from time to time by the Board.
- 33.5. Should a vacancy occur in the position of Chairman of any Committee the Board shall reserve the right to appoint any suitable person to the position.
- 33.6. Any person so appointed will serve out the remainder of the term of the person whom they replaced.

34. Notices and Service of Documents

- 34.1. A notice may be served by or on behalf of the Branch upon any member either personally or by email, facsimile or other form of electronic transmission or by sending it through the post in a prepaid letter addressed to the member at his usual last-known place of abode.
- 34.2. Any notice or document required to be given or served upon the Branch shall be in writing and shall be deemed to have been sufficiently served or given if and when it is delivered personally or by post or by facsimile or other form of electronic transmission to the Executive Director.

35. Expulsion of Members

- 35.1. Subject to this Rule, the Board may expel a member from the Branch if, in the opinion of the Board the member has been guilty of conduct detrimental to the interests of the Branch. A Member may be expelled by resolution of the Board. Such resolution must be agreed to by a majority of not less than two thirds of the Board entitled to vote at a meeting.
- 35.2. The expulsion of a member pursuant to Rule 35.1 does not take effect:
- (a) until the expiration of fourteen days after the service on the member of a notice under Rule 35.3; or
 - (b) if the member exercises his right to a hearing under this Rule, until the conclusion of the hearing,
- whichever is the later date.

- 35.3. Where the Board expels a member from the Branch, the Executive Director of the Branch shall, without undue delay, cause to be served on the member a notice in writing:
- (a) stating that the Board has expelled the member;
 - (b) specifying the grounds for the expulsion; and
 - (c) informing the member that if he so desires he may, within fourteen days after the service of notice on him, seeking a hearing against the expulsion as provided in this Rule.
- 35.4. A member upon whom a notice under Rule 35.3 is served seek a hearing against the expulsion by delivering or sending by post to the Executive Director of the Branch, within fourteen days after the service of that notice, a requisition in writing demanding the convening of hearing.
- 35.5. Upon receipt of a requisition under Rule 35.4, the Executive Director shall forthwith notify the Board of its receipt and the Board shall thereupon cause a hearing to be held within fourteen days after the date on which the requisition is received by the Executive Officer.
- 35.6. At a hearing convened for the purpose of this Rule:
- (a) the Tribunal shall comprise one person only, where possible with legal training or if not with experience in the administration of voluntary associations, shall operate according to the principles of natural justice and may regulate its own procedures.
 - (b) the Board shall place before the Tribunal details of the grounds of the expulsion and may set out the Board's reasons for the expulsion;
 - (c) the expelled member shall be given the opportunity to be heard;
- 35.7. If the Tribunal determines that the expulsion should be lifted, it shall be deemed to have been lifted and the expelled member is entitled to continue his membership of the Branch. If the Tribunal confirms the expulsion, it takes effect immediately.
- 35.8. A person who is expelled ceases to be a member of the Branch.

36. Disqualifications and Suspensions

- 36.1. No person shall be allowed to compete in any event conducted by the Branch or an affiliated body or conducted under the control of or with the consent of the Branch or by any other sporting association or organisation which observes and complies with suspensions and disqualifications imposed by the Branch whilst disqualified or suspended under the Rules of the IAAF, Athletics Australia and/or Athletics Tasmania.
- 36.2. Any person competing in an athletic meeting not sanctioned in accordance with the rules of this Branch or those of Athletics Tasmania may be suspended or disqualified.

36.3. All sentences of suspension, disqualification or otherwise by or binding on the Branch shall be binding on all affiliated bodies.

37. Colours and Badges

37.1. The colours, emblems, logos, uniforms, and other official clothing or insignia of the Branch shall be as determined from time to time by the Board.

37.2. Colours and badges of affiliated clubs and bodies shall be those approved of and registered by the Branch and by Athletics Tasmania.

38. Seal of the Branch

38.1. The seal of the Branch shall be in the form of a rubber stamp, inscribed with the name of the Branch encircling the word "Common Seal".

38.2. The seal of the Branch shall not be affixed to any instrument except by the authority of the Board, and the affixing thereof shall be attested by the signatures of two members of the Board or of one member of the Board and of the Public Officer of the Branch or such other person as the Board may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by authority of the Board.

38.3. The seal shall remain in the custody of the Branch.

39. Alterations to Constitution and Rules; By-Laws and Regulations

39.1. This Constitution and Rules may be altered at any annual or general meeting provided the following procedure is observed:

- (a) at least twenty one (21) days written notice of the proposed alteration shall be given to the Executive Director;
- (b) all members shall be given at least fourteen (14) days written notice of such proposed alteration;
- (c) such alteration or amendment as proposed at the general meeting shall be approved by special resolution (not less than three-quarters) of such members as are present and voting.

39.2. Any By-Law made pursuant to this Constitution and Rules may be made or altered at any Board Meeting provided the following procedure is observed:

- (a) at least five days (5) days written notice of the proposed By-Law or alteration shall be given to each Board member;
- (b) such By-law, alteration or amendment as proposed at the meeting shall be approved by a simple majority of such members as are present and voting.

39.3. Any Regulation made pursuant to this Constitution and Rules or By-Laws made pursuant thereto, may be altered at any Board Meeting provided that such alteration or amendment as proposed at the meeting shall be approved by a simple majority of such members as are present and voting.

- 39.4. Any such By-Law or Regulation may also be made or altered or amended at any annual or general meeting provided the following procedure is observed:
- (a) at least twenty one (21) days written notice of the By-Law, Regulation or proposed alteration shall be given to the Executive Director;
 - (b) all members shall be given at least fourteen (14) days written notice of such By-Law, Regulation or proposed alteration;
 - (c) such By-Law, Regulation or alteration or amendment as proposed at the general meeting shall be approved by a simple majority of such members as are present and voting.

40. Dissolution of the Branch

The Branch shall be dissolved in the event of the membership being less than five members. It may also be dissolved upon the vote of the three fourths majority of the members present at a general meeting convened to consider the question. Any assets on hand shall, after payment of all expenses and liabilities be, in the first instance, held in trust by Athletics Tasmania for use in furthering the cause of athletics in the State of Tasmania.

In the event of the Branch being wound up every member of the Branch and every person who, within the period of twelve months immediately preceding the commencement of the winding up, was a member of the Branch is liable to contribute to the assets of the Branch for payment of the debts or liabilities of the Branch and for costs, charges, and expenses of the winding up and for the adjustment of the rights of the contributories among themselves such sum, not exceeding one dollar, as may be required, but a former member is not liable so to contribute in respect of any debt or liability of the Branch contracted after he ceased to be a member.