



**WESTERN
AUSTRALIA
FIGURE SKATING
CLUB
CONSTITUTION**

Table of Contents

.....	3
The name of the Club	4
Definitions.....	4
Objects of Club	4
Powers of Club.....	5
Qualifications for membership of Club.....	5
Register of members of Club.....	5
Subscriptions of members of Club	5
Termination of membership of the Club	6
Suspension or expulsion of members of Club.....	6
Committee of Management.....	6
Chairperson and Vice-Chairperson	7
Secretary	8
Treasurer	8
Councillors.....	8
Casual vacancies in membership of Committee	9
Proceedings of Committee.....	9
General meetings.....	10
Quorum and proceedings at general meetings	11
Minutes of meetings of Club	11
Proxies of members of Club.....	12
Rules of Club.....	12
Common seal of Club.....	12
Policies and regulations.....	12
Inspection of records, etc. of the Club	12
Agreement with other bodies	12
Disputes and mediation.....	12
Distribution of surplus property on winding up of the Club	13
General Powers Of Committee	13

1. The name of the Club is: **Western Australia Figure Skating Club Inc.**

2. Definitions

In these rules, unless the contrary intention appears:

- 'annual general meeting' is the meeting convened under paragraph (b) of rule 16(1);
- 'club' means the Western Australia Figure Skating Club Inc.
- 'committee meeting' means a meeting referred to in rule 16;
- 'committee member' means person referred to in paragraph (a), (b), (c), (d) or (e) of rule 10 (1);
- 'convene' means to call together for a formal meeting;
- 'committee' means the Committee of the Club;
- 'department' means the government department with responsibility for administering the Associations Incorporation Act (1987);
- 'financial year' means a period not exceeding 15 months fixed by the Committee, being a period commencing on the date of incorporation of the Club and ending on 30 June; and thereafter each period commencing 1 July and ending on 30 June in the following year;
- 'general meeting' means a meeting to which all members are invited;
- 'member' means member of the Club;
- 'ordinary resolution' means resolution other than a special resolution;
- 'policies' means policies made by the management committee, which for the time being in force
- 'poll' means voting conducted in written form (as opposed to a show of hands);
- 'special general meeting' means a general meeting other than the annual general meeting;
- 'special resolution' has the meaning given by section 24 of the Act, that is:

A resolution is a special resolution if it is passed by a majority of not less than three-fourths of the members of the Club who are entitled under the rules of the Club to vote and vote in person at a general meeting of which notice specifying the intention to propose the resolution as a special resolution was given in accordance with those rules.

In a meeting at which a resolution proposed as a special resolution is submitted, a declaration by the person presiding that the resolution has been passed as a special resolution shall be evidence of the fact unless, during the meeting at which the resolution is submitted, a poll is demanded in accordance with the rules of the Club or, if the rules do not make provision as to the manner in which a poll may be demanded, by at least three members of the Club present in person.

If a poll is held, a declaration by the person presiding as to the result of a poll is evidence of the matter so declared.

- "the Act" means the *Associations Incorporation Act 1987*;
- "the Club" means the Club referred to in rule 1;
- "the Chairperson" means:
 - (a) in relation to the proceedings at a Committee meeting or general meeting, the person presiding at the Committee meeting or general meeting in accordance with rule 11; or
 - (b) otherwise than in relation to the proceedings referred to in paragraph (a), the person referred to in paragraph (a) of rule 10 (1) or, if that person is unable to perform his/her functions, the Vice Chairperson:
- "the Commissioner" means the Commissioner for Consumer Protection exercising powers under the Act;
- "the Committee" means the Committee of Management of the Club referred to in rule 10 (1);
- "the Secretary" means the Secretary referred to in paragraph (c) of rule 10 (1);
- "the Treasurer" means the Treasurer referred to in paragraph (d) of rule 10 (1);
- "the Vice-President" means the Vice-President referred to in paragraph (b) of rule 10 (1).

3. Objects of Club

(1) The objects of the Club are:

- the guidance, furtherance and promotion of figure skating in accordance with the needs of its participants, without discrimination of any kind and with a spirit of friendship and fair play;

- foster an environment that encourages all figure skating members to contribute to the runnings of their club;
 - encourage, promote and administer the development of figure skating for all members;
 - act, at all times, on behalf of and in the interest of members, ensuring profits directly benefit figure skating members;
 - to provide social activities, fundraising opportunities and experiences for all members;
 - gain access to funding and sponsorship opportunities.
- (2) The property and income of the Club shall be applied solely towards the promotion of the objects sub-rule (1) of the Club and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of those objects.

4. Powers of Club

The powers conferred on the Club are the same as those conferred by section 13 of the Act, so that subject to the Act and any additions, exclusions or modifications inserted below, the Club may do all things necessary or convenient for carrying out its objects and purposes, and in particular, may:

- (a) acquire, hold, deal with, and dispose of any real or personal property;
- (b) open and operate bank accounts;
- (c) invest its money:
 - 1. in any security in which trust monies may lawfully be invested; or
 - 2. in any other manner authorised by the rules of the Club.
- (d) appoint agents to transact any business of the Club on its behalf;
- (e) enter into any other contract it considers necessary or desirable; and
- (f) act as trustee and accept and hold real and personal property upon trust, but does not have power to do any act or thing as a trustee that, if done otherwise than as a trustee, would contravene this Act or the rules of the Club.

5. Qualifications for membership of Club

- (1) Membership of the Club is open to:
- All individuals participating in the sport of figure skating; referred to in rule 7 (5)
- (2) A person who wishes to become a member must:
- (a) apply for membership to the Committee in writing:
 - i. signed by that person; and
 - ii. in such form as the Committee from time to time directs.
- (3) The Committee members must consider each application made under sub-rule (2) at a Committee meeting and must at the Committee meeting or the next Committee meeting accept or reject that application.
- (4) An applicant whose application for membership of the Club is rejected under sub-rule (3) must, if he or she wishes to appeal against that decision, give notice to the Secretary of his/her intention to do so within a period of 14 days from the date he or she is advised of the rejection.
- (5) When notice is given under sub-rule (4), the Club in a general meeting no later than the next annual general meeting, must either confirm or set aside the decision of the Committee to reject the application, after having afforded the applicant who gave that notice a reasonable opportunity to be heard by, or to make representations in writing to, the Club in the general meeting.

6. Register of members of Club

- (1) A membership officer, as appointed by the committee, on behalf of the Club, must comply with section 27 of the Act by keeping and maintaining in an up to date condition a register of the members of the Club and their postal or residential addresses and, upon the request of a member of the Club, shall make the register available for the inspection of the member but shall have no right to remove the register.
- (2) The register must be so kept and maintained at the membership officer's place of residence, or at such other place as the members at a general meeting decide.
- (3) The membership officer must cause the name of a person who dies or who ceases to be a member under rule 8 to be deleted from the register of members referred to in sub-rule (1).

7. Subscriptions of members of Club

- (1) The members may from time to time at a general meeting determine the amount of the subscription to be paid by each member.
- (2) Each member must pay to the Treasurer, annually on or before 31st Day of January or such other date as the Committee from time to

time determines, the amount of the subscription determined under sub-rule (1).

- (3) Subject to sub-rule (4), a member whose subscription is not paid within three months after the relevant date fixed by or under sub-rule (2) ceases on the expiry of that period to be a member, unless the Committee decides otherwise.
- (4) A person exercises all the rights and obligations of a member for the purposes of these rules if his/her subscription is paid on or before the relevant date fixed by or under sub-rule (2) or within three months thereafter, or such other time as the Committee allows.
- (5) Individual members shall belong to one of the following classes:
 - (a) Full members – being persons aged 15 years and over who are eligible persons as hereinafter defined and who have applied for Full Membership and whom the Committee have admitted to Full Membership as provided in this constitution.
 - (b) Junior members - being persons under the age of 15 years who are eligible persons as hereinafter defined and have applied for Junior Membership and whom the Committee have admitted to Junior Membership as provided in this constitution.
 - (c) Support members - being eligible persons as hereinafter defined, of any age, who have applied for Support Membership and whom the Committee have admitted to Support Membership as provided in this constitution.
 - (d) Honorary Membership - being eligible persons as hereinafter defined, of any age, bestowed on members of the club and whom the Committee have admitted to Honorary Life Membership as provided in this constitution.
 - i. Honorary membership may be granted by the Council or the Club to honour persons who have rendered valuable service to the Association or to ice skating.
 - ii. Honorary membership may be bestowed for life or for a specified period of time.
 - iii. Honorary members will not need to pay any fees for life or for a specified period of time of the Honorary membership
 - iv. Acceptance of membership by an Honorary member shall be deemed acceptance of this constitution and submission to the policies of the Association.

8. Termination of membership of the Club

Membership of the Club may be terminated upon:

- (a) receipt by the Secretary or another Committee member of a notice in writing from a member of his/her resignation from the Club. Such person remains liable to pay to the Club the amount of any subscription due and payable by that person to the Club but unpaid at the date of termination; or
- (b) non-payment by a member of his/her subscription within three months of the date fixed by the Committee for subscriptions to be paid, unless the Committee decides otherwise in accordance with rule 7 (3); or
- (c) expulsion of a member in accordance with rule 9.

9. Suspension or expulsion of members of Club

- (1) If the Committee considers that a member should be suspended or expelled from membership of the Club because his/her conduct is detrimental to the interests of the Club, the Committee must communicate, either orally or in writing, to the member:
 - (a) notice of the proposed suspension or expulsion and of the time, date and place of the Committee meeting at which the question of that suspension or expulsion will be decided; and
 - (b) particulars of that conduct, not less than 30 days before the date of the Committee meeting referred to in paragraph (a).
- (2) At the Committee meeting referred to in a notice communicated under sub-rule (1), the Committee may, having afforded the member concerned a reasonable opportunity to be heard by, or to make representations in writing to, the Committee, suspend or expel or decline to suspend or expel that member from membership of the Club and must, forthwith after deciding whether or not to suspend or expel that member, communicate that decision in writing to that member. (3)
- (3) Subject to sub-rule (5), a member has his/her membership suspended or ceases to be a member 14 days after the day on which the decision to suspend or expel a member is communicated to him or her under sub-rule (2).
- (4) A member who is suspended or expelled under sub-rule (2) must, if he or she wishes to appeal against that suspension or expulsion, give notice to the Secretary of his/her intention to do so within the period of 14 days referred to in sub-rule (3).
- (5) When notice is given under sub-rule (4):
 - (a) the Club in a general meeting must either confirm or set aside the decision of the Committee to suspend or expel the member, after having afforded the member who gave that notice a reasonable opportunity to be heard by, or to make representations in writing to, the Club in the general meeting; and
 - (b) the member who gave that notice is not suspended or does not cease to be a member unless and until the decision of the Committee to suspend or expel him or her is confirmed under this sub-rule.

10. Committee of Management

- (1) Subject to sub-rule (9), the affairs of the Club will be managed exclusively by a Committee of Management consisting of a:

- (a) President/ Chairperson;
 - (b) Vice-President/ Vice-Chairperson;
 - (c) Secretary;
 - (d) Treasurer;
 - (e) 2 councillors; and
 - (f) The Committee may elect from among the Members of the Club, additional members to the Committee not exceeding two.
 - all of whom must be members of the Club.
- (2) Committee members must be elected to membership of the Committee at an annual general meeting or appointed under sub-rule (9).
 - (3) Multiple committee positions shall not be occupied by person's of immediate family or relations.
 - (4) Subject to sub-rule (9), a Committee member's term will be from his/her election at an annual general meeting until the election referred to in sub-rule (2) at the next annual general meeting after his/her election, but he or she is eligible for re-election to membership of the Committee.
 - (5) Except for nominees under sub-rule (8), a person is not eligible for election to membership of the Committee unless a member has nominated him or her for election by delivering notice in writing of that nomination, signed by:
 - (a) the nominator; and
 - (b) the nominee to signify his/her willingness to stand for election,
 to the Secretary not less than seven days before the day on which the annual general meeting concerned is to be held.
 - (c) Members must have attained the age of 18 years, to be eligible to hold office; with the exception of:
 - i. Two councillor positions for which members must have attained the age of 16 year, as per rule 14.
 - (6) A person who is eligible for election or re-election under this rule may:
 - (a) propose or second himself or herself for election or re-election; and
 - (b) vote for himself or herself.
 - (7) The Secretary shall make available, 72 hours before the meeting, to current members the names of all persons nominated for election and the positions for which they are nominated.
 - (8) If the number of persons nominated in accordance with sub-rule (5) for election to membership of the Committee does not exceed the number of vacancies in that membership to be filled:
 - (a) the Secretary must report accordingly to; and
 - (b) the Chairperson must declare those persons to be duly elected as members of the Committee at the annual general meeting concerned.
 - (9) If vacancies remain on the Committee after the declaration under sub-rule (8), additional nominations of Committee members may be accepted from the floor of the annual general meeting. If such nominations from the floor do not exceed the number of vacancies the Chairperson must declare those persons to be duly elected as members of the Committee. Where the number of nominations from the floor exceeds the remaining number of vacancies on the Committee, elections for those positions must be conducted.
 - (10) If a vacancy remains on the Committee after the application of sub-rule (9), or when a casual vacancy within the meaning of rule 14 occurs in the membership of the Committee:
 - (a) the Committee may appoint a member to fill that vacancy; and
 - (b) a member appointed under this sub-rule will:
 - i. hold office until the election referred to in sub-rule (2); and
 - ii. be eligible for election to membership of the Committee, at the next following annual general meeting.
 - (11) The Committee may delegate, in writing, to one to more sub-committees (consisting of such member or members of the Club as the Committee thinks fit) the exercise of such functions of the Committee as are specified in the delegation other than:
 - (a) the power of delegation; and
 - (b) a function which is a duty imposed on the Committee by the Act or any other law.
 - (12) Any delegation under sub-rule (11) may be subject to such conditions and limitations as to the exercise of that function or as to time and circumstances as are specified in the written delegation and the Committee may continue to exercise any function delegated.
 - (13) The Committee may, in writing, revoke wholly or in part any delegation under sub-rule (11).

11. Chairperson and Vice-Chairperson

- (1) Subject to this rule, the Chairperson must preside at all general meetings and Committee meetings.
- (2) In the event of the absence from a general meeting of:
 - (a) the Chairperson, the Vice-Chairperson; or
 - (b) both the Chairperson and the Vice-Chairperson, a member elected by the other members present at the general meeting, must

preside at the general meeting.

- (3) In the event of the absence from a Committee meeting of:
 - (a) the Chairperson, the Vice-Chairperson; or
 - (b) both the Chairperson and the Vice-Chairperson, a Committee member elected by the other Committee members present at the Committee meeting, must preside at the Committee meeting.
- (4) The Chairperson and Vice-Chairperson must be 18 and over by the 31st day of January of the year of election.

12. Secretary

The Secretary must:

- (a) co-ordinate the correspondence of the Club;
- (b) keep full and correct minutes of the proceedings of the Committee and of the Club;
- (c) comply on behalf of the Club with:
 - i. section 28 of the Act by keeping and maintaining in an up to date condition the rules of the Club and, upon the request of a member of the Club, must make available those rules for the inspection of the member and the member may make a copy of or take an extract from the rules but will have no right to remove the rules for that purpose; and
 - ii. section 29 of the Act by maintaining a record of:
 - A) the names and residential or postal addresses of the persons who hold the offices of the Club provided for by these rules, including all offices held by the persons who constitute the Committee; and
 - B) the names and residential or postal addresses of any persons who are appointed or act as trustees on behalf of the Club, and the Secretary must, upon the request of a member of the Club, make available the record for the inspection of the member and the member may make a copy of or take an extract from the record but will have no right to remove the record for that purpose;
- (d) unless the members resolve otherwise at a general meeting, have custody of all books, documents, records and registers of the Club, including those referred to in paragraph (c) but other than those required by rule 14 to be kept and maintained by, or in the custody of, the Treasurer; and
- (e) perform such other duties as are imposed by these rules on the Secretary.
- (f) The Secretary must be 18 and over by the 31st day of January of the year of election.

13. Treasurer

The Treasurer must:

- (a) be responsible for the receipt of all monies paid to or received by, or by him or her on behalf of, the Club and must issue receipts for those monies in the name of the Club;
- (b) pay all monies referred to in paragraph (a) into such account or accounts of the Club as the Committee may from time to time direct;
- (c) make payments from the funds of the Club with the authority of a general meeting or of the Committee and in so doing ensure that all cheques are signed by the President or the Vice President and the Treasurer;
- (d) comply on behalf of the Club with sections 25 and 26 of the Act with respect to the accounting records of the Club by:
 - i. keeping such accounting records as correctly record and explain the financial transactions and financial position of the Club;
 - ii. keeping its accounting records in such manner as will enable true and fair accounts of the Club to be prepared from time to time;
 - iii. keeping its accounting records in such manner as will enable true and fair accounts of the Club to be conveniently and properly audited; and
 - iv. submitting to members at each annual general meeting of the Club accounts of the Club showing the financial position of the Club at the end of the immediately preceding financial year.
- (e) whenever directed to do so by the Chairperson, submit to the Committee a report, balance sheet or financial statement in accordance with that direction;
- (f) unless the members resolve otherwise at a general meeting, have custody of all securities, books and documents of a financial nature and accounting records of the Club, including those referred to in paragraphs (d) and (e); and
- (g) perform such other duties as are imposed by these rules on the Treasurer.
- (h) The Treasurer must be 18 and over by the 31st day of January of the year of election.

14. Councillors

The Councillors must:

Shadow the position of which they have been nominated in by the members

- (a) Shadow Secretary
 - i. Assist the Secretary with all secretarial duties

- ii. The Shadow Secretary will be able to access the membership list as directed by the secretary but shall have no right to remove the register.
- (b) Shadow Treasurer
 - i. Assist the Treasurer with all financial duties
 - ii. The Shadow Treasurer will not have the right to sign off any cheques or make any payments to any individual, directly or indirectly.
- (c) Any councillors must be 16 and over by the 31st day of January of the year of election.

15. Casual vacancies in membership of Committee

A casual vacancy occurs in the office of a Committee member and that office becomes vacant if the Committee member:

- (a) dies;
- (b) resigns by notice in writing delivered to the Chairperson or, if the Committee member is the Chairperson, to the Vice-Chairperson and that resignation is accepted by resolution of the Committee;
- (c) is convicted of an offence under the Act;
- (d) is permanently incapacitated by mental or physical ill-health;
- (e) is absent from more than:
 - i. three Committee meetings in the same financial year without tendering an apology to the person presiding at each of those Committee meetings; of which meetings the member received notice, and the Committee has resolved to declare the office vacant; or
 - ii. five Committee meetings in the same financial year with or without tendering an apology to the person presiding at each of those Committee meetings; of which meetings the member received notice, and the Committee has resolved to declare the office vacant, unless agreed upon by the committee.
- (f) ceases to be a member of the Club; or
- (g) is the subject of a resolution passed by a general meeting of members terminating his/her appointment as a Committee member.

16. Proceedings of Committee

- (1) The Committee must meet together for the dispatch of business not less than 6 times in each year and the Chairperson, or at least half the members of the Committee, may at any time convene a meeting of the Committee.
 - (a) Notice of a Committee meeting shall be given in writing to each member of the Committee at least seven clear days before the date of the meeting. The notice shall specify the date, the time and the place of the meeting and, so far as practicable, the business to be transacted.
 - (b) Any Committee member if no meeting has been convened by the Secretary within 14 days of a requisition in writing made by half of the committee members.
- (2) The President or in the President's absence the Vice-President, shall be Chairperson of all meetings of Committee and shall be a member of all committees appointed by the Committee. The Secretary and Treasurer shall be ex officio members of all committees appointed by the Committee.
- (3) Each Committee member has a deliberative vote.
- (4) A question arising at a Committee meeting must be decided by a majority of votes, but, if there no majority, the person presiding at the Committee meeting will have a casting vote in addition to his/her deliberative vote.
- (5) At a Committee meeting half of the Committee members plus 1, constitute a quorum.
 - (a) If within 30 minutes after the time specified for the holding of a Committee Meeting in a notice given under sub-rule (1) (a) a quorum is not present, the Committee Meeting stands adjourned to the same time on the same day in the following week.
 - (b) If within 30 minutes of the time appointed in paragraph (a) for the resumption of an adjourned Committee Meeting a quorum is not present, the members who are present may nevertheless proceed with the business of that Committee Meeting as if a quorum were present.
- (6) Subject to these rules, the procedure and order of business to be followed at a Committee meeting must be determined by the Committee members present at the Committee meeting.
- (7) As required under sections 21 and 22 of the Act, a Committee member having any direct or indirect pecuniary interest in a contract, or proposed contract, made by, or in the contemplation of, the Committee (except if that pecuniary interest exists only by virtue of the fact that the member of the Committee is a member of a class of persons for whose benefit the Club is established), must:
 - (a) as soon as he or she becomes aware of that interest, disclose the nature and extent of his/her interest to the Committee; and
 - (b) not take part in any deliberations or decision of the Committee with respect to that contract.
- (8) Sub-rule (7) (a) does not apply with respect to a pecuniary interest that exists only by virtue of the fact that the member of the Committee is an employee of the Club.

- (9) The Secretary must cause every disclosure made under sub-rule (7) (a) by a member of the Committee to be recorded in the minutes of the meeting of the Committee at which it is made.
- (10) Notice of a Committee meeting shall be given in writing to each member of the Committee at least seven clear days before the date of the meeting. The notice shall specify the date, the time and the place of the meeting and, so far as practicable, the business to be transacted.

17. General meetings

- (1) The Committee:
 - (a) may at any time convene a special general meeting;
 - (b) must convene annual general meetings within the time limits provided for the holding of such meetings by section 23 of the Act, that is, in every calendar year within four months after the end of the club's financial year or such longer period as may in a particular case be allowed by the Commissioner, except for the first annual general meeting which may be held at any time within 18 months after incorporation; and
 - (c) must, within 30 days of
 - i. receiving a request in writing to do so from not less than 6 members, convene a special general meeting for the purpose specified in that request; or
 - ii. the Secretary receiving a notice under rule 9 (4), convene a special general meeting to deal with the appeal to which that notice relates.
 - (d) Must, after receiving a notice under rule 5 (4), convene a general meeting, no later than the next annual general meeting, at which the appeal referred to in the notice will be dealt with. Failing that, the applicant is entitled to address the Club at that next annual general meeting in relation to the Committee's rejection of his/her application and the Club at that meeting must confirm or set aside the decision of the Committee.
 - (e) The committee must appoint an Auditor at each annual general meeting to audit the books of the following financial year, to ensure transparency and accuracy in the records.
 - i. The Auditor appointed may be a member of the club but must not be on the management committee of the club; and will be appointed as a volunteer.
- (2) The members making a request referred to in sub-rule (1) (c) (i) must:
 - (a) state in that request the purpose for which the special general meeting concerned is required; and
 - (b) sign the request
- (3) If a special general meeting is not convened with the relevant period of 30 days referred to:
 - (a) in sub-rule (1) (c) (i), the members who made the request concerned may themselves convene a special general meeting as if he or she were the committee; or
 - (b) in sub-rule (1) (c) (ii), the member who gave the notice concerned by him or herself convene a special general meeting as if he or she were the committee.
- (4) When a special general meeting is convened under sub-rule (3) (a) or (b) the Club must pay the reasonable expenses of convening and holding the special general meeting.
- (5) Subject to sub-rule (7), the Secretary must give to all members not less than 21 days notice of a special general meeting and that notice must specify:
 - (a) when and where the general meeting concerned is to be held; and
 - (b) particulars of the business to be transacted at the general meeting concerned and of the order in which that business is to be transacted.
- (6) Subject to sub-rule (7), the Secretary must give to all members not less than 21 days notice of an annual general meeting and that notice must specify:
 - (a) when and where the general meeting concerned is to be held; and
 - (b) particulars of the business to be transacted at the general meeting concerned and of the order in which that business is to be transacted, as follows:
 - i. first, the consideration of the accounts and reports of the Committee;
 - ii. second, the election of Committee members to replace outgoing Committee members; and
 - iii. third, any other business requiring consideration by the Club at the general meeting.
- (7) A special resolution may be moved either at a special general meeting or at an annual general meeting, however the Secretary must give to all members not less than 21 days notice of the meeting at which a special resolution is to be proposed.

In addition to those matters specified in sub-rule (5) or (6), as relevant, the notice must also include the resolution to be proposed and the intention to propose the resolution as a special resolution.

- (8) The Secretary must give notice under sub-rule (5), (6) or (7) by:
 - (a) serving it on a member personally; or
 - (b) sending it by post to a member at the address of the member appearing in the register of members kept and maintained under rule 6; or
 - (c) sending it by electronic mail to a member.
- (9) When a notice is sent by post under sub-rule (8) (b), sending of the notice will be deemed to be properly effected if the notice is sufficiently addressed and posted to the member concerned by ordinary prepaid mail.

18. Quorum and proceedings at general meetings

- (1) At a general meeting 6 members present in person constitute a quorum.
- (2) If within 30 minutes after the time specified for the holding of a general meeting in a notice given under rule 17 (5) or (6):
 - (a) as a result of a request or notice referred to in rule 17 (1) (c) or as a result of action taken under rule 17 (3) a quorum is not present, the general meeting lapses; or
 - (b) otherwise than as a result of a request, notice or action referred to in paragraph (a), the general meeting stands adjourned to the same time on the same day in the following week and to the same venue.
- (3) If within 30 minutes of the time appointed by sub-rule (2) (b) for the resumption of an adjourned general meeting a quorum is not present, the members who are present in person may nevertheless proceed with the business of that general meeting as if a quorum were present.
- (4) The Chairperson may, with the consent of a general meeting at which a quorum is present, and must, if so directed by such a general meeting, adjourn that general meeting from time to time and from place to place.
- (5) There must not be transacted at an adjourned general meeting any business other than business left unfinished or on the agenda at the time when the general meeting was adjourned.
- (6) When a general meeting is adjourned for a period of 30 days or more, the Secretary must give notice under rule 16 of the adjourned general meeting as if that general meeting were a fresh general meeting.
- (7) At a general meeting:
 - (a) an ordinary resolution put to the vote will be decided by a majority of votes cast on a show of hands, subject to sub-rule (9); and
 - (b) a special resolution put to the vote will be decided in accordance with section 24 of the Act as defined in rule 2, and, if a poll is demanded, in accordance with sub-rules (9) and (11).
- (8) A declaration by the Chairperson of a general meeting that a resolution has been passed as an ordinary resolution at the meeting will be evidence of that fact unless, during the general meeting at which the resolution is submitted, a poll is demanded in accordance with sub-rule (9).
- (9) At a general meeting, a poll may be demanded by the Chairperson or by three or more members present in person and, if so demanded, must be taken in such manner as the Chairperson directs.
- (10) If a poll is demanded and taken under sub-rule (9) in respect of an ordinary resolution, a declaration by the Chairperson of the result of the poll is evidence of the matter so declared.
- (11) A poll demanded under sub-rule (9) must be taken immediately on that demand being made.

19. Minutes of meetings of Club

- (1) The Secretary must cause proper minutes of all proceedings of all general meetings and Committee meetings to be taken and then to be entered within 30 days after the holding of each general meeting or Committee meeting, as the case requires, in a minute book kept for that purpose.
- (2) The Chairperson must ensure that the minutes taken of a general meeting or Committee meeting under sub-rule (1) are checked and signed as correct by the Chairperson of the general meeting or Committee meeting to which those minutes relate or by the Chairperson of the next succeeding general meeting or Committee meeting, as the case requires.
- (3) When minutes have been entered and signed as correct under this rule, they are, until the contrary is proved, evidence that:
 - (a) the general meeting or Committee meeting to which they relate (in this sub-rule called 'the meeting') was duly convened and held;
 - (b) all proceedings recorded as having taken place at the meeting did in fact take place at the meeting; and
 - (c) all appointments or elections purporting to have been made at the meeting have been validly made.

20. Voting rights of members of Club

- (1) Subject to these rules, members who have attained the age of 15 years as at 31st day of January of the year of election are entitled to a deliberative vote.

21. Proxies of members of Club

Proxy votes will not be accepted by the Club at any meeting.

22. Rules of Club

- (1) The Club may alter or rescind these rules, or make rules additional to these rules, in accordance with the procedure set out in sections 17, 18 and 19 of the Act, which is as follows:
 - (a) subject to sub-rule (1) (d) and (1) (e), the Club may alter its rules by special resolution but not otherwise;
 - (b) within one month of the passing of a special resolution altering its rules, or such further time as the Commissioner may in a particular case allow (on written application by the Club), the Club must lodge with the Commissioner notice of the special resolution setting out particulars of the alteration together with a certificate given by a member of the Committee certifying that the resolution was duly passed as a special resolution and that the rules of the Club as so altered conform to the requirements of this Act;
 - (c) an alteration of the rules of the Club does not take effect until sub-rule (1) (b) is complied with;
 - (d) an alteration of the rules of the Club having effect to change the name of the Club does not take effect until sub-rules (1) (a) to (1) (c) are complied with and the approval of the Commissioner is given to the change of name;
 - (e) an alteration of the rules of the Club having effect to alter the objects or purposes of the Club does not take effect until sub-rules (1) (a) to (1) (c) are complied with and the approval of the Commissioner is given to the alteration of the objects or purposes.
- (2) These rules, policies and regulations bind every member and the Club to the same extent as if every member and the Club had signed and sealed these rules, policies and regulations and agreed to be bound by all their provisions.

23. Common seal of Club

- (1) The club must have a common seal on which its corporate name appears in legible characters.
- (2) The common seal of the Club must not be used without the express authority of the Committee and every use of that common seal must be recorded in the minute book referred to in rule 19.

24. Policies and regulations

The Committee will have the power to:

- (1) The making of or alteration of policies and/or regulation the club
 - (a) This policies and /or regulations are not to be in conflict with any policies or regulations of any other associated bodies.

25. Inspection of records, etc. of the Club

A member may at any reasonable time inspect without charge the books, documents, records and securities of the Club.

26. Agreement with other bodies

- (1) The Club shall only be affiliated to the Western Australian Ice Skating Association Inc. until such a time when no such association remains.
- (2) The Committee shall have the authority to enter into agreements, on behalf of the Club, with governing bodies of other sports or with other State Ice Skating Associations with reference to competitions, eligibility and National Tests.

27. Disputes and mediation

- (1) The grievance procedure set out in this rule applies to disputes under these rules between:
 - (a) a member and another member; or
 - (b) a member and the Club; or
 - (c) if the Club provides services to non-members, those non-members who receive services from the Club, and the Club.
- (2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- (4) The mediator must be:
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement:
 - i. in the case of a dispute between a member and another member, a person appointed by the Committee of the Club;
 - ii. in the case of a dispute between a member or relevant non member (as defined by sub-rule (1) (c)) and the Club, a person who is a

mediator appointed to, or employed with, a not for profit organisation.

- (5) A member of the Club can be a mediator.
- (6) The mediator cannot be a member who is a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must:
 - (a) give the parties to the mediation process every opportunity to be heard;
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) The mediation must be confidential and without prejudice.
- (11) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

28. Distribution of surplus property on winding up of the Club

If upon the winding up or dissolution of the Club there remains after satisfaction of all its debts and liabilities any property whatsoever, the same must not be paid to or distributed among the members, or former members. The surplus property must be given or transferred to another Club incorporated under the Act which has similar objects and which is not carried out for the purposes of profit or gain to its individual members, and which Club shall be determined by resolution of the members.

29. General Powers Of Committee

The Committee shall have power to deal with any matter not provided for in this constitution and in so dealing shall, so far as possible, apply the regulations of International Skating Union and Ice Skating Australia Incorporated and The Western Australian Ice Skating Association.