

CONSTITUTION of the  
UNIVERSITY OF QUEENSLAND CANOE CLUB

1. NAME

The name of the Club shall be "UNIVERSITY OF QUEENSLAND CANOE CLUB"

2. DEFINITIONS

In this Constitution, unless the context forbids, the following words shall have the meanings:

"the Committee"

The Executive Committee of the Club

"the Club"

University of Queensland Canoe Club

"the Association"

UQSPORT

"QCI"

Queensland Canoeing Incorporated

"General Meeting"

Any General Meeting of the Club including the Annual General Meeting and any Special General Meeting

"UQ Alumni Member"

Those persons who are former University of Queensland students

"UQ Student Member"

Those persons who are currently enrolled students of the University of Queensland

"UQ Staff Member"

Those persons who are current University of Queensland staff

"Other Member"

Those persons who are not eligible for UQ Student, UQ Alumni, or UQ Staff membership

"Club Alumni Member"

A more limited membership granted by the committee where the

(a) club alumni member must live outside Brisbane (over 150 km from the clubhouse), and must be visiting Brisbane for no more than two months.

(b) club alumni member must take part in activities with at least one other financial club member

(c) club alumni member must have been a financial member, or an club alumni member, within the previous three years, and be, at the discretion of the committee, subject to a reference from the financial member or members that they will be paddling with.

"Member of the Committee"

A member of the Executive Committee

"Month"

Calendar Month

Masculine words include the feminine and the neuter.

Singular words include the plural.

### 3. OBJECTS

The objects of the Club shall be:

- (a) To foster interest in all categories of canoe sport within the University of Queensland.
- (b) To participate in such competitions as may be arranged by the Association and other clubs, associations or bodies whose objects are, in the opinion of the Committee, altogether or in part similar to those of the Club, and in particular, but without limiting the generality of the foregoing, competitions arranged by QCI.
- (c) To comply with the Constitution and Regulations of UQSPORT.
- (d) To affiliate with other clubs, associations or bodies whose objects are, in the opinion of the Committee, altogether or in part, similar to those of the Club, and in particular, but without limiting the generality of the foregoing, QCI, Australian Canoeing Incorporated, and the International Canoe Federation.
- (e) To promote, provide and participate in educational programs, lectures, classes, meetings, conferences and training sessions for the purpose of educating, informing and training students, staff and other persons associated with the University of Queensland as to all aspects of all categories of canoe sport.
- (f) To raise money by way of membership and otherwise for the purpose of pursuing the objects of the Club, and to accept donations and gifts.
- (g) To promote canoeing activities including, but not limited to, (i) individual or group canoeing activities on the Brisbane river associated with the St. Lucia pontoon, and (ii) organised off-campus canoe related trips and activities for members predominantly around, but not limited to, southeast Queensland and northern New South Wales.
- (h) To do all such other things as are incidental or conducive to the attainment of the above objects.

### 4. MEMBERSHIP

Subject to this Constitution and to the Constitution of UQSPORT, any person who should, in the opinion of the committee be admitted to membership, may become a member of the Club on payment of his annual subscription.

5. The number of members shall be unlimited

6. The members of the club shall consist of UQ alumni members, UQ student members, UQ staff members, other members, and club alumni members.

### 7. ANNUAL SUBSCRIPTIONS

Subject to this Constitution, the amount of subscription for each year shall be such sum as the Committee shall from time to time determine.

8. New or lapsed financial memberships commence from the date the annual subscription is paid, and lasts until the first of April of the following year. Continuing

financial memberships commence from the first of April, if paid before this date, and last until the first of April of the following year.

9. Payment of the annual subscription shall be made through UQ Sport, or to the Secretary personally or through the post, addressed to the Secretary.

10. A financial member at any material time is a member who is not then indebted to the Club in respect of any annual membership subscription or levy or other payment whatsoever.

11. Only financial members shall be entitled, subject to the lawful procedure of the meeting, to speak or vote upon any motion at any General Meeting of the Club.

12. A member who is in arrears with the annual subscription for six (6) months shall, subject to a contrary decision of the Committee, be deemed to have forfeited membership.

### 13. TERMINATION OF MEMBERSHIP

A member may resign from the Club at any time by giving notice in writing to the Secretary. Such resignation shall only take effect at the time when such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.

14. Subject to clause 15 of this constitution, the committee may terminate the membership of a member if that member:

- (a) fails to comply with any of the provisions of this Constitution; or
- (b) conducts himself in a manner which, in the opinion of the Committee, is injurious or prejudicial to the character or interests of the club.
- (c) fails to comply with the stated rules of the club.

15. A member whose membership is terminated pursuant to clause 14 of this Constitution shall be given a full and fair opportunity to present his case, and if the Committee resolves to terminate his membership, they shall advise the Secretary to advise the member accordingly. The member may, within one month after receiving such written notification, appeal to a General Meeting of members. Notice in writing of the intention to appeal shall be given to the Secretary. The Committee shall convene a General Meeting of members at which such appeal is to be determined, so that such meeting is held within three (3) months after the date of receipt by the Secretary of the notice of intention to appeal, and is at a time suitable to the majority of members to attend thereat. At such a meeting the appellant shall be given the opportunity of fully representing his case either orally or in writing or partly by either of those means, and the Committee shall subsequently likewise have the opportunity of presenting its case. The appeal shall be determined by the vote of a majority of the financial members present and voting at that meeting. Where the member does not appeal against the decision of the Committee within the time and in the manner provided by this clause, or so appeals but the appeal is unsuccessful, the membership of that member shall thereupon be deemed to be terminated.

## 16. REGISTER OF MEMBERS

The committee shall cause a register to be kept in which shall be entered the names, residential addresses, contact details, and UQ related information (including Student number if applicable), of all persons admitted to membership of the club and the dates of such admission.

17. Particulars shall also be entered in the register of resignations, terminations and reinstatement of membership and any further particulars as the committee or the members at any general meeting may require from time to time.

18. A register of members who permit the publication of their particulars will be provided for inspection by any financial member. Permission of publication shall be determined by a question on the membership form.

## 19. THE EXECUTIVE COMMITTEE

At each Annual General Meeting, there shall be an Executive Committee of the Club appointed consisting of a President, a Vice-President, a Treasurer, a Secretary, and four Officers to oversee the disciplines of white-water kayaking, flat-water kayaking, sea kayaking and canoe polo, as well as additional assisting officers as determined by the committee.

20. At each Annual General Meeting of the Club, all members of the Committee for the time being shall retire from office, but shall be eligible for re-election.

21. Any member of the Committee may resign at any time from membership of the Committee by notice in writing delivered to the Secretary, but such resignation shall only take effect at the time when such notice is received by the Secretary unless some later date is specified in the notice when it shall take effect on that later date.

22. Any member of the Committee may be removed from office, at a General Meeting of the Club convened for that purpose.

At any such General Meeting, the member of the Committee shall be given the opportunity to fully present his case either orally or in writing or partly by either of those means.

The question of such removal shall be determined by the vote of the majority of the financial members present and voting at such General Meeting.

## 23. VACANCIES IN COMMITTEE

The Committee shall have the power to appoint a financial member who may or may not then be a member of the Committee to fill any casual vacancy in the Committee until the next Annual General Meeting.

Every member of the Committee so appointed shall retire at the next Annual General Meeting but shall be eligible for re-election as a member of the Committee at such meeting.

## 24. FUNCTIONS OF THE COMMITTEE

Except as otherwise provided by this Constitution, and subject to resolutions of the members of the Club carried at any General Meeting, the Committee

(a) shall have the general control and management of the administration of the affairs, property and funds of the Club; and

(b) shall have authority to interpret the meaning of this Constitution and to determine any matter relating to the Club on which this Constitution is silent.

## 25. MEETINGS OF THE COMMITTEE

The Committee shall meet to exercise its functions, as often as the Committee in its discretion decides, but at least six (6) times a year to satisfy UQSPORT requirements with at least one (1) meeting in every four (4) month period.

26. A special meeting of the Committee shall be convened by the Secretary on the requisition in writing of not less than two (2) members of the Committee which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat.

27. At every meeting of the Committee three (3) members of the Committee shall constitute a quorum.

28. Questions arising at any meeting of the Committee shall be decided by a majority of votes and in the case of equality of votes on any question, it shall be deemed to be decided in the negative.

29. Subject to this clause, the Committee may meet together and regulate its proceedings as it thinks fit.

30. Not less than fourteen (14) days' notice shall be given to members of the Committee of any special meeting of the Committee.

## 31. GENERAL MEETINGS OF THE CLUB

Subject to this Constitution, the Annual General Meeting of the Club shall be held prior to the first of July in each year.

32. The business to be transacted at every Annual General Meeting shall be

(a) the receiving of the Committee's Annual report and the formal adoption of the audited balance sheet and statement of accounts for the preceding financial year;

(b) the election of members of the Committee; and

(c) general business.

33. At every General Meeting of the Club, seven (7) members of the Club, of which four (4) are not executive members, shall constitute a quorum.

34. The Secretary shall

(a) when directed to do so by the Committee;

(b) upon being given a requisition in writing signed by not less than four (4) members of the Club clearly stating the purpose for which the General Meeting is desired;

or

(c) upon being given a notice in writing of appeal against the decision of the Committee to terminate the membership of any person;

convene a General Meeting of members.

35. The Secretary shall convene all General Meetings of the Club by giving not less than fourteen (14) days' notice of such meetings.

The manner by which such notice is given shall be determined by the Committee.

36. Unless otherwise provided by this Constitution, at every General Meeting

(a) the President shall be the chairman, and in his absence, the chairman shall be elected by resolution of a majority of the financial members present and voting at the meeting;

(b) the Chairman shall maintain order and conduct the meeting in a proper and orderly manner;

(c) every question, matter or motion shall be decided by a majority of votes of the financial members present and voting;

(d) every financial member present shall be entitled to one vote and in the case of an equality of votes, the chairman shall have a second or casting vote;

(e) voting shall be by show of hands, unless not less than four (4) financial members present demand a ballot, in which event there shall be a secret ballot. The chairman shall appoint two (2) members to conduct the secret ballot in such manner as he shall determine and the result of the ballot as declared by the chairman shall be deemed to be the resolution of the meeting at which the ballot was demanded; and

(f) the Secretary shall cause full and accurate minutes of all questions, matters, resolutions and proceedings of every Committee meeting and of every General Meeting to be recorded and filed, and the recorded information to be made available for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection.

### 37. REGULATIONS

The Committee may from time to time make, amend or repeal regulations, not consistent with this constitution, for the internal management of the Club.

38. Any regulation made by the Committee pursuant to clause 37 of this Constitution may be set aside by a resolution of members in General Meeting.

### 39. ALTERATION OF CONSTITUTION

Subject to the Associations Incorporation Act 1981, these rules may be amended, repealed or added to by a special resolution carried at a General Meeting.

40. However an amendment, repeal or addition is valid only if it registered by the executive.

#### 41. FUNDS

The income and property of the club shall be applied in promotion of the objects specified in clause 3 of this Constitution.

42. The funds of the club shall be kept in a Trust Account in accordance with the regulations of UQSPORT.

43 (a) Withdrawals from the Trust Account specified in clause 41 of this Constitution shall be made only on the requisition in writing, signed by any two (2) of the president, secretary, treasurer or another member designated by the committee. However only three (3) persons can have signing rights.

(b) All money received by or on behalf of the Club shall be deposited in the Trust Account as soon as practicable after receipt.

44. Cheques drawn on behalf of the Club shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recouments which may be open.

45. Accounts for payment of \$100 or more shall be presented and passed at a Committee meeting.

46. As soon as practicable after the end of each financial year, the Treasurer shall cause to be prepared and have audited a statement of receipts and payments and income and expenditure and a balance sheet for the financial year just ended. This should be approved by the committee prior to its formal adoption at the Annual General Meeting.

47. No honorarium shall be granted to any person from the funds of the Club and no dividend shall be paid to, and no income or property of the Club shall be distributed amongst the members, provided that members who are employed or retained by the Club may be paid such reasonable remuneration as determined by the Committee.

#### 48. FINANCIAL YEAR

The financial year shall end December 31 of each year.

#### 49. DISSOLUTION

The club shall be dissolved

(a) if membership is less than three persons; or

(b) if a resolution to that effect is passed by a vote of a three-fourths majority of the financial members present and voting at a General Meeting convened to consider dissolution.

Upon dissolution, property used by the club but owned by UQSPORT will be returned to them. All property and other assets of the Club remaining after the payment of all expenses and other liabilities shall be transferred to some other organisation (having similar objects or in part similar objects) as the majority present at such General Meeting may, by resolution, decide.

## 50. COMMON SEAL OF INCORPORATION

A common seal of incorporation of the club as an association will be kept at the registered office address of UQSPORT, Union Rd, University of Queensland, St Lucia, 4072. The seal shall be used as proof of incorporation on all official documentation relating to club affairs.

## 51. CUSTODY OF BOOKS. DOCUMENTS. INSTRUMENTS OF TITLE

The books, documents and instruments of title and securities will be kept by the Club Treasurer.

## 52. CLUB ALUMNI MEMBERSHIP

At their discretion, the committee may offer a more limited club alumni membership to previous club members who were sufficiently active and involved in club activities while members, but who have left Brisbane. The cost of club alumni membership is 20% of a full membership, and confers financial membership for nine weeks after the commencement date. It is to be paid in advance to the secretary directly or by post. Offers of club alumni membership must be approved and minuted in committee meetings. Club alumni membership dates should be recorded as part of the membership register.

## 53. INDEMNITY

53.1 Every committee member, Director, auditor, manager, officer, employee or agent of the Club shall be indemnified to the extent provided under the directors and officers insurance policy (if any) of the Club or provided through affiliated entities against any liability incurred by him in his capacity as committee member, Director, auditor, manager, officer, employee or agent of the Club in defending any proceedings, whether civil or criminal, in which judgement is given in his favour or in which he is acquitted or in connection with any application in relation to any such proceedings in which relief is, under the Act, granted to him by the Court.

### 53.2 Club to Indemnify

The club shall indemnify its directors, officers, employees, committee members, and agents to the extent provided under the directors and officers insurance policies (if any) that cover the club directly or indirectly through any affiliation(s), against all damages and costs (including legal costs) for which any such directors, officers, employees, committee members, or agents may be or become liable to any third party in consequence of any act or omission except wilful misconduct:

(a) in the case of a Director, committee member, officer, or agent, performed or made whilst acting on behalf of and with the authority, express or implied of the club; and

(b) in the case of an employee, performed or made in the course of, and within the scope of his/her employment by the club.



CERTIFICATION

We hereby certify that this is a true and correct copy of the Constitution of the UNIVERSITY OF QUEENSLAND CANOE CLUB.

Paul Bates

J. Michael Wynne

Roberta Field

UQCC President

UQCC Treasurer

UQCC Secretary

Adopted 2nd June 2010