



UNISA SPORT



University of
South Australia

UniSA Ultimate Club

Constitution

Endorsed at the General Meeting of members held on 18 September 2015

Ammendment endorsed at the General Meeting of members held on 6 October 2017

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1. CLUB NAME

The name of the unincorporated association is “*UniSA Ultimate Club*” (in this constitution, known as “**the Club**”).

2. PURPOSE

- 2.1 The purpose of the Club is to assist UniSA Sport by operating a sporting club for the primary benefit of students, and assist in building the profile and benefits of Ultimate (Frisbee) at the University and the broader community by:
- (a) conduct, encourage, promote, advance and administer Ultimate (Frisbee) throughout the University of South Australia;
 - (b) act, at all times, on behalf of and in the interest of the members;
 - (c) affiliate and otherwise liaise with the regional and/or state organisations of which the Club is a member and adopt their rule and policy frameworks to further these objects;
 - (d) abide by, promulgate, enforce and secure uniformity in the application of the rules of Ultimate (Frisbee) including Spirit of the Game;
 - (e) advance the operations and activities of the Club throughout the University of South Australia and broader community;
 - (f) have regard to the public interest in its operations; and

- (g) undertake and or do all such things or activities which are necessary, incidental or conducive to the advancement of these objects.
- 2.2 The Club may only use its income, assets and profit for its purpose.
- 2.3 The Club must not distribute any profit, income or assets directly or indirectly to its members.

3. REGISTRATION TO UniSA SPORT

The Club shall be required to meet conditions throughout their existence to commence and maintain their registration as a club of UniSA Sport. The conditions are:

- 3.1 Assist UniSA Sport by operating a sporting club for the primary benefit of students, and assist in building the profile and benefits of Ultimate (Frisbee) at the University;
- 3.2 At all times, have no fewer than 10 active members, with the majority of active members being current UniSA students;
- 3.3 Provide details of all current Club members, including identification of current students and non-students, via the prescribed method;
- 3.4 Provide UniSA Sport with the Club Constitution, as approved by the Club's members;
- 3.5 Provide a list of current Club Executives, annual reports and statement of accounts;
- 3.6 Hold all Club funds in a bank account in the name of the Club which is controlled by the Club's Executive, including at least two signatories, where one must be the Treasurer, to access funds; (refer to 12.5)
- 3.7 Comply and uphold at all times with policies of UniSA Sport, University of South Australia and Australian University Sport; and
- 3.8 Comply with corporate governance requirements as set by UniSA Sport from time to time.

4. MEMBERSHIP OF THE CLUB

- 4.1 Membership of the Club is open to all:
 - (i) current UniSA students; and
 - (ii) general public
 who:
 - (a) support the purpose of the Club; and
 - (b) pay the membership fee (subject to clause 4.2).
- 4.2 The Secretary must keep a register of members, which shows the date on which each member last paid their membership fee (if any).
- 4.3 Club membership is current for that calendar year only.
- 4.4 Members may resign in writing to the Club Secretary.
- 4.5 The Secretary and UniSA Sport must make copies of this Constitution freely available to members on request.

5. GENERAL MEETING OF MEMBERS

- 5.1 The Executive must call at least 2 General Meetings of members each year, including the Annual General Meeting (in this constitution, known as "**AGM**").
- 5.2 The AGM must be held on an appropriate day in the last quarter of the year. Its business includes:
 - (a) to confirm the minutes of the last AGM and any subsequent General Meetings;
 - (b) to consider reports from the Executive members, including the Treasurer's presentation of the Club's statement of accounts;
 - (c) to consider the Club's annual report;
 - (d) to elect the Executive for the upcoming year; and
 - (e) any other business of which notice has been given.
- 5.3 The Executive must appoint a returning officer at least 2 weeks before the AGM, who is responsible for the conduct of the Executive elections.

- 5.4 The Executive may call a Special General Meeting at any time, and must do so if requested in writing by at least two-thirds of members stating the business to be considered. The Special General Meeting must be held within 21 business days of an Executive member receiving the request.
- 5.5 The Executive must give at least 10 business days' notice in writing of the date, time and place of all General Meetings to each member. The notice must state the business to be considered, including any item that a member has previously requested the Secretary in writing be included. Only business of which notice has been given may be considered at the General Meeting. The Executive must also advertise the meeting as far as practicable in any UniSA Sport publication/s generally available to students for at least 2 weeks before the meeting.
- 5.6 The quorum for General Meetings is majority of current membership.
- 5.7 The President will be the Chairperson for General Meetings. If the President is not present, another Executive member shall be appointed as the Chairperson.
- 5.8 Each member present has 1 vote. Proxies are not allowed. Questions are decided by a simple majority of those present and voting. The chair of the meeting has their own vote, but does not have a casting vote.

6. EXECUTIVE POSITIONS

- 6.1 The Executive of the Club consists of at least the following positions:
 - (a) President;
 - (b) Treasurer; and
 - (c) Secretary.
- 6.2 A General Meeting may establish other Executive positions.
- 6.3 Executive members may only hold 1 Executive position at a time.

7. ELECTION AND TERM OF OFFICE OF EXECUTIVE

- 7.1 Executive members may serve an unlimited number of terms.
- 7.2 All Executive positions must be elected at the AGM.
- 7.3 Executive members elected at the AGM hold office from the end of that AGM until the end of the next AGM, subject to clause 7.4.
- 7.4 Executive members cease to hold office if:
 - (a) they resign by writing to the Secretary (or, in the case of the Secretary, to the President);
 - (b) they are removed by a resolution of no confidence passed by a two-thirds majority of members present and voting at a General Meeting;
 - (c) they fail to attend 2 consecutive meetings of the Executive without giving apology to the Executive;
 - (e) UniSA Sport holds grievance with the Executive member.
- 7.5 The Executive may fill a single vacancy in its membership. If there is more than 1 vacancy, the Executive must convene a General Meeting to fill the vacancies.
- 7.6 The majority of Executives must be current UniSA students.

8. RESPONSIBILITIES OF EXECUTIVE

- 8.1 The Executive is responsible for the management of the Club, including its financial management.
- 8.2 The Executive must ensure that the Treasurer presents a financial report to the AGM in accordance with clause 10.2(e).
- 8.3 The Executive is also responsible for:
 - (a) organising Club activities;
 - (b) representing the Club and its members within UniSA Sport; and
 - (c) recommending policy to General Meetings.
- 8.4 The Executive is bound by club policy and is subject to direction by General Meetings.

9. PROCEEDINGS OF EXECUTIVE

- 9.1 The Executive must meet at least six (6) times during a calendar year.
- 9.2 At least five (5) business days' notice in writing of the date, time and place of Executive meetings must be given to each Executive member.
- 9.3 The quorum for Executive meetings is the presence of a majority of members of the Executive at the time.
- 9.4 The Executive may establish committees and delegate its powers as it thinks appropriate.

10. DUTIES OF EXECUTIVE MEMBERS

10.1 The duties of the President include:

- a) To coordinate Executive members and Club members to stage Club activities.
- b) Chair all General and Executive Club Meetings.
- c) Present an Annual Report at the club's AGM.
- d) Provide leadership and encouragement for the Committee.
- e) Act as the chief spokesperson for the club.
- f) Submit an Annual Report to UniSA Sport.
- g) Attend UniSA Sport Club Delegate meetings.
- h) Ensure that all business of the Club is carried out in accordance with the Clubs constitution, policies and by-laws.
- i) Facilitate the creation, renewal and approval of new Club policies or by-laws.

Maintain regular contact with the UniSA Sport office.

10.2 The duties of the Treasurer include:

- a) Keep a detailed record of all club transactions including all all income received and payments made by the Club.
- b) Present a financial statement to each meeting of the Executive Committee and club.
- c) To prepare an annual budget for the Club.
- d) Collect and bank all income in an account.
- e) Prepare applications for grants from UniSA Sport or other bodies.
- f) Maintain regular contact with the UniSA Sport office.

10.3 The duties of the Secretary include:

- a) To arrange general and executive meetings and prepare agendas, papers, record minutes and take the necessary action to implement Committee decisions.
- b) Manage and conduct all correspondence connected with the club's activities.
- c) Maintain club records including a register of members.
- d) Facilitate the creation, renewal and approval of new Club policies or by-laws.
- e) Maintain regular contact with the UniSA Sport office.

11. BENEFITS OF EXECUTIVE MEMBERS

11.1 The Executive are entitled to:

- a) 100% of approved expenses reimbursed (e.g. administration and training) related to their role.
- b) Access to training and development workshops and seminars.
- c) Full reimbursement of the Club membership at the close of their term.

12. FINANCIAL

- 12.1 As an affiliated club of UniSA Sport, all Club Executive members are indemnified against any liability for actions undertaken on club business in their capacity as an Executive member.
- 12.2 The financial year of the club is from 1 October to 30 September.
- 12.3 The membership fee will be set by the General Meeting under the following principals:
 - (a) Clubs may charge an annual membership fee at any amount determined by the executive at a General Meeting; and

- (b) All rights (including voting) of members who have not paid their membership fee by the date set by the Club Executive are suspended until the fee is paid.
- 12.4 All income (including membership fees) received by the Club, and payments (i.e. invoices) made by the Club must be reported at least twice annually to UniSA Sport at times specified by UniSA Sport.
- 12.5 All payments made by the Club must be authorised by at least 2 Executive members including the Treasurer (refer to 3.6).
- 12.6 All payments made by the club in excess of \$200 must be approved at an Executive Meeting.
- 12.7 All asset purchases, legal liabilities and asset disposal must be approved by UniSA Sport. The club will control assets and have priority usage in accordance with the purpose of the asset purchased.
- 12.8 The Executive must ensure that the Treasurer:
 - (a) records all income received and payments made by the Club in accordance with clause 10.2(a);
 - (b) keeps a register of all assets held by the Club in accordance with clause 10.2(b); and
 - (c) keeps a register of all liabilities owed to the Club in accordance with clause 10.2(b).
- 12.9 All assets held by a club that is (a) disaffiliated or (b) becomes inactive for 12 months or more must be returned to UniSA Sport.
- 12.10 Executive members may not spend Club money on products, services, events, entertainment, gifts, food or beverages for members of the Executive without a formal motion from a General Meeting of members that outlines the type of expenditure, its value, its purpose and justification.
- 12.11 The Club may not sell products in commercial quantities without the express written approval of UniSA Sport.

13. DISCIPLINE

- 13.1 The Club may commence or cause to be commenced disciplinary proceedings against a member who has allegedly:
 - (a) breached, failed, refused or neglected to comply with a provision of this constitution, the regulations or any resolution or determination of the Club or any duly authorised committee;
 - (b) acted in a manner unbecoming of a member, or prejudicial to the purposes and interests of the club and/or UniSA Sport and/or SAFDA; or
 - (c) brought the club, or any other member or UniSA Sport, into disrepute.

That member will be subject to and will submit unreservedly to the jurisdiction, procedures, penalties and the appeal mechanisms of the Club set out in the regulations.

- 13.2 The Club may appoint a judiciary committee to deal with any disciplinary matter referred to it.

14. GRIEVANCE PROCEDURE

- 14.1 The grievance procedure in this clause applies to disputes between:
 - (a) a Club member and the Club; and
 - (b) a Club member and another Club member
- 14.2 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 21 days after the dispute comes to the attention of all the parties.
- 14.3 If the parties are unable to resolve the dispute within 21 days, the Club may prescribe additional grievance procedures.

15. AMENDMENT

This Constitution may only be amended:

- (a) by resolution passed by a two-thirds majority of members present and voting at a General Meeting of which notice in accordance with clause 5.5 (including of the proposed amendment) has been given; and
- (b) with the approval of UniSA Sport.

16. WINDING UP

- 16.1 The Club may be wound up voluntarily by resolution passed by a two-thirds majority of members present and voting at a General Meeting of which notice in accordance with clause 5.5 (including of the proposed resolution) has been given.
- 16.2 If the Club is wound up (whether voluntarily or by a court), any remaining assets must not be distributed to any member, but must instead be returned to UniSA Sport.

17. DEFINITIONS AND INTERPRETATION

In this constitution:

- (a) a “UniSA Sport member” means a current financial member of UniSA Sport.
- (b) references to meetings include meetings held by telephone conference and video conference;
and
- (c) references to written communications include email.
- (d) “SAFDA” means the South Australian Flying Disc Association Executive Committee