

# Manly Warringah Football Referees Association Inc



## By-Laws

Under the Associations Incorporation Act 2009

*The following By-Laws shall be read in conjunction with the Constitution of the Association.*

Version: November 2013

## DOCUMENT HISTORY

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## **1 Definitions**

- (1) These By-Laws shall be read in conjunction with the current Constitution of the Association.
- (2) In these By-Laws except in so far as the context or subject matter otherwise indicates or requires:
  - (a) a reference to a Rule is a reference to the relevant Rule in the Constitution of the Association,
  - (b) the definitions of Rule 1 (Definitions) are incorporated into these By-Laws.
- (3) In addition, in these By-Laws except in so far as the context or subject matter otherwise indicates or requires:

**FFA** means Football Federation Australia

**FFA Accreditation** means an accreditation as a match official in accordance with the accreditation rules of the FFA as in-force from time to time

## **2 Eligibility to be a member of the Association**

- (1) For Rule 2(1) – membership eligibility – a person is eligible to become a member of the Association if:
  - (a) they successfully complete the course component of the FFA Level 4 Junior training program in a course conducted by the Association and are granted an FFA Accreditation by the Association, or
  - (b) at the discretion of the Committee, they successfully complete the course component of the FFA Level 4 Junior training program in a course conducted other than by the Association and are granted an FFA Accreditation by the Association, or
  - (c) at the discretion of the Committee, they otherwise hold an FFA Level 4 Junior qualification or higher and hold an in-force FFA Accreditation for their qualification level, or
  - (d) they hold a match official qualification and the Committee determines that the person is, or groups of persons are, eligible to become a member or members of the Association, and
    - (i) such a determination may include conditions, including that their eligibility is subject to their qualification being assessed as being equivalent to the FFA Level 4 Junior qualification or higher and/or subject to the granting of an FFA Accreditation.
- (2) A person, having previously ceased to be a member of the Association, is eligible to become a member of the Association if:
  - (a) the records of the Association show that their FFA Accreditation is in-force, or
  - (b) they satisfy the requirements, as determined by the Committee from time to time, to be granted an FFA Accreditation or re-accreditation of a prior FFA Accreditation and the records of the Association are consequently updated to show that their FFA Accreditation is in-force.
- (3) For By-Law 2(1)(b) and By-Law 2(1)(c) above, the discretion of the Committee may be delegated to the Registrar by a determination of the Committee.
- (4) In circumstances not otherwise provided for in this By-Law, the Committee may determine that a person is eligible for membership of the Association.

### **3 Eligibility to be a registered member of the Association**

- (1) For Rule 2(4) – registration eligibility - a member is eligible to be a registered member of the Association if:
  - (a) for the first year that they apply to register with the Association, they satisfy the membership eligibility requirements under By-Law 2,
  - (b) for any subsequent year that they apply to register with the Association, they hold an in-force FFA Accreditation for a qualification level.
- (2) For By-Law 3(1)(b) above, a person holds an in-force FFA Accreditation if:
  - (a) the records of the Association show that their FFA Accreditation is in-force, or
  - (b) they satisfy the requirements, as determined by the Committee from time to time, to be granted an FFA Accreditation or re-accreditation of a prior FFA Accreditation and the records of the Association are consequently updated to show that their FFA Accreditation is in-force.
- (3) In circumstances not otherwise provided for in this By-Law, the Committee may determine that a member is eligible for registration with the Association.

### **4 Cessation of membership and registration**

- (1) For Rule 4(2)(a) – not apply for registration by the registration expiry date – the registration expiry date is 30<sup>th</sup> June in each year.

### **5 Fees and subscriptions**

- (1) For Rule 8(1)(g) – maximum of fees - the fees referred to in Rule 8(1) are subject to a maximum as follows:
  - (a) the maximum initial joining fee, if any, is \$100
  - (b) the maximum annual membership fee, if any, is \$100
  - (c) the maximum annual registration fee, if any, is \$100
  - (d) the recognised fees under Rule 8(1)(d) – fees to other sporting entities – are an annual FNSW Affiliation fee and a four-yearly FFA Accreditation fee. The maximum of these fees is \$50 respectively
  - (e) the maximum fee by levy by deduction is 20% of gross match fees earned by members
  - (f) the maximum fee for any other fees is \$0
- (2) For Rule 8(1)(h) – fees imposed unequally – fees may not be imposed unequally upon members

## **6 Further provisions with respect to rule 10, rule 11 and rule 12**

- (1) For Rule 12A(4)(a) – period of suspension imposed by another football organisation – the specified periods are:
  - (a) for a suspension imposed for reasons related to behaviour toward a match official – zero (0) weeks, and
  - (b) for a suspension imposed for any other reason - three (3) weeks.
- (2) For Rule 12A(4), if a member has been prevented from participating in a football activity by a sanction imposed by a football association or football organisation (other than the Association), the member must so inform the Committee in writing.

*Amended 18/11/13*

*[Explanatory Note: The amendment to By-Law 6 introduces a specified period of zero (0) weeks in relation to behaviour toward a match official and retains the specified period of three (3) weeks for any other reason. The amendment also introduces into the By-Laws the obligation on a member to inform the Committee of any sanction imposed upon them – this obligation has been moved from Rule 12A of the Constitution to this By-Law]*

## **7 Powers of the Committee and of the Executive Sub-Committee**

- (1) For Rule 13(2)(b) - functions delegated to the Executive Sub-Committee in the By-Laws – there are no functions delegated to the Executive Sub-Committee in the By-Laws.

## **8 Constitution and membership of the Committee**

- (1) For Rule 14(7) – additional positions specified in the By-Laws – the additional positions that may be filled by persons to perform specified functions for and on behalf of the Association are as follows:
  - (a) An Appointments Officer position may be filled as a paid position to perform the functions of:
    - (i) managing the appointments of members to matches, under the direction of the President or the Vice President-Seniors or the Vice President-Juniors,
    - (ii) checking the match cards to record matches officiated by members in MWFA matches,
    - (iii) preparing records of match fees earned by members,
    - (iv) such other functions as are reasonably related to the functions above or as are directed by the Committee.
  - (b) An Assistant Treasurer position may be filled as a volunteer position, under the direction of the Treasurer, to perform the functions of:
    - (i) assisting the Appointments Officer to prepare records of match fees earned by members,
    - (ii) making payments of match fees earned by members from the Association's bank account, if authorised by the Committee to operate such account
    - (iii) such other functions as are reasonably related to the functions above or as directed by the Committee.

- (c) A Member Protection Information Officer may be filled as a volunteer position, under the direction of the Vice President-Juniors, to perform the functions of:
  - (i) providing support and information to any member with a member protection concern,
  - (ii) referring any member protection complaints to the Committee for further action,
  - (iii) assisting the Registrar to conduct the Working with Children Check process,
  - (iv) such other functions as are reasonably related to the functions above or as directed by the Committee.
- (d) An Historian may be filled as a volunteer position, under the direction of the Committee, to perform the functions of:
  - (i) acquiring and archiving items of historical interest to the history of the MWFRA,
  - (ii) proposing and managing the use(s) that may be put to the items – e.g. temporary or permanent display, publications based on the material,
  - (iii) such other functions as are reasonably related to the functions above or as directed by the Committee.

*Introduced 18/11/13*

*[Explanatory Note: The amendment to By-Law 8(d) introduces the volunteer position of Historian]*

## **9 Duties and functions of office-bearers**

- (1) For Rule 17 - other duties and functions of office-bearers as are described in the By-Laws – the following other duties or functions are described:
  - (a) if a Member Protection Information Officer is not appointed in accordance with By-Law 8(1)(c), the Member Protection Information Officer shall be the Vice President-Juniors.
- (2) In accordance with section 28(5) of the Act, within fourteen (14) days after vacating office, a former committee member of an association must ensure that all documents in his or her possession that belong to the association are delivered to the public officer for delivery to his or her successor.

## **10 Annual General Meeting - calling of and business at**

- (1) For Rule 24(3) – order of business at an Annual General Meeting – the order of business at an Annual General Meeting shall be:
  - (a) the chairperson shall open the meeting, welcome guests and call for apologies
  - (b) to confirm, as true and correct records, the minutes of the last preceding Annual General Meeting and of any Special General Meeting held since that meeting,
  - (c) to consider business arising out of the minutes,
  - (d) to consider any nominations for Life Membership of the Association,
  - (e) to receive from the Committee reports upon the activities of the Association during the last preceding financial year, unless the meeting decides by majority vote of members present that any or all of such reports shall be taken as printed in the annual report,
  - (f) to receive and consider any financial statement or report required to be submitted to members under the Act, unless the meeting decides by majority vote of members present that any or all of such reports shall be taken as printed in the annual financial statements,

- (g) to consider and vote upon any Special Resolutions that have been properly proposed as business for the meeting,
- (h) to elect the office-bearers of the Association, in accordance with Rule 15 – election of committee members and office-bearers - and Rule 16 – term of office,
- (i) to consider any other general business,
- (j) the chairperson shall close the meeting.

## **11 Regular General Meetings – calling of and business at**

- (1) For Rule 25A(2)(c) - dealing with any business that is required by the By-Laws to be decided by a resolution of the members in a Regular General Meeting – there is no business that is required by the By-Laws to be decided by a resolution of the members in a Regular General Meeting.
- (2) For Rule 25A(4) - order of business at an Regular General Meeting – the order of business at a Regular General Meeting shall be:
  - (a) the chairperson shall open the meeting, welcome guests and call for apologies
  - (b) to confirm, as a true and correct record, the minutes of the last preceding Regular General Meeting,
  - (c) to consider business arising out of the minutes,
  - (d) to, optionally, conduct an educational, developmental or informational session on matters pertaining to football refereeing or the activities of the Association and the members,
  - (e) to receive from the Committee verbal or written reports upon the activities of the Association since the last preceding Regular General Meeting, to consider any other general business,
  - (f) the chairperson shall close the meeting.

## **12 Conduct of general meetings**

- (1) For Rule 28A(5) – conduct of general meetings – the following provisions apply:
  - (a) members shall, if requested, stand when speaking and shall at all times address the chair,
  - (b) any member addressing the meeting shall speak directly to the motion under discussion or to an explanation or to a point of order,
  - (c) whenever the chairperson rises during a debate, any member then speaking, or offering to speak, shall immediately resume his seat and the meeting shall remain silent so that the chairperson may be heard without interruption,
  - (d) no speech shall exceed five (5) minutes in length without the consent of the meeting.
  - (e) no member shall address the meeting more than once on any motion or amendment. The mover of the original motion shall have the right of reply, but he shall strictly confine himself to answering previous speakers and shall not introduce any new matter into the debate. After the reply, the question shall be put forthwith. The right of reply shall not extend to the mover of an amendment which, having been carried, has become the motion.
  - (f) any member, whether he/she has spoken on the matter under discussion or not, may rise to a point of order, or in an explanation, but such explanation shall be confined to a material part of the member's former speech which may have been misunderstood. A member so rising shall be entitled to be heard forthwith.



- (g) during discussion, if more than two (2) members speak in succession either for or against the motion, the permitting of any further discussion shall be at the discretion of the chairperson.
- (h) a motion or amendment may be withdrawn by the mover.
- (i) any member entitled to vote may move a motion of dissent to any of the chairperson's rulings. A vote shall be taken, without discussion, the result of which shall be binding on the chairperson.
- (j) the Chairperson may call the attention of the meeting to continued irrelevance, tedious repetition, unbecoming language, or any breach of order on the part of a member, and may direct the member to discontinue such speech or, in the event of persistent disregard of the authority of the chairperson, to leave the meeting.

### **13 Change of Name, Objects, Rules and By-Laws**

- (1) Per Rule 38(2), the By-Laws of the Association may be altered, rescinded or added to only by a simple majority of members present at an Annual, Special or Regular general meeting of the Association.

### **14 Authority**

- (1) For Rule 46(3) - making By-Laws governing standards of behaviour and other standards – the following By-Laws are made.
- (2) Alcohol consumption:
  - (a) members officiating as members of the Association must not be affected by prior alcohol consumption,
  - (b) members shall not consume alcohol after a match whilst wearing their uniform.
- (3) Smoking:
  - (a) members officiating as members of the Association are not permitted to smoke whilst on or in the vicinity of the field of play, including prior to, during and after the game.
- (4) Uniform:
  - (a) members officiating as members of the Association shall wear an approved uniform as approved by the Committee from time to time.