



2025

# Hallett Community and Sporting Association Inc. Constitution



# HALLETT COMMUNITY AND SPORTS ASSOCIATION INCORPORATED

## **1. NAME**

The name of the Association is Hallett Community and Sports Association Incorporated referred to herein as "The Association".



## **2. DEFINITIONS**

In these rules unless the contrary intention appears- Act means the Associations Incorporations Act:

Committee means the Committee of Management of the Association: Council means the Regional Council of Goyder:

General Meeting means a general meeting of members of the Association convened in accordance with these rules:

Member means a member of the Association:

## **3. OBJECTS & PURPOSES**

The Objects of the Association shall be: -

3.1 To promote citizen involvement in the community and to strengthen the relationship between the Council and the community.

3.2 To manage or administer property and facilities under licence or lease from the Council within the Hallett township and areas within the Hundreds of Anne, Hallett and Tomkinson.

3.3 To act as an area based and multifunctional Association to: -

Reflect the priorities of the community and sporting clubs:

Organise and promote local community activities:

Investigate the needs of the community and report to the area Councilors; and

Assist in establishing links between community groups, sporting clubs, and external organisations.

3.4 To form a union between the groups in the area by encompassing the principles of efficiency to ensure that resources are not wasted through overlap, duplication and cumbersome administration procedures.

3.5 To encourage and nurture the strong volunteer system which forms the basis of the Hallett community.

## **HALLETT COMMUNITY AND SPORTS ASSOCIATION INCORPORATED**

### **4. POWERS**

The Association shall have all the powers conferred by Section 25 of the Act.

### **5. MEMBERSHIP**

5.1 Any person who is a resident, owns property or operates a business within the Hundreds of Anne, Hallett and Tomkinson, and supports the objects of the Association and agrees to be bound by its rules may apply for membership.

5.2 The application for membership shall be made in writing to the Secretary.

5.3 Upon the acceptance of the application by the Committee and upon payment of the first annual subscription the applicant shall be a member of the Association.

### **6. SUBSCRIPTIONS**

6.1 The subscription fees for membership shall be such sum (if any), as the members shall determine from time to time in general meeting.

6.2 The subscription fees shall be payable annually on 1<sup>st</sup> July or at such other time as the Committee shall determine from time to time.

6.3 Any member whose subscription is outstanding for more than three months after the due date for payment shall cease to be a member of the Association, provided always that the Committee may reinstate such a person's membership on such terms as it thinks fit.

### **7. RESIGNATIONS**

A member may resign from membership of the Association by giving written notice thereof to the secretary or public officer of the Association. Any member so resigning shall be liable for any outstanding subscriptions which shall be recovered as a debt to the Association.

### **8. EXPULSION OF A MEMBER**

8.1 Subject to giving a member an opportunity to be heard or to make a written submission, the committee may resolve to expel a member upon a charge of misconduct detrimental to the interests of the Association.

8.2 Particulars of the charge shall be communicated to the member at least one calendar month before the meeting of the Committee at which the matter will be determined.



## **HALLETT COMMUNITY AND SPORTS ASSOCIATION INCORPORATED**

8.3 The determination of the Committee shall be communicated to the member, and in the event of an adverse determination the member shall, subject to subrule

8.4, cease to be a member 14 days after the Committee has communicated its determination to the member.

8.4 It shall be open to a member to appeal to the Association in general meeting against the expulsion. The intention to appeal shall be communicated to the secretary or public officer of the Association within 14 days after the determination of the Committee has been communicated to the member.

8.5 In the event of an appeal under subrule 8.4 the appellant's membership of the Association shall not be terminated unless the determination of the committee to expel the member is upheld by the members of the Association in general meeting after the appellant has been heard by the members of the association, and in such event membership will be terminated at the date of the general meeting at which the determination of the Committees is upheld.

### **9. PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS**

The assets and income of the Association shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to members except as bona fide remuneration for services rendered or expenses incurred on behalf of the Association.

### **10. THE COMMITTEE**

10.1 a) The affairs of the association shall be managed and controlled by a committee which, in addition to any powers and authorities conferred by these rules, may exercise all such powers and do all such things as are within the objects of the association, and are not by the Act or by these rules required to be done by the association in general meeting.

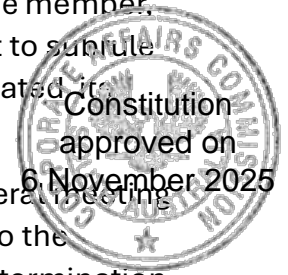
b) The committee has the management and control of the funds and other property of the association.

c) The committee shall have authority to interpret the meaning of these rules and any other matter relating to the affairs of the association on which these rules are silent.

d) The committee shall appoint a public officer as required by the Act

Notice of appointment and any change in the identity or address of the public officer must be lodged within one month after the change (with CBS).

10.2 The Committee shall appoint a public officer as required by the Act.



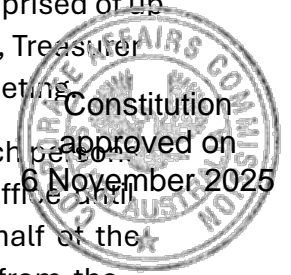
## **HALLETT COMMUNITY AND SPORTS ASSOCIATION INCORPORATED**

- 10.3 The Committee elected at the Annual General Meeting shall be comprised of up to ten members from which a Chairperson, Deputy Chairperson, Secretary, Treasurer shall be elected at a meeting immediately following the Annual General Meeting.
- 10.4 The first Committee of the Association shall be compromised of such persons as hold office prior to incorporation. The first Committee shall hold office until the first annual general meeting after incorporation at which time one half of the members of the Committee, who shall be chosen by ballot shall retire from the committee but shall be eligible for reappointment. At each subsequent annual general meeting one half of the members of the Committee, being the longest serving members, shall retire and shall be eligible for reappointment.
- 10.5 The Committee may appoint a natural person to fill a casual vacancy, and such a committee member shall hold office until the next general meeting of the Association and shall be eligible for reappointment.
- 10.6 All retiring Committee Members shall be eligible for re-election at the Annual General Meeting. Nominations lodged with the Secretary shall be signed by the nominee proposed to signify their willingness to stand for election. If more than the required number of nominations are received a secret ballot will be conducted. No Proxy votes will be accepted for this ballot.
- 10.7 The committee may appoint sub-committees of members for specific purposes that shall meet as they see fit or as directed by the committee and shall report to the Committee.
- 10.8 The committee may appoint sub-committees to manage or administer any property and facility within the Hallett Township and areas within the Hundreds of Anne, Hallett and Tomkinson.
- 10.9 The HCSA committee will develop a regular building maintenance program, this is to be tabled at each Annual General Meeting detailing the planned work and cost associated with each planned works project for the year ahead. The members can then vote on and approve/decline any work planned for the year ahead at the AGM.
- 10.10 That Hallett Community and Sporting Association members can only sit on the HCSA committee for a maximum 3 terms (6 Years). Members can become eligible again to sit on the committee after having a 6-year hiatus.

### **11. DISQUALIFICATION OF COMMITTEE MEMBERS**

The office of committee member shall become vacant if a committee member is:

- 11.1 disqualified by the Act.
- 11.2 expelled under these rules.



## **HALLETT COMMUNITY AND SPORTS ASSOCIATION INCORPORATED**

- 11.3 permanently incapacitated by ill health.
- 11.4 absent without apology from more than three meetings in a financial year.
- 11.5 no longer the duly appointed representative of a corporate member.



### **12. PROCEEDINGS OF COMMITTEE**

12.1 The Committee shall meet as often as may be required to conduct the business of the Committee but not less than 4 times in each calendar year at intervals of not less than approximately 3 months.

12.2 Questions arising at any meeting of the committee shall be decided by a majority of votes, and in the event of equality of votes the Chairperson shall have a casting vote in addition to a deliberative vote.

12.3 A quorum for a meeting of the committee shall be five of the members.

12.4 A member of the Committee having a direct or indirect pecuniary interest in a contract or proposed contract, with the association must disclose the nature and extent of that interest to the Committee as required by the Act and shall not vote with respect to that contract or proposed contract. The member of the committee must disclose the nature and extent of his or her interest in the contract at the next annual general meeting of the Association.

12.5 At least 7 days' notice of any committee meeting shall be given to committee members. The notice shall set out where and when the meeting will be held, and particulars of the nature and order of the business to be transacted at the meeting.

### **13. FINANCIAL YEAR**

The first financial year of the Association shall be the period ending the next 30<sup>th</sup> June following incorporation, and thereafter a period of 12 months commencing on 1<sup>st</sup> July and ending on 30 June of each year.

### **14. RULES**

14.1 Subject to approval by a special resolution of the members of the Association, these rules may be altered, including an alteration to the Association's name, or be rescinded and replaced by substituted rules. Such an alteration shall be registered with the Corporate Affairs Commission as required by the Act.

14.2 The registered rules shall bind the Association and every member to the same extent as if they had respectively signed and sealed them and agreed to be bound by all the provisions thereof.

## **HALLETT COMMUNITY AND SPORTS ASSOCIATION INCORPORATED**

### **15. THE SEAL**

15.1 The Association shall have a common seal upon which its corporate name shall appear in legible characters.

15.2 The seal shall not be used without the express authorisation of the Committee, and every use of the seal shall be recorded in the minute book of the Association. The affixing of the seal shall be witnessed by the Chairperson and Secretary.



### **16. ANNUAL GENERAL MEETING**

16.1 The Committee shall call an annual general meeting in accordance with the act or these rules.

16.2 The first annual general meeting shall be held within eighteen (18) months after the incorporation of the Association, and thereafter within five (5) months after the end of its financial year.

16.3 The order of the business at the meeting shall be the confirmation of the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting, the consideration of the accounts and reports of the Committee and the report of any auditors, the appointment of committee members, and any other business requiring consideration by the Association in general meeting.

### **17. SPECIAL GENERAL MEETING**

17.1 The Committee may call a special general meeting of the association at any time.

17.2 Upon a requisition in writing of not less than five members of the association, the committee shall within one month of the receipt of the requisition, convene a special general meeting for the purpose specified in the requisition.

17.3 Every requisition for a special general meeting shall be signed by the relevant members and shall state the purpose of the meeting.

17.4 If a special general meeting is not convened within one month as required by sub-rule (17.3) the requisitionists, or at least 50% of their number, may convene a special general meeting. Such a meeting shall be convened in the same manner as nearly as practical as a meeting convened by the Committee, and for this purpose the Committee shall ensure that the requisitionists are supplied free of charge with particulars of the members entitled to receive a notice of meeting. The reasonable expenses of convening and conducting such a meeting shall be borne by the Association.

**18. NOTICE OF GENERAL MEETINGS**

18.1 Subject to sub-rule 18.2 at least fourteen days' notice of any general meeting shall be given to members. The notice shall set out where and when the meeting will be held, and particulars of the nature and order of the business to be transacted at the meeting.



18.2 Notice of a meeting at which a special resolution is to be proposed shall be given at least 21 days prior to the date of the meeting.

18.3 A notice may be given by the Association to any member by serving the member with the notice personally, or by sending it by post to the address appearing in the register of members, or by advertising in the local newspaper.

18.4 Where a notice is sent by post, service of the notice shall be deemed to be effected if it is properly addressed and posted to the member by ordinary prepaid mail.

**19. PROCEEDINGS AT GENERAL MEETINGS**

19.1 Ten members, present personally or by proxy shall constitute a quorum for the transaction of business at any general meeting.

19.2 If within thirty minutes after the time appointed for the meeting a quorum of members is not present; a meeting convened upon the requisition of members shall lapse. In any other case, the meeting shall stand adjourned to the same day in the next week, at the same time and place and if at such adjourned meeting a quorum is not present within 30 minutes of the time appointed for the meeting the members present shall form a quorum.

19.3 The Chairperson shall preside as Chairperson at a general meeting of the Association.

19.4 If the Chairperson is not present within 5 minutes after the time appointed for holding the meeting, or he or she is present but declines to take or retires from the chair, the members may choose a committee member or one of their own numbers to be the Chairperson of that meeting.

**20. MINUTES**

20.1 Proper minutes of all proceedings of general meetings of the Association and of meetings of the Committee, shall be entered within one month after the relevant meeting in minute books kept for the purpose.

20.2 The minutes kept pursuant to this rule shall be signed by the Chairperson of the meeting at which the proceedings took place or by the Chairperson of the next succeeding meeting.

## **HALLETT COMMUNITY AND SPORTS ASSOCIATION INCORPORATED**

20.3 Where minutes are entered and signed, they shall until the contrary is proved be evidence that the meeting was convened and duly held, that all proceedings held at the meetings shall be deemed to have been duly held, and that all appointments made at a meeting shall be deemed to be valid.



### **21. VOTING**

21.1 At any general meeting, a motion put to a vote shall be decided on a show of hands, and a declaration by the chairperson of the meeting that a resolution has been carried or lost, shall unless a poll is demanded be conclusive evidence of the fact, without proof of the number or portion of the votes recorded in favour of, or against, the resolution.

21.2 If a poll is demanded by the chairperson of the meeting or by three or more members present personally or by proxy, it shall be taken in such manner as the Chairperson directs.

21.3 The result of such poll shall be the resolution of the meeting, except that in the case of a special resolution not less than three quarters of the members who being entitled to do so vote personally or by proxy at the meeting is required.

21.4 A poll demanded on the election of a Chairperson of a meeting or on any question of an adjournment, shall be taken at the meeting and without adjournment.

### **22. VOTING RIGHTS**

22.1 Subject to these rules each member present in person or by proxy shall be entitled to one vote.

22.2 A member being a body corporate shall be entitled to appoint one person who need not be a member of the association to represent it at a particular general meeting or at all general meetings of the Association. That person shall be appointed by the corporate member by a resolution of its board which shall be authenticated under its seal. Such a person shall be deemed to be a member of the Association for all purposes until the authority to represent the corporate member is revoked.

### **23. PROXIES**

A member shall be entitled to appoint in writing a natural person who is also a member of the Association to be their proxy, and attend and vote on any matter on the agenda other than election of office bearers at any general meeting of the Association.

**24. ACCOUNTS**

The Association shall keep such accounting records as are necessary to correctly record and explain the financial transactions and financial position of the Association.



**25. WINDING UP**

The Association may be wound up in the manner provided for in the Act.

**26. APPLICATION OF SURPLUS ASSETS**

26.1 If after winding up of the Association there remains “surplus assets” as defined in the Act, such surplus assets shall be distributed to any organization which has similar objects and rules prohibiting the distribution of its assets and income to its members.

26.2 Such organisation or organisations shall be identified and determined by a resolution of members in general meeting.