



BY-LAWS
OF
ACT MASTERS SQUASH
ASSOCIATION INCORPORATED

April 2018

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ROLES OF THE EXECUTIVE COMMITTEE

1. PRESIDENT

The President is responsible for the overall management of the Association. The President is generally responsible for:

- Chairing meetings;
- Ensuring the Association is run in accordance with its rules and any other strategic plan that has been agreed to;
- Overseeing activities and projects;
- Delegation of tasks to Committee members and co-opted helpers; and
- Representing the Association at external meetings and events.

2. VICE PRESIDENT

The Vice President should be available to take on any or all of the President's duties whenever he or she is not available or when assistance is requested by the President.

3. SECRETARY

The Secretary of the Association shall, as soon as practicable after being appointed as Secretary, lodge notice with the Association of his or her address. The Secretary is also responsible for:

- Take minutes of Committee meetings, General Meetings and the Annual General Meeting.
- Receive and respond to correspondence; and
- Undertake other duties as directed.

4. TREASURER

The Treasurer of the Association must:

- Collect and receive all amounts owing to the Association and make all payments authorised by the Association;
- Keep correct books and accounts showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association; and
- Prepare end-of-year financial statements for audit and, after audit, for submission to the Annual General Meeting.

5. REMOVAL OF COMMITTEE MEMBERS

Pursuant to Section 50 of the *Associations Incorporation Act 1991* (ACT) (the 'Act'), the Association at a General Meeting may, by resolution, remove any member of the Committee from the office before the expiration of the member's term of office and may appoint another person to hold office until the expiration of the term of office of the member so removed.

6. ANNUAL GENERAL MEETINGS – MATTERS FOR CONSIDERATION

In addition to any other business, the Annual General Meeting will:

- (i) Confirm the Minutes of the last Annual General Meeting and of any General Meetings held since that meeting;
- (ii) Receive from the Committee reports on the activities of the Association during the last financial year;
- (iii) Elect Executive Committee members;
- (iv) Appoint an auditor for the ensuing year;
- (v) Appoint a Patron/s for the ensuing year; and
- (vi) Receive and consider the financial statements of accounts and the reports that are required to be submitted to members under section 73(1) of the Act.

7. GENERAL MEETINGS – CALLING OF BY MEMBERS

The Committee shall, upon request in writing of not less than six (6) of the total number of members, call a General Meeting of the Association.

A request of members for a General Meeting shall:

- State the purpose or purposes of the meeting;
- Be signed by the members making the request; and
- Be lodged with the Secretary.

If the committee fails to convene a General Meeting to be held within one month after the date on which the request is lodged with the Secretary, any one or more of the members who made the request may call a General Meeting to be held not later than three (3) months after that date.

A General Meeting called by a member or members shall be called as nearly as is practicable in the same manner as General Meetings are called by the Committee and any member who thereby incurs expense is entitled to be reimbursed by the Association for any reasonable expenses so incurred.

8. ADJOURNMENT OF GENERAL MEETINGS

For any business to be transacted at the Annual General Meeting or a General Meeting, there must be a quorum of at least six (6) members present.

The person presiding at a General Meeting at which a quorum is present may, with the consent of the majority of Members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

Where a General Meeting is adjourned for fourteen (14) days or more, the Secretary shall give notice of the adjourned meeting to each member of the Association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

Except as provided above, notice of an adjournment of a General Meeting or of the business to be transacted at an adjourned meeting is not required to be given.

9. DISCIPLINING OF MEMBERS

The Association will form two Committees, a Judicial Committee and an Appeal Board to hear disciplinary matters on behalf of the Association.

Judicial Committee

There shall be a judicial committee chaired by the President or his or her nominee who shall be a Member of the Association plus two other committee members.

Purpose

The purpose of the judicial committee is to resolve all problems relating to the conduct of players in their relations with each other, referees, sponsors and the public where the issue cannot be resolved by the captain or the referee at the time.

Powers

The powers of the Committee include hearing any matter referred to it regarding the conduct of a player and or official, competing in the ACT Masters Squash Association competitions or the ACT Masters March Championship or other member performing in an official capacity under the auspices of the Association.

The Judicial Committee may:

- dismiss the complaint and instruct the Secretary to advise the player of the outcome;
- instruct the Secretary to issue a formal warning to the player;
- recommend that the player be suspended from the Association;
- recommend that the player be expelled from the Association; or
- recommend such other action as may be necessary to uphold the objectives of the Association.

Judicial Hearing

The Chairperson shall convene a panel of two members of the Committee to conduct the hearing in respect of a matter referred to it by a member of the Association.

Where a panel of two cannot be convened from members of the Committee, the Chairperson may appoint such persons as may be necessary to ensure a panel of three is available to hear the matter.

A person shall not be a member of the panel convened to hear the matter referred to the Judicial Committee where the Chairperson considers a conflict of interest may exist. It is the responsibility of a Judiciary member to declare to the Chairperson where a conflict of interest may exist or appear to exist.

Judicial Procedures

The hearing shall include:

- the members of the panel convened;
- a written statement from the person lodging the complaint and any other written statements from members who witnessed the incident(s). The person lodging the complaint may also attend the hearing; and
- the person who is the subject of the report and representatives of that person if required.

The person who is the subject of the report shall be notified of the specific charge(s) to be made against them and shall be invited to state their case before the panel.

The decision of the Judicial Committee must be advised to the person who is the subject of the report within seven (7) days of completion of the hearing.

Where the Judicial Committee is of the opinion that a member of the Association:

- has refused or neglected to comply with a provision or provisions of the Constitution or By-Laws, or policies as determined by the committee from time to time; or
- has willfully acted in a manner prejudicial to the interests of the Association

the Judicial Committee will instruct the Secretary to give notice in writing to the member setting out the recommendation of the Judiciary Committee and the grounds on which it is based and requesting the member respond within 28 days after the date of the notice.

The ACT Masters Squash Association Committee will consider the response received from the member and shall resolve to:

- take no further action;
- provide a formal warning to the member;
- suspend the member for a specified period; or
- expel the member from the association.

Following the ACT Masters Squash Association Committee's determination the Secretary shall notify the member of the decision.

A resolution to suspend or expel the member confirmed by the ACT Masters Squash Association Committee does not take effect:

- until the expiration of the period within which the member is entitled to appeal against the resolution; or
- if within that period the member exercises the right of appeal, unless and until the committee confirms the resolution.

10. RIGHT OF APPEAL OF DISCIPLINED MEMBERS

A member may appeal a decision against the disciplinary action taken against them but must do so within 28 days of the notice of the hearing in writing to the Secretary.

An Appeal Board consisting of three members of the Association appointed from time to time by the Executive Committee shall hear such appeals. The conditions relating to conflict of interest for the judicial committee will also apply to members of the Appeals Board.

Members of the Judicial Committee who conducted the initial hearing will not be eligible for appointment to the Appeal Board.

At any appeal hearing, the member will be given the opportunity to fully present their case and a representative of the Judicial Committee will likewise have the opportunity to present its case.

The appeal will be determined by majority vote of the members of the Appeal Board.

The Secretary will advise the appellant in writing within seven days the outcome of the Appeal Board's decision.

11. LIFE MEMBERSHIP

The eligibility criteria for Life Membership is set out in a separate Policy Manual.

- (i) A Life Member shall be presented with a badge signifying his or her Life Membership
- (ii) A Life Member shall be invited to all functions of the Association and shall be admitted free-of-charge to all of those functions.
- (iii) The Secretary shall establish and maintain a register of members on whom the Association has conferred Life Membership.

12. CUSTODY OF RECORDS

The Public Officer shall keep in his or her custody or under his or her control all records relating to the Association except for those required by the Secretary or Treasurer to carry out their respective duties.

13. INSPECTION OF RECORDS

The records of the Association will be open to inspection by members subject to the maintenance of member confidentiality.

14. AWARDS

The Committee may from time to time determine guidelines for the introduction of relevant ACT Masters Squash Association awards and these will be contained in the Policy Manual.

15. INFORMATION TECHNOLOGY

General Meetings may be held by utilizing information technology, including conference calls, email, video link and any other available technology.

16. INSURANCE

The question of insurance is a matter for the Committee to determine.

17. WORK AND HEALTH SAFETY

ACT Masters Squash Association is currently exempt from the *Work Health & Safety Act 2011* which came into effect in NSW, the ACT, the Commonwealth and the Northern Territory from 1 January 2012.

The provisions of the Act only apply if ACTMSA has paid employees.

18. AMENDMENTS TO THE BY-LAWS

The By-Laws may be amended at a General Meeting of the Association provided that notice of the proposed amendment is included in the Notice of said meeting.