



Constitution of Sydney Olympic Park Archers

December 2021

We meet on the lands of the Wangal people of the Eora nation, and pay our respects to their elders; past, present and emerging.

Part 1 Preliminary

1. Definitions

(1) In this constitution:

ordinary committee member means a member of the committee who is not an office-bearer of the association.

secretary means:

- a) the person holding office under this constitution as secretary of the association, or
- b) if no person holds that office - the public officer of the association.

special general meeting means a general meeting of the association other than an annual general meeting.

the Act means the *Associations Incorporation Act 2009*.

the Regulation means the *Associations Incorporation Regulation 2016*.

(2) In this constitution:

- a) a reference to a function includes a reference to a power, authority and duty, and
- b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(3) The provisions of the *Interpretation Act 1987* apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.

2. Name

The name of the Association is Sydney Olympic Park Archers (S.O.P.A.) Incorporated, hereinafter referred to as "The Club".

3. Purpose.

- (1) The Club is formed to provide shooting and coaching facilities to its members that foster the safe and proficient pursuit of the sport of archery, and
- (2) The Club will work with other relevant organisations and the community to promote participation in the sport of archery, and excellence in its performance.

Part 2: Membership

4. Membership generally

- (1) A person is eligible to be an ordinary member of The Club if:
 - a) the person is a natural person over the age of 18 years, and
 - b) the person has applied and been approved for membership of The Club in accordance with Section 5, and
 - c) the person maintains financial status in The Club, and
 - d) the person agrees to be bound by this constitution, the Rules of the Club (Appendix A), and its Member Protection Policy (Appendix B), which may be varied from time to time, directions from the executive, and the Framework of the National Sports Integrity Commission, and
 - e) the person maintains financial membership of the Regional Governing Body (RGB) Archery NSW (ANSW), and the National Association, Archery Australia (AA).
- (2) Junior members, under the age of 18:
 - a) will only be approved for membership with permission from a parent or guardian, who must ensure that they are financial, and who will agree said parent/guardian's contact information may be stored by SOPA as per Section 9 Clause (2), and
 - b) will not have voting rights, and
 - c) will agree to abide by the constitution and rules as per Section 4 Clause 1d), as will their parent/guardian, and
 - d) are the subject of specific protections as described in the Member Protection Policy (Appendix B).
- (3) Associate members
 - a) may be permitted to join the club, upon payment of the approved fee, and
 - b) must maintain financial membership of another club, the relevant RGB and Archery Australia, and
 - c) will not have voting rights at SOPA, and
 - d) will not be eligible for election to committee roles.
- (4) Honorary Life members
 - a) may be nominated and approved at a General Meeting of the Club, and
 - b) will be members who have provided exemplary service to the Club, and / or represented Australia at Olympic competition (or equivalent International level), and
 - c) will have the same privileges as ordinary members free of charge, and
 - d) may have their fees due to their RGB and Archery Australia paid by the club, whilst they are active within archery.
- (5) Temporary members (typically beginners or travellers)
 - a) may be permitted to join the Club for up to 3 months, upon payment of the approved fee, and
 - b) will be registered for insurance coverage with Archery Australia, free of charge, and
 - c) must not be existing members of Archery Australia
 - d) will not have voting rights at SOPA, and
 - e) will not be eligible for election to committee roles.

5. Application for membership

- (1) An application by a person for membership of The Club
 - a) must be made in writing (including by email or other electronic means, if the committee so determines) in the form determined by the executive committee, and
 - b) must be lodged (including by electronic means, if the committee so determines) with the secretary of the Club, and
 - c) must be accompanied by evidence of approval by a parent or guardian if the applicant is under 18 years, and
 - d) must document prior safety training or prior membership of another club, and
 - e) must be accompanied by attendance at the club for orientation (with parent or guardian if a junior member) by a member of the executive, to the Rules (Appendix A) and safety procedures of the club, and
 - f) must identify willingness to comply with any relevant Public Health Orders.
- (2) As soon as practicable after receiving an application for membership, the secretary must refer the application to the executive committee (with no less than 3 members), which is to determine whether to approve or to reject the application.
- (3) As soon as practicable after the committee makes that determination, the secretary must
 - a) notify the applicant in writing (including by email or other electronic means, if the committee so determines) that the executive committee approved or rejected the application (whichever is applicable), and
 - b) if the committee approves the application, request the applicant to pay (within the period of 28 days after receipt by the applicant of the notification) the sum payable under this constitution by a member as an annual subscription to the club (including amounts payable to AA and ANSW).
- (4) The secretary must, on payment by the applicant of the amounts referred to in Section 4 subclause (1) (c), enter or cause to be entered the applicant's name in the register of members and, on the name being so entered, the applicant becomes a member of the Club.

6. Cessation of membership

- (1) A person ceases to be a member of The Club if the person
 - a) is deceased, or
 - b) resigns membership, as per Section 8, or
 - c) is expelled from the Club, as per Section 12 (4), or
 - d) fails to pay the annual membership fee when it falls due.
- (2) A person who ceases to be a member of The Club will have their contact details removed from the Register of The Club, within the period defined by privacy regulations.

7. Membership entitlements not transferable

- (1) A right, privilege or obligation which a person has by reason of being a member of the Club.
 - a) is not capable of being transferred or transmitted to another person, and
 - b) terminates on cessation of the person's membership.

8. Resignation of membership

- (1) A member of the Club may resign from membership by first giving to the secretary written notice of at least 1 month of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (2) Members transferring to other clubs may apply to have their AA and NSW payments transferred.
- (3) A resigning member may apply to the Club for refund of membership fees, with the refund to be calculated on a pro-rata basis, if less than 9 months of membership is elapsed.

9. Register of members

- (1) The secretary must establish and maintain a Register of members of The Club (whether in written or electronic form), specifying the name and postal, residential or email address, and contact number of each person who is a member of the Club together with the date on which the person became a member.
- (2) For members under 18 years, the contact details of a parent or guardian will also be required, and will be passed on to coaches if the Junior member is attending a coaching squad.
- (3) The register of members must be open for inspection, free of charge, by any member of the Club, subject to relevant privacy laws and without causing detriment to the Club's functions, in order to confirm their details.
- (4) A member or Committee Member must not use information about another member obtained from the register to contact or send material to that member, other than for:
 - a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the Club or other material relating to the Club such as a memorandum of fees, or
 - b) any other purpose necessary to comply with a requirement of the Act or the Regulation, or
 - c) to comply with any NSW Public Health Order, or
 - d) to contact a parent or guardian to ensure the safety of a junior member, as per the Member Protection Policy (Appendix B).
- (5) Upon attendance at The Club premises, members must sign in, using any means provided, for the purposes of insurance, security, and the implementation of any NSW Public Health Order.

10 Fees and subscriptions

- (1) The Annual membership fee:
 - a) will be set at the Annual General meeting of The Club, following a recommendation from the executive committee, and a vote of the members (with a simple majority being required for approval), and
 - b) falls due on the anniversary of the individual joining The Club, and
 - c) will be linked to Archery Australia and Archery NSW fees, which will fall due at the same time, and
 - d) will be paid by a process recommended by the executive committee and approved by a vote of members at a General Meeting, which may be varied from time to time.
- (2) Archers will not be permitted to shoot at The Club unless they are financial.
- (3) Associate members must ensure that their ANSW and AA membership remain current whilst they are SOPA members.

11 Disciplining of members

- (1) A complaint may be made to the committee by any person that a member of the club
 - a) has refused or neglected to comply with a provision or provisions of this constitution, including the Rules (Appendix A) and Member Protection Policy (Appendix B) and the National Sports Integrity Framework, or
 - b) has wilfully acted in a manner prejudicial to the interests of the Club, including damage to its facilities and /or equipment.
- (2) The committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- (3) If the committee decides to deal with the complaint, the committee
 - a) must cause notice of the complaint to be served on the member concerned, and
 - b) must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and
 - c) must take into consideration any submissions made by the member in connection with the complaint.
- (4) The committee may, by resolution, expel the member from The Club if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.
- (5) If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under clause 12.
- (6) The expulsion or suspension does not take effect:

- a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
- b) if within that period the member exercises the right of appeal, as per clause 11, unless and until the association confirms the resolution under clause 12, whichever is the later.

11 Right of appeal of disciplined member

- (1) A member may appeal to the Club in a general meeting against a resolution of the committee under clause 10, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from a member under subclause (1), the secretary must notify the committee, which is to convene a general meeting of the Club to be held within 28 days after the date on which the secretary received the notice.
- (4) At a general meeting of the Club convened under subclause (3):
 - a) no business other than the question of the appeal is to be transacted, and
 - b) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
 - c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked, supported by a simple majority.

12 Resolution of disputes

- (1) A dispute between a member and another member (in their capacity as members) of The Club, or a dispute between a member or members and The Club, may be referred to a Community Justice Centre for mediation under the *Community Justice Centres Act 1983* directly at www.sportsintegrity.gov.au.
- (2) If a dispute is not resolved by mediation within 3 months of the referral to a Community Justice Centre, the dispute is to be referred to arbitration.
- (3) The *Commercial Arbitration Act 2010* applies to a dispute referred to arbitration.
- (4) Disputes between members of SOPA and members of other clubs or the RGB can be referred to the Archery NSW Member Protection Officer, who reports to the Executive of the RGB. These may be escalated to AA and the National Sports Integrity Commission.

Part 3 The committee

13 Powers of the committee

- (1) Subject to the Act, the Regulation, this Constitution and any resolution passed by the Club in General Meeting, the executive committee
 - a) is to administer, manage and report upon the affairs of the Club, and
 - b) may exercise all the functions that may be exercised by the Club, other than those functions that are required by this constitution to be exercised by a general meeting of members of the Club, and
 - c) has power to perform all the acts and do all things that appear to the committee to be necessary or desirable for the proper management of the affairs of the Club.

14 Composition and membership of committee

- (1) The committee is to consist of:
 - a) the office-bearers of the association, and
 - b) 5 ordinary committee members, each of whom is to be elected at the Annual General Meeting of The Club under clause 15, and all of whom must be ordinary financial members of The Club.
- (2) The total number of committee members is to be 8, including but not limited to the office-bearers and
 - a) Head of coaching
 - b) Equipment manager
 - c) Recorder
 - d) Tournament Coordinator
- (3) A member may occupy 2 positions on the committee, but will be able to exercise only one vote.
- (4) The office-bearers of the Club form the Executive of the Club, and are as follows:
 - a) the president,
 - b) the treasurer,
 - c) the secretary.
- (5) All positions of elected committee members will be held for one year, with up to 2 re-elections consecutively permitted for office-bearers, and no limit for ordinary committee members.
- (6) Each member of the committee is, subject to this constitution, to hold office until immediately before the election of committee members at the Annual General Meeting next following the date of the member's election.
- (7) A person nominated as a candidate for election as an office-bearer or as an ordinary committee member of the association must have been a member of The Club for a total of at least 18 months or if the Executive agree to the nomination or if filling a casual vacancy.
- (8) Parents/Guardians of junior members who are not themselves members of The Club are not eligible to stand for the committee, but may nominate committee members.

(9) Associate, junior and temporary members are not eligible for election to the committee or to nominate committee members.

10) Other voluntary roles within the club may be assigned to suitable club members. Such members may attend committee meetings as required, in a non-voting capacity.

15 Election of committee members

- (1) Nominations of candidates for election as office-bearers of the Club or as ordinary committee members
 - a) must be submitted in writing (including by electronic means), signed by 2 voting members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
 - b) must be delivered to the secretary of the Club at least 7 days before the date fixed for the holding of the Annual General Meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected, and further nominations are to be received at the Annual General Meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers and ordinary committee members of the committee is to be conducted at the annual general meeting in any usual and proper manner that the committee directs.

16. Duties of The President

- (1) The duties of the President include, but are not limited to
 - a) presiding over meetings of the executive committee, the Club committee and general meetings of the Club, and
 - b) managing the implementation of the Constitution and decisions of the executive committee and the Club committee, and
 - c) representing the Club at meetings with the Sydney Olympic Park Authority, and ensuring compliance with the licence, and
 - d) representing the Club at meetings of Archery NSW and voting on behalf of members' interests, and
 - e) recognising achievements of members with appropriate awards, as per Club, Archery Australia and Archery NSW Guidelines, and
 - f) maintaining a register of Working with Children approvals for coaches and committee members (as required by the Office of the Childrens' Guardian, NSW), and
 - g) accounting for the condition of club property and facilities at the AGM, and ensuring their safe maintenance, and
 - h) encouraging members to contribute to activities of the Club, in order to facilitate succession planning for the executive, and

- i) encouraging and supporting Club members to participate in non-shooting roles, including but not limited to those of Event Judges, Coaches, and Tournament Officials, which further the sport of Archery, and
- j) promoting a safe and inclusive culture, as per the National Sports Integrity Framework, and encouraging committee members to educate themselves about relevant policies and procedures (www.playbytherules.rog.au).

17. Duties of The Secretary

- (1) The secretary of the Club must, as soon as practicable after being appointed as secretary, lodge notice with the Club of his or her contact details for the role.
- (2) It is the duty of the secretary to keep minutes (whether in written or electronic form) of
 - a) all appointments of office-bearers and members of the committee, and
 - b) the names of members of the committee present at a committee meeting or a general meeting, and
 - c) all proceedings at committee meetings and general meetings.
- (3) Records of the Club, including membership records, may be kept electronically, and such records must comply with privacy regulations.
- (4) The secretary of The Club will be the Public Officer of The Club for the purposes of contact by the Office of Fair Trading NSW.

18. Duties of the Treasurer

- (1) It is the duty of the treasurer of the Club to ensure:
 - a) that all money due to the Club, by means of subscriptions, range fees, donations, fundraising and grants is collected and received and that all payments authorised by the Club are made, and
 - b) that correct books and accounts are kept showing the financial affairs of the Club, including full details of all receipts and expenditure connected with the activities of The Club, and
 - c) that arrangements are put in place to require minimum 2 signatories from office bearers for all banking transactions, and
 - d) that an audit of the financial records of the Club is provided by a member who is not a member of the executive, and
 - e) that reports on finances are available at each meeting of the Club and the executive, and
 - f) that sufficient funds exist before a purchase is approved, and
 - g) that the finances of the Club are used to further the pursuit of its objectives, and not to give pecuniary gain to any member, and
 - h) that the Club complies with relevant legislation in order to maintain its not-for-profit status, and
 - i) that the Annual Financial Statements are available for members to scrutinise at least 14 days before the Annual General Meeting, along with a forecast budget.

19. Casual vacancies

- (1) In the event of a casual vacancy occurring in the membership of the executive or committee, the committee may appoint a member of the Club to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the Annual General Meeting next following the date of the appointment.

20. Committee meetings and quorum

- (1) The executive committee must meet at least 3 times in each period of 12 months at the place and time that the committee may determine, or using any suitable electronic means.
- (2) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours before the time appointed for the holding of the meeting.
- (3) Notice of a meeting given under subclause (2) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (4) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (5) Declaration of any conflict of interest with the business under discussion should be given at the start of the meeting.
- (6) Minutes of the meetings of the executive and Club Committee will be kept by the secretary, and made available to members of the Club upon request.

Part 4 General meetings

21. Annual general meetings - holding of

- (1) The Club must hold its Annual General Meetings:
 - a) within 6 months after the close of the financial year (i.e. June 30th),
or
 - b) within any later time that may be allowed or prescribed under section 37 (2) (b) of the Act.

22. Annual general meetings - calling of and business at

- (1) The Annual General Meeting of the Club is, subject to the Act and to clause 21, to be convened on the date and at the place and time that the committee thinks fit. Electronic means may be used if agreed by the committee, or if enforced by any NSW Public Health Act.
- (2) The committee will provide 28 days' notice of the Annual General Meeting to all financial members of the Club (and/or to the parent/guardian of those under 18 years of age).

- (3) In addition to any other business which may be transacted at an annual general meeting, the business of an Annual General Meeting is to include the following:
 - a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting, and
 - b) to receive from the committee reports on the activities of the Club during the last preceding financial year, and
 - c) to elect office-bearers of the Club and ordinary committee members, and
 - d) to receive and consider any financial statement or report required to be submitted to members under the Act, and
 - e) to agree upon the Annual membership fees and arrangements for their payment, and
 - f) to decide upon changes to the Constitution (unless these are the subject of a special general meeting), and
 - g) any other business financial members of the Club wish to raise.
- (4) Declarations of any conflicts of interest with the business under discussion should be given at the start of the meeting. The Chair will determine whether the conflict is sufficient to exclude the member from voting on the relevant motion.

23. Special general meetings - calling of

- (1) The Club committee may, whenever it thinks fit, convene a special general meeting of the Club.
- (2) The committee must, on the requisition of at least 5% of the total number of members, convene a special general meeting of the Club.
- (3) A requisition of members for a special general meeting:
 - a) must be in writing, and
 - b) must state the purpose or purposes of the meeting, and
 - c) must be signed by the members making the requisition, and
 - d) must be lodged with the secretary.
- (4) If the committee fails to convene a special general meeting to be held within 1 month after the date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.
- (6) For the purposes of subclause (3):
 - a) a requisition may be in electronic form, and
 - b) a signature may be transmitted, and a requisition may be lodged, by electronic means.

24 Quorum for general meetings

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.
- (2) Fifteen members present (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting is to be dissolved.

25. Presiding member

- (1) The president or, in the president's absence, the secretary, is to preside as chairperson at each general meeting of the Club.
- (2) If the president and the secretary are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

26. Making of decisions

- (1) A motion arising at a general meeting of the Club is to be proposed, seconded, and determined by a show of hands.
- (2) A declaration by the chairperson that a resolution has, on a show of hands, been carried unanimously or carried by a simple majority or lost, and an entry to that effect in the minute book of the Club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

27. Voting

- (1) On any question arising at a general meeting of the Club, a full member has one vote only.
- (2) Members under 18 may be represented by their parent or guardian, but this person may not vote unless they are a member in their own right. They may raise business for the meeting.
- (3) Associate members are entitled to attend general meetings but are not permitted to vote. They may raise business for the meeting.
- (4) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (5) A member is not entitled to vote at any general meeting of the Club unless all money due and payable by the member to the Club has been paid.
- (6) Proxy votes are not permitted.
- (7) If a general meeting is held by electronic means, then members in attendance are taken to have voted in person.

Part 5 Miscellaneous

28 Insurance

- (1) The Club will maintain arrangements that meet the requirements of Sydney Olympic Park Authority and Archery Australia for insurance, including but not limited to
 - a) security of entry and access keys,
 - b) compliance with the safety rules of the Club, and
 - c) sign in of members when attending the range, in order to ensure their individual coverage.
- (2) Directors and Officers insurance for committee members will be provided by Archery Australia.

29. Distribution of property on winding up of association

- (1) Subject to the Act and the Regulations, in a winding up of the association, any surplus property of the Club is to be transferred to another organisation with similar objects and which is not carried on for the profit or gain of its individual members.
- (2) In this clause, a reference to the surplus property of the Club is a reference to that property of the Club remaining after satisfaction of the debts and liabilities of the Club and the costs, charges and expenses of the winding up of the Club.

30. Change of name, objects and constitution

- (1) An application for registration of a change in the Club's name, objects or constitution in accordance with section 10 of the Act is to be made by the Public Officer.