



CONSTITUTION

1. NAME

The name of the Club is Castle Hill RSL Badminton Club, being affiliated under the Castle Hill RSL Club Ltd Constitution and shall be referred to in this Constitution as the "Badminton Club".

2. APPLICABILITY OF THIS CONSTITUTION

This Constitution forms the basis for the operation of the Badminton Club and is at all times subservient to the Constitution of the Castle Hill RSL Club Ltd.

3. DEFINITIONS AND INTERPRETATION

- 3.1. In this Constitution; unless inconsistent with the subject matter, or the Constitution of the Castle Hill RSL Club Ltd, the following definitions will apply:
- 3.1.1. "CHRSL" being the short reference for Castle Hill RSL Club Ltd;
 - 3.1.2. "Committee" means the board of elected Committee members of the Badminton Club;
 - 3.1.3. "Sport" for the Badminton Club is specific to the sport of badminton.
- 3.2. Unless inconsistent with the subject matter, the references to clauses, sub-clauses and paragraphs are references to clauses, sub-clauses and paragraphs of this Constitution.

4. OBJECT AND PROPERTY OF THE BADMINTON CLUB

To promote and encourage participation in sport, recreational and any other activities as seen fit and proper by the CHRSL Board of Directors. The specific objects of the Badminton Club are:

- 4.1. to actively promote good sportsmanship, citizenship, loyalty, respect, and friendship;
- 4.2. to provide a proactive and energetic forum to promote the development and growth of sport and recreation activities for youth and adult within the Hills Districts;
- 4.3. to grow the Badminton Club into a sustainable and attractive club with well-managed facilities and sessions, where members have the skills and opportunities to be competitive at club, state and national level;
- 4.4. to operate as a Badminton Club with good financial management and generate sufficient income to ensure the viability and existence of the Badminton Club; to actively seek funding through an internal Castle Hill RSL Club grants process and external funding initiatives for the financial benefits of the Badminton Club Members, both in individuals or teams to enhance and develop their involvement in sport and recreation activities of the Badminton Club;

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- 4.5. to adhere to the Castle Hill RSL Club policies for sports clubs where:
- 4.5.1. CHRSL Club maintains the savings assets of CHRSL Badminton Club;
 - 4.5.2. CHRSL Badminton Club maintains the operating account of the CHRSL Badminton Club;
 - 4.5.3. grant applications, annual reports, financial statements and member lists are submitted as per Castle Hill RSL Club dateline; and
 - 4.5.4. all accounts and documentation are available for inspection by the CHRSL Board of Directors at any time.
- 4.6. The Badminton Club must apply all assets and income of the Badminton Club towards the promotion of the objects or purposes of the Badminton Club. No part of that assets or income are to be paid or distributed, directly or indirectly, to members of the Badminton Club, except in good faith in the promotion of those objects or purposes.
- 4.7. The Treasurer shall maintain an asset register which will track and report the inventory position and the drawdown of assets where and when applied.
- 4.8. Badminton Club representation is required at CHRSL Sports Council and Junior Sports Club meetings.
- 4.9. An audit of the assets shall be conducted on a quarterly basis and a report made available to the Committee.

5. ATTAINING OBJECTS

- 5.1. At all times, the Badminton Club shall abide by any direction given by the Committee on behalf of the CHRSL Board of Directors, provided such direction does not violate the constitution of CHRSL or the Badminton Club.

6. MEMBERSHIP

- 6.1. A member of the Castle Hill RSL Club may seek membership of the Badminton Club by making an application to the Committee and the Committee shall accept or decline the application. Membership shall not be declined unless there is due cause to do so.
- 6.2. Each person admitted to membership shall be:
- 6.2.1. bound by the Constitution and by-laws of the Badminton Club; and
 - 6.2.2. liable for such fees, charges and subscriptions as may be fixed by the Committee.
- 6.3. Membership categories:
- 6.3.1. Adult member: Any member aged 18 years or older as of 1st January of the year of membership. An adult member can exercise one (1) vote at General Meetings.
 - 6.3.2. Junior member: Any member under the age of 18 years as of 1st January of the year of membership. Junior members shall have no voting rights.

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- 6.3.3. Life Membership: A member aged greater than 60 years with an unbroken membership record of 10 years and who has served in the Committee for a minimum of 5 years may be eligible for Life Membership. Any nominations for Life Membership shall be submitted to the Secretary for consideration by the Committee.
- 6.3.4. Loyal Senior: Any member aged greater than 65 years with an unbroken membership record of 10 years and approved by the Committee. Nominations for Loyal Senior Membership shall be submitted to the Secretary for consideration by the Committee.
- 6.3.5. Secondary Member: Any person who is a member of New South Wales Badminton Association (NSWBA) or an NSWBA-affiliated club. Secondary Members have no voting rights and cannot be elected to the Committee.
- 6.4. Membership Fee:
- 6.4.1. Membership fees, as levied by the Committee, are payable at the time of membership submission.
- 6.5. Provision is made for the participation of non-members in activities of the Badminton Club in the by-laws.
- 6.6. A person ceases to be a member of the Badminton Club if the person:
- 6.6.1. dies; or
- 6.6.2. resigns their membership; or
- 6.6.3. is expelled from the Badminton Club; or
- 6.6.4. fails to pay the annual membership fee under sub-clause (6.4).

7. COMPLAINTS

- 7.1. Complaints may be made to the Committee by any person if any issues hindering the attainment of the object of the Badminton Club arise; and/or a member of the Badminton Club:
- 7.1.1. has refused or neglected to comply with a provision or provisions of this Constitution;
- 7.1.2. has wilfully acted in a manner prejudicial to the interests of the Badminton Club.
- 7.2. A complaint must be made in writing and contain the particulars of the allegations upon which it is founded.

8. DISCIPLINING OF MEMBERS, RESOLUTION OF DISPUTES.

- 8.1. Subject to sub-clause (8.7), the Committee shall have power to reprimand, attempt to resolve the matter by conciliation, caution the individual who is the subject of the complaint; and/or instruct the individual to apologise in writing and in person to the complainant, if that member;
- 8.1.1. in the reasonable opinion of the Committee in quorum, has wilfully refused or neglected to comply with any of the provisions of this Constitution or any By-law;
- 8.1.2. in the reasonable opinion of the Committee in quorum, is:
- 8.1.2.1. guilty of any conduct prejudicial to the interests of the Club; and/or

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8.1.2.2. guilty of conduct which is unbecoming of a member.

- 8.2. The Committee must take appropriate arrangements to ensure that complaints are received and recorded by the Secretary.
- 8.3. The Committee must acknowledge receipt of a complaint within 5 working days and advise complainants on the complaint handling process and provide an estimate of the time required to investigate the complaint.
- 8.4. The Committee may also contact the complainant to request additional information about the matter.
- 8.5. The Committee must consider the complaint as soon as practicable or at the next Committee meeting after the complaint is received.
- 8.6. The Committee in a quorum may decline to entertain the complaint because the matter is considered frivolous, vexatious or lacking in substance.
- 8.7. If the Committee decides to address the complaint following an investigation into the complaint:
- 8.7.1. the Committee must cause notice of the complaint under sub-clause (7.1) to be served on the member concerned;
- 8.7.2. the Committee must provide the member at least 14 days from the time the notice is served to make submissions to the Committee in connection with the complaint;
- 8.7.3. the Committee must take into consideration any submissions made by the member in connection with the complaint.
- 8.7.4. The member charged shall be notified of the matters in writing by e-mail or post to the member's last known address at least seven (7) days before the meeting of the Committee at which the charge is to be heard.
- 8.7.5. The member charged shall be entitled to:
- 8.7.5.1. attend the meeting for the purpose of answering the charge; and
- 8.7.5.2. submit to the meeting written representations for the purpose of answering the charge.
- 8.7.6. If the member fails to attend such meeting:
- 8.7.6.1. the charge may be heard and dealt with; and
- 8.7.6.2. the Committee may decide on the evidence before it; and
- 8.7.6.2.1. impose any penalties, attempt to resolve the matter by conciliation; or
- 8.7.6.2.2. caution or reprimand the individual who is the subject of the complaint; or
- 8.7.6.2.3. require the individual to apologise in writing and in person to the complainant, if appropriate; or

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8.7.6.2.4. accept the resignation of any member.

8.7.7. After considering the complaint and any submissions made in connection with the complaint, if the Committee, by resolution, decides to expel the member from the association or suspend the member from membership of the association, an Extraordinary General Meeting (EGM) must be called within 21 days of the decision made.

8.7.8. No motion by the Committee to suspend or expel a member shall be deemed to be passed unless a 60 percentage majority of the quorum are present in person and vote in favour of the motion by secret ballot in an EGM.

8.7.8.1. If the motion to suspend the member is passed, such suspension be promptly notified in writing to the member concerned within 14 days.

8.8. Any member whose membership has been suspended for a period of 6 months or more:

8.8.1. will lose any of the special benefits they acquired prior to the suspension, and

8.8.2. must make a written application to the Committee to be allowed to re-enter the Club and enjoy the benefits of membership, and

8.8.3. until such time as the Committee approves the member's application for re-entry into the Club, the member shall not be allowed to re-enter the Club's premises.

8.9. If a respondent does not agree with the decision they can approach CHRSL.

8.10. CHRSL will follow its own procedures and their decision will be final.

9. POWERS OF THE BADMINTON CLUB

The Badminton Club may:

- 9.1. make payments through banking instruments as appropriate and correctly authorised by 2 Executives, with the Treasurer being charged with ensuring all payments have correctly authorised documentation before payment is made; and
- 9.2. accept and/or provide gifts and prizes in accordance with the objects of the Badminton Club; and
- 9.3. organise activities and events for members and the promotion of the Badminton Club; and
- 9.4. enter into any other contract the Badminton Club considers necessary or desirable.
- 9.5. The Club must be wholly responsible for all financial arrangements and shall indemnify the Castle Hill RSL Club from any such responsibility whatsoever.

10. MANAGEMENT COMMITTEE

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- 10.1. The Committee shall make decisions that are consistent with the objects of the Badminton Club;
- 10.1.1. complying with attaining objects and the interests of members; and
- 10.1.2. maintaining adequate documentation to support any decisions made including details regarding who made motions; who seconded and approved; and
- 10.1.3. treating each Club member and Committee members with due courtesy and respect.
- 10.2. A quorum of the Committee is three (3) Executive Members and four (4) other Committee Members.
- 10.3. If the President is unable to attend, the Vice President takes over the chair of that meeting.
- 10.4. Removal, Termination or Resignation of a Committee
- 10.4.1. When a Committee position becomes vacant prior to the next AGM:
- 10.4.1.1. Executive position: it will be necessary for an elected Committee Member to be voted in as acting in that position. The vote shall be taken at the next Committee meeting. The acting Executive shall assume responsibilities of that office immediately.
- 10.4.1.2. Non-executive Committee Member: the responsibilities and duties will be re-assigned to existing members, decided at the next Committee meeting.
- 10.4.2. If the resignation of the Committee member leaves the Committee unable to form a quorum, the Committee must call an EGM to choose an eligible person to fill the vacancy under clauses (11), and (15).

11. ELECTION OF MANAGEMENT COMMITTEE

- 11.1. The Committee is elected at the Annual General Meeting for one term and consisting of:
- 11.1.1. Executive Members – President, Vice President, Secretary, Treasurer; and
- 11.1.2. up-to 7 Non-executive Members.
- 11.1.3. A member shall hold only one position at any one time with a maximum consecutive of five (5) years as an Executive or a maximum consecutive of eight (8) years holding office in the Committee; after completing the maximum consecutive years, the member will be ineligible for a period of one (1) year before he/she is eligible to stand for office again.
- 11.2. A member of the Committee may lose his or her seat on the Committee for the following reasons:
- 11.2.1. was absent from three or more meetings without a reasonable cause; or
- 11.2.2. had a ban or suspension imposed (with no appeal unresolved) under clause (8) of this Constitution; or
- 11.2.3. was found not to be a financial member of the Badminton Club and/or the Castle Hill RSL Club.
- 11.3. The President:
- 11.3.1. is responsible for the efficient operations of the Badminton Club; and

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11.3.2. is responsible for the carrying out on behalf of the Badminton Club of any duties required or appropriate to be carried out by the Badminton Club under the provisions of any applicable legislation; and

11.3.3. shall have the power to seek an Extraordinary General Meeting in case of urgent matters; and

11.3.4. is to develop a procedures manual to implement the policies established by the Committee; and

11.3.5. shall have the power to delegate any or all of his or her powers or responsibilities, including without limitation, any duties associated with being the President of the Badminton Club.

11.4. The Vice President:

11.4.1. shall assume the role and responsibilities of the President when the President is on leave of absence or is incapacitated for whatever period of time; and

11.4.2. is responsible for the maintenance of the membership register; and

11.4.3. is responsible for the management of Affiliation and insurance fees to be paid on behalf of each member; and

11.4.4. is responsible for the management of the playing sessions with session register established and audited for each published session, with members and guests clearly identified to facilitate audit and insurance purposes; and

11.4.5. shall oversee the membership process within the Badminton Club.

11.5. The Secretary:

11.5.1. is responsible for the correspondence of the Badminton Club; and

11.5.2. shall have the power to seek an Extraordinary General Meeting in case of urgent matters; and

11.5.3. is responsible for the preparation and distribution of meeting minutes for all meetings held by the Badminton Club; and

11.5.4. is required to clearly record the motions proposed by, seconded by, voted for and against the motion; and

11.5.5. is responsible for the maintenance of the offence and offenders register based on the outcome of clause (8); and

11.5.6. is responsible for the complaints process and reference to the Committee; and

11.5.7. is responsible for the preparation and submission of reports and grant applications to the Castle Hill RSL Club; and

11.5.8. shall have the power to delegate a few responsibilities to Committee Members if it sees fit to do so.

11.6. The Treasurer:


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- 11.6.1. is responsible for the management of all funds of the Badminton Club, ensuring integrity of all financial records, and financial processes of the Badminton Club; and
- 11.6.2. shall manage two (2) sets of accurate and correct accounts and books, being that of the Adults Badminton Club and that of the Junior Badminton Club; and
- 11.6.3. is responsible for the preparation of the Annual Financial report and audit processes; and
- 11.6.4. ensures that all money due to the Badminton Club is collected and received and that all payments authorised by the Badminton Club are made; and
- 11.6.5. ensures that correct books and accounts are kept showing the financial affairs of the Badminton Club, including full details of all receipts and expenditure connected with the activities of the Badminton Club; and
- 11.6.6. shall have the power to delegate a few responsibilities to Committee Members if it sees fit to do so.
- 11.7. Eligibility to stand for a Committee position:
- 11.7.1. An Adult Member with at least one (1) year of unbroken membership record is eligible to stand for the position of the Committee; for clarity, the candidate must be an Adult member for all of the 12-month period that precedes the date of AGM or EGM.
- 11.7.2. A member who has not served the full term of office in the current Committee, unless with reasonable grounds of overseas posting, sickness, injury and family hardship or other reasonable grounds will be rendered as ineligible to stand for the immediate election; and
- 11.7.3. expulsion or an active suspension period will render a member ineligible to stand for election.

12. COMMITTEE OPERATIONS

- 12.1. The Badminton Club should pursue the aims and purpose by actively ensuring that the Committee and the members:
- 12.1.1. make decisions that are consistent with the Club's role/purpose and the interests of members; and
- 12.1.2. comply with any relevant legislative, industrial and administrative requirement and keep up to date with any changes; and
- 12.1.3. maintain adequate documentation to support any decisions made; and
- 12.1.4. treat each Club Member and Committee Member with courtesy and sensitivity to their rights; and
- 12.1.5. provide all necessary and appropriate assistance to members of the Club; and
- 12.1.6. strive to obtain value for Club money spent and avoid waste and extravagance in the use of Club resources; and
- 12.1.7. contribute to a safe, healthy and discrimination-free Club environment.

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13. POWERS OF THE MANAGEMENT COMMITTEE

The Committee shall carry out the day-to-day running of the Badminton Club and shall have the power to:

- 13.1. fix fees and subscriptions payable by members and decide such levies, fines and charges as is deemed necessary and advisable, and to enforce payment thereof, to maintain and support the operations of the Badminton Club; and
- 13.2. adjudicate on all matters other than not covered in sub-clause (8.7.7) brought before it which in any way affect the Badminton Club; and
- 13.3. make and amend policies and procedures; and
- 13.4. form and appoint any Sub-Committee(s) as required for specific purposes.

14. ANNUAL GENERAL MEETING (AGM)

- 14.1. The AGM of the Badminton Club must be held within a month of the end of the Club's financial year (30 June). Ideally this meeting will be held on the last Saturday in July of that year. The Secretary shall give at least fourteen (14) days' notice of the date of the AGM, to all members.
- 14.2. The election process is as scheduled in the CHRSL Badminton Club By-laws.
- 14.3. Only current Adult Members of the Badminton Club are permitted to vote at an AGM.
- 14.4. The agenda for an AGM shall be:
 - 14.4.1. Opening of Meeting
 - 14.4.2. President's presentation of the Annual Report
 - 14.4.3. Confirmation of Minutes of previous Annual General Meeting
 - 14.4.4. Presentation of Treasurer's Statement on Income, Expenditure, Assets and Liabilities
 - 14.4.5. Notice/motion received
 - 14.4.6. Election of New Committee (to be conducted by secret ballot)
 - 14.4.7. Urgent general business
 - 14.4.8. Closure

15. EXTRAORDINARY GENERAL MEETING (EGM)

- 15.1. The Committee may, whenever necessary call for an EGM. The proposal to call an EGM must be supported by a majority of the current Committee Members. For clarity, this is a majority of the total number of current Committee Members, so if there are 10 current Committee Members, the vote to call an EGM must be supported by 6 or more. Or within 30 days of sub-clause (8.7.7) or within 30 days of sub-clause (10.4.2) or clause

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(19). The Secretary shall give at least 14 days of notice of the date of the EGM to all Members, setting out clearly the business for which the meeting has been called. No other business shall be dealt with at that EGM.


- 15.2. The quorum at the EGM shall be a minimum of 50% plus one of current adult members; and
- 15.3. A motion, or any part thereof, shall be affected when passed by a sixty percent (60%) Special Resolution majority of Adult Members present and entitled to a vote at the EGM.
- 15.4. No item of business is to be transacted at an EGM unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.
- 15.5. If within half an hour after the appointed time for the commencement of EGM a quorum is not present, the meeting:
- 15.5.1. if convened on the requisition of Committee members, is to be dissolved, and
- 15.5.2. in any other case including sub-clauses (8.7.7) and (10.4.2), is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- 15.6. If at the adjourned EGM a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 30% of current adult members) are to constitute a quorum.


16. ALTERATIONS TO THE CONSTITUTION AND BY-LAWS:

- 16.1. No alteration, repeal or addition shall be made to the Constitution except at the EGM, called for that purpose and bound by clause (15). Notices of the alteration repeal or addition will be sent to all members and saved in the shared folder.
- 16.2. Alterations to the By-laws can be made only at the EGM.
- 16.3. Occasionally, Castle Hill RSL Board decisions may influence this Constitution or By-laws and may be changed under direction from the Castle Hill RSL Board of Directors at any time. This change to the Badminton Club Constitution or By-laws by the CHRSL shall not be made without:
- 16.3.1. a compelling reason for the change to be made; and
- 16.3.2. written notification of the proposed changes to the Secretary of the Badminton Club; and
- 16.3.3. a 30-day period prior to implementation of the changes during which time the Badminton Club Committee may appeal the changes or suggest alternative changes.

17. SHARED FOLDER ACCESS FOR TRANSPARENCY

- 17.1. The Committee will provide access to all members, on request, to a shared drive to the following documents:
- 17.1.1. records, books and other financial documents of the association; and

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17.1.2. this Constitution; and

17.1.3. minutes of all Committee Meetings and General Meetings of the association.

17.2. Despite sub-clauses (17.1.1) and (17.1.3), the Committee may refuse to permit a member of the association to inspect or obtain a copy of records of the association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Club.

18. VOTING FOR POSITIONS ON THE COMMITTEE OF MANAGEMENT.

18.1. Votes will be taken at the AGM by those present and eligible to vote, and voting shall be performed by ballot.

18.2. The Badminton Club may hold a postal or electronic ballot as the Committee determines other than the resolution to suspend under sub-clause (8.7.7).

18.3. A postal or electronic ballot is to be conducted in accordance with Schedule 3 to the Regulation.

18.4. Proxy votes are not permitted.

18.4.1. Proxy voting must not be undertaken at or in respect of any meeting.

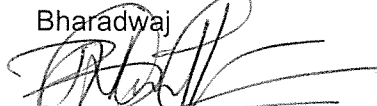
19. DISSOLUTION

19.1. In the event of the Badminton Club being dissolved, all assets that remain after such dissolution and the satisfaction of all debts and liabilities, shall be transferred to the Castle Hill RSL Club Ltd. Such dissolution will only occur if approved by an AGM or EGM of the Badminton Club.

President: Sumeer Shoree


Signature:

Secretary 2017/18: Ranganath Bharadwaj


Signature

Secretary 2018/19: Vasanth Anmira


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Schedule 3 - Enclosed

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