



Red Dragons Redcliffe Dragon Boat
Racing Club Inc.

*Red Dragons
Redcliffe Dragon Boat Racing Club Inc*

Constitution

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Preamble

- 1.0 We, the undersigned, wishing to secure for ourselves the pleasures and benefits of an association of persons commonly interested in Dragon Boat paddling, constitute ourselves the Red Dragons Redcliffe Dragon Boat Racing Club, hereafter called 'the club' and enact this constitution as our governing law.

Objectives

2.0 Mission Statement

To increase awareness of Red Dragons Redcliffe Dragon Boat Racing Club and its role as a provider of a recreational sport promoting a healthier lifestyle for all age groups of any social standing or ethnicity, for individuals, family and community.

2.1 Vision Statement

To develop and promote a sport that offers both fun and fitness and that caters for all categories of membership: from social paddlers to competitive sports.

Powers

3.0 The Club may

- (a) Only enter into transparent contracts
- (b) Acquire, hold, deal with and dispose of property
- (c) Make charges for services and facilities it supplies
- (d) Do other things necessary or convenient to be done in carrying out its affairs

Classes of members

- 4.0 The membership of the association shall consist of **ordinary members**, and any of the following classes of members

- (a) Dragon Abreast members
- (b) Associate members
- (c) Life members
- (d) Honorary members
- (e) Junior members

- 4.1 The number of ordinary members is unlimited.

Membership

- 5.0 An application for membership must be in writing in the form decided by the management committee.

Membership fees

- 6.0 The membership fee for each class of membership-
- (a) Is the amount decided by the members from time to time at a general meeting
 - (b) Is payable when, and in the way, the management committee decides.

Admission of members

- 7.0 All potential members must be made aware of, and agree to adhere to the Red Dragons Redcliffe Dragon Boat Racing Club Code of Conduct as set out :

Red Dragons Redcliffe Dragon Boat Racing Club: Code of Conduct

Clause 1

The Red Dragons Redcliffe Dragon Boat Racing Club (The Club) is committed to fairness, equity and good sportsmanship in dragon boat racing. The Club aims to provide the best possible environment in which its participants can excel and its officials and administrators can discharge their responsibilities to ensure the participants are able to be and perform at their best. The Code of Conduct is designed to ensure that appropriate forms of behavior are adopted and is and remains the norm for all persons associated with dragon boat racing within the Club.

Clause 2

The Code governs the conduct of all persons associated with the Club's events and those who may from time to time be a member of The Club representative teams

Clause 3

The Code shall govern the conduct of all those who are participating in all Club sanctioned events and training activities, including local, national and international championships and shall be read down and applied accordingly.

Clause 4

In the Code unless otherwise stated the words 'person or persons' shall include but are not limited to:

- i a delegate to The Club who represents a member state of The Club
- ii a person elected or appointed to or otherwise a member of The Club
- iii a person who is an employee of The Club
- iv a person who is elected or appointed to any commission, committee or other body established by The Club for the promotion of its objects
- v a person who holds The Club approved official's certification
- vi a person who is a member of a dragon boat racing team as an athlete, captain, coach, equipment manager, manager, assistant manager, doctor, assistant doctor, physiotherapist, sports scientist, masseur, media representative, sports psychologist or any other persons who is appointed to a team position.

Clause 5

For the purposes of Clause 4 (vi), a person is deemed to be a financial member of the Club for the current financial year.

Clause 6

GENERAL BEHAVIOUR PROTOCOLS FOR THE CLUB TEAM MEMBERS

- i All persons who from time to time are representing The Club in a team under the auspices of The Club shall act in accordance with the conduct outlined hereunder
- ii be subject to the control, management and direction of the **Management Committee** or any other person appointed by them
- iii observe and comply with all directions and orders given by the **Management Committee** or any other person appointed by them
- iv conduct themselves in a proper manner so as not to bring themselves, the Club or the team generally into public disrepute or censure and to the absolute satisfaction of the **Management Committee**
- v not to make, comment, issue, authorise, offer or endorse any public criticism or statement having or designed to have an effect prejudicial to the best interests of Club, or the sport of dragon boat racing generally.
- vi respect the law and customs at all times and in all places including in foreign countries
- vii treat all persons with respect, dignity and proper regard for their rights and obligations
- viii perform all duties and responsibilities as a representative of Club in a fair and professional manner
- ix demonstrate and ensure a positive commitment to Club programs and policies
- x not disclose to any unauthorised person or organisation information which is of a confidential or privileged nature
- xi not misuse funds or property of Club
- xii not use information obtained in the course of employment or appointment or selection or otherwise on official duties in a nominated role to gain directly or indirectly a financial advantage for themselves or for any other person
- xiii not promote, pass on, exchange or publish information whereby that information may be of a confidential, offensive, scandalous, unsubstantiated or derisive type
- xiv not to harass, ridicule or embarrass a fellow appointee or representative of Club in such a way as would constitute an offence under Commonwealth or State legislation governing human rights and discrimination
- xv not participate in nor promote any demonstration or propaganda of any kind or form including but not limited to political, religious or racial whilst in the Club uniform
- xvi not defame or injure any person
- xvii not use, attempt to use, have in his or her possession, attempt to have in his or her possession, traffic or attempt to traffic any illegal drug or substance
- xviii neither to use or consume alcohol to excess nor to encourage other persons to use or consume alcohol to excess
- xix to ensure that all directions given by Club and or its authorised representatives regarding the wearing of appropriate attire whilst representing the Club are adhered to
- xx not to take liberties with the privacy of other persons
- xxi to ensure that all persons avoid unaccompanied and unobserved activities with under age team members
- xxii to act at all times in a manner beyond reproach and in such a way as to ensure good relations within and between teams and other clubs
- xxiii When participating at sanctioned events, team members are to seek dispensation from the **Management Committee** or their delegated representative, before nominating to compete as a team member of another club

Clause 7

DUAL MEMBERSHIP

The Club does not allow its paddlers to have dual membership in regards to QDBF Club regattas and National Club titles

Exemptions for Dual Memberships

Exemptions to Dual Membership will only be given in the following circumstances:

- 7.1 If the Club is not entering a Club team in National Club title or and international event
- 7.2 State and National composite teams
- 7.3 Paddlers from emergent clubs and breast cancer survivors that wish to be sports paddlers but do not have the resources within their own club to enter a team in QDBF Club regattas and National Club regattas
- 7.4 At the **Management Committee's** discretion for special occasions that are not mentioned in this Clause

Clause 8

ACTING IN A MANNER INCONSISTENT WITH THE RULES OF DRAGON BOAT RACING AND /OR AN UNSPORTSPERSON LIKE MANNER

- 8.1 All persons who participate in Club sanctioned race events in any capacity as player, coach, manager, captain, doctor, administrator, volunteer, official, etc shall abide by The Club Rules of Racing
- 8.2 The Club shall deal with breaches of the laws in accordance with its Rules and Code of Conduct
- 8.3 All persons participating in Club sanctioned events and activities shall at all times act in a sportsperson like manner having regard to principles of fairness and common courtesy and shall desist from:
 - i directing personal abuse against a player on or off the water
 - ii abusing an official whether directly or indirectly
 - iii dissenting from the reasonable direction of an official
 - iv physical intimidation of another player
 - v abusing equipment
 - vi throwing tantrums on or off the water
 - vii striking or threatening to strike

Clause 9

Any breach of the code will be reported to the Club's Management Committee.

- i Grade One breach: One month suspension from all club activities
- ii Grade Two breach: Two months suspension from all club activities
- iii Grade Three breach: Membership termination

The grade of the breach and the level of discipline required will depend on severity of the breach as determined by the Code of Conduct and the Club's Management Committee.

Termination of Membership

- 8.0 The management committee may terminate a member's membership if the member
- (a) Does not comply with any of the provisions of these rules
 - (b) Has membership fees in arrears for at least 2 months
 - (c) Conducts themselves in a way considered to be injurious or prejudicial to the character or interests of the club.
- 8.1 Before the management committee terminates a member's membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- 8.2 If after considering all representations made by the member, the management committee decides to terminate the membership, the secretary of the committee must give the member a written notice of the decision

Appeal against rejection or termination of membership

- 9.0 A person whose application for membership has been rejected, or terminated, may give the secretary written notice of intention to appeal against the decision within 1 month of receiving the written notice of the decision.
- 9.1 If the secretary receives a notice of intention to appeal, the secretary must, within 3 months after the day of receipt, call a general meeting to decide the appeal.
- 9.2 At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- 9.3 The management committee and the committee members who rejected the application or terminated the membership must be given an opportunity to show why the application should be rejected or the membership should be terminated.
- 9.4 An appeal must be decided by a vote of the members present at the meeting with the **President** having the deciding vote.

Register of members

- 10.0 The management committee must keep a register of members that is open to inspection by the members in accordance with compliance of the Privacy Act.

Secretary

- 11.0 The management committee must ensure a secretary is appointed or elected for the association within 1 month after incorporation.
- 11.1 If a vacancy happens in the office of secretary, the members of the management committee must ensure a secretary is appointed or elected for the club within 1 month.
- 11.2 The secretary must be an individual residing in Queensland or in another State but not more than 65 km from the Queensland border, who is a member of the club elected by the membership as secretary or appointed by the management committee.
- 11.3 The management committee may appoint and remove the club's secretary at any time.

Membership of Management Committee

- 12.0 The management committee of the club consists of a president, secretary, treasurer, and any other members the association members elect or appoint at a general meeting.
- 12.1 A member of the management committee, other than the secretary, must be a member of the club.
- 12.2 At each annual general meeting of the club, the members of the management committee must retire from office but are eligible, on nomination, for re-election.
- 12.3 There must be no conflict of interest between Committee members.

Electing the management committee

- 13.0 A member of the management committee may only be elected as follows:
- (a) Any 2 members of the association may nominate another member to serve as a member of the management committee;
 - (b) Each member present at the annual general meeting may vote for any number of candidates not more than the number of vacancies
 - (c) If required by the management committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.

Resignation or removal from office of management committee member

- 14.0 A management committee member may resign from the committee by giving notice of resignation to the secretary.
- 14.1 A member may be removed from office at a general meeting of the association if a majority of the members present at the meeting vote in favour of removing the member.
- 14.2 Before a vote of members is taken about removing the member from office, the member must be given the opportunity to show cause why they should not be removed from office.
- 14.3 A member has no right of appeal against the member's removal from office under this section.

Vacancies on management committee

- 15.0 If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another member of the association to fill the vacancy until the next annual general meeting.
- 15.1 The continuing members of the management committee may act despite a casual vacancy on the management committee. However, if the number of committee members is less than the number fixed under these rules as a quorum of the management committee, the continuing members may act only to increase the number of management committee members to the number required for a quorum; or call a general meeting of the association.

Functions of management committee

16.0 Subject to these rules or a resolution of the club members carried at a general meeting, the management committee -

- (a) Has the general control and management of the administration of the affairs, property and funds of the club
- (b) Has authority to interpret the meaning of these rules and any matter relating to the club on which the rules are silent.

16.1 The management committee may exercise the powers of the club -

- (a) To borrow, raise or secure the payment of amounts in a way the club members decide
- (b) To secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the club in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the club's property, both present and future
- (c) To mortgage or charge the whole or part of its property
- (d) To issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the club
- (e) To provide and pay off any securities issued
- (f) To invest in a way the members of the club may from time to time decide.

Meetings of management committee

17.0. The management committee may meet and conduct its proceedings as it considers appropriate.

17.1 The management committee must meet at least once every 4 months to exercise its functions.

17.2 If the secretary receives a written request signed by at least 33% of the management committee members, the secretary must call a special meeting of the committee stating why and what business is to be conducted.

17.3 At a management committee meeting, more than 50% of the members elected or appointed to the management committee as at the close of the last general meeting of the members form a quorum.

17.4 A question arising at a committee meeting is to be decided by a majority vote of committee members present at the meeting and, if the votes are equal, the **President** will have the deciding vote.

17.5 A management committee member must not vote on a question about a contract or proposed contract with the club if the member has an interest in the contract or proposed contract, and if the member does vote the member's vote must not be counted.

- 17.6 The secretary must give each management committee member at least 14 days notice of a special meeting of the committee stating the day, time and place of the meeting; and the business to be conducted at the meeting.
- 17.7 The president or, if there is no president or if the president is not present within 10 minutes after the time fixed for a management committee meeting, another elected Committee member is to preside as chairperson at the meeting.
- 17.8 If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called on the request of committee members, the meeting lapses.
- 17.9 If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called other than on the request of committee members, the meeting is to be adjourned to a day, time and place decided by the committee.
- 17.10 If, at the adjourned meeting mentioned in 17.9, a quorum is not present within 30 minutes after the time fixed for the meeting, the meeting lapses.

Delegation of management committee powers

- 18.0 The management committee may delegate the whole or part of its powers to a subcommittee of club member. These powers are to be exercised in a way delegated by the management committee.
- 18.1 A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

Resolutions of management committee without meeting

- 19.0 A written resolution signed by each member of the management committee for the time being entitled to receive notice of a committee meeting is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.

First general meeting

- 20.0 The first general meeting must be held not less than 1 month, and not more than 3 months, after the day the club is incorporated.
- 20.1 The management committee must decide where the meeting is to be held.
- 20.2 The business to be conducted at the first general meeting must include the appointment of an auditor.

First annual general meeting

- 21.0 The first annual general meeting must be held within 18 months after the day the club is incorporated.

Subsequent annual general meetings

22.0 Each subsequent annual general meeting must be held -

- (a) at least once each year
- (b) Within 6 months after the end of the association's previous financial year.

Business to be conducted at annual general meetings

23.0 The following business must be conducted at each annual general meeting -

- (a) Receiving the statement of income and expenditure, assets, liabilities and mortgages, charges and securities affecting the property of the club for the last financial year
- (b) Receiving the auditor's report on the financial affairs of the club for the last financial year
- (c) Presenting the audited statement to the meeting for adoption;
- (d) Electing members of the management committee;
- (e) Appointing an auditor.

Special general meeting

24.0 The secretary may only call a special general meeting by giving each member notice of the meeting within 14 days after;

- (a) Being directed to call the meeting by the management committee or
- (b) Being given a written request signed by
 - (i) At least 33% of the members of the club presently on the management committee; or
 - (ii) At least the number of ordinary members of the club equal to double the number of members of the club presently on the management committee plus 1; or
- (c) Being given a written notice of an intention to appeal against the decision of the management committee-
 - (i) To reject an application for membership; or
 - (ii) To terminate a person's membership.

Notice of general meeting

25.0 The secretary may call a general meeting of the club by giving at least 14 days notice of the meeting to each club member.

25.1 The management committee may decide the way in which the notice must be given however; notice of the following meetings must be given in writing.

- (a) a meeting called to hear and decide the appeal of a member against the rejection or termination of the member's membership by the management committee; or
- (b) a meeting called to hear and decide a proposed special resolution of the club.

25.2 A notice of a general meeting must state the business to be conducted at the meeting.

Quorum for, and adjournment of, general meeting

- 26.0 At a general meeting the number of members equal to double the number of members of the club presently on the management committee plus 1 form a quorum.
- 26.1 No business may be conducted at a general meeting unless a quorum of members is present when the meeting proceeds to business.
- 26.2 If a quorum is not present within 30 minutes after the time fixed for a general meeting called on the request of members of the management committee or the club, the meeting lapses.
- 26.3 If a quorum is not present within 30 minutes after the time fixed for a general meeting called other than on the request of members of the management committee or the association, the meeting is to be adjourned to a day, time and place decided by the management committee.
- 26.4 If, at an adjourned meeting a quorum is not present within 30 minutes after the time fixed for the meeting, the members present form a quorum.

Procedure at general meeting

- 27.0 Subject to these rules, at each general meeting -
- (a) The president or, if there is no president or if the president is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, an elected Committee member is to preside as chairperson
 - (b) If the Committee member is absent or unwilling to act as chairperson, the members present must elect 1 of their number to be chairperson of the meeting
 - (c) The chairperson must conduct the meeting in a proper and orderly way
 - (d) Each question, matter or resolution must be decided by a majority of votes of the members present
 - (e) Each member present and entitled to vote is entitled to 1 vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote
 - (f) A member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting
 - (g) Voting may be by a show of hands or a division of members, unless at least 20% of the members present demand a secret ballot
 - (h) If a secret ballot is held, the chairperson must appoint 2 members to conduct the secret ballot in the way the chairperson decides
 - (i) The result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held

- (j) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting and general meeting are entered in a minute book
- (k) The secretary must ensure the minute book for each general meeting is open for inspection at all reasonable times by any financial member who previously applies to the secretary for the inspection.

27.1 To ensure the accuracy of the minutes recorded

- (a) The minutes of each management committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next management committee meeting, verifying their accuracy.
- (b) The minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy.
- (c) The minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the club that is a general meeting or annual general meeting, verifying their accuracy.

By-laws

28.0 The management committee may make, amend or repeal By-Laws, not inconsistent with these rules, for the internal management of the association.

28.1 A by-law may be set aside by a vote of members at a general meeting of the association.

Alteration of rules

29.0 This constitution is based on the model rules of the *Associations Incorporation Act 1981*, and may be only be amended, repealed or added to by a special resolution carried at a general meeting.

Common seal

30.0 The management committee must ensure the association has a common seal.

30.1 The common seal must be-

- (a) Kept securely by the management committee
- (b) Used only under the authority of the management committee.

30.2 Each instrument to which the seal is attached must be signed by a member of the management committee and countersigned by-

- (a) the secretary; or
- (b) another member of the management committee; or
- (c) someone appointed by the management committee.

Funds and accounts

- 31.0 The funds of the club must be kept in an account in the name of the club in a financial institution decided by the management committee.
- 31.1 Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the club.
- 31.2 All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- 31.3 If an amount of \$100 or more is paid by cheque, the cheque must be signed by any 2 of the following
- (a) The president;
 - (b) The secretary;
 - (c) The treasurer;
 - (d) Another member authorised by the management committee for the purpose.
- 31.4 Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed `not negotiable
- 31.5 A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account
- 31.6 All expenditure must be approved or ratified at a management committee meeting
- 31.7 The treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared
- (a) The income and expenditure for the financial year just ended
 - (b) The club's assets and liabilities at the close of the year;
 - (c) The mortgages, charges and securities affecting the property of the club at the close of the year.
- 31.8 If the club is incorporated within 3 months before the end of the association's financial year, subsection (31.7) does not apply for the financial year in which the club is incorporated
- 31.9 The auditor must examine the statement prepared under subsection (31.7) and present a report about it to the secretary before the next annual general meeting following the financial year for which the audit was made
- 31.10 The income and property of the club must be used solely in promoting the club's objects and exercising the association's powers.

Documents

- 40.0 The management committee must ensure the safe custody of books, documents, instruments of title and securities of the association.

Financial year

- 41.0 The financial year of the association closes on 31 December in each year.

Distribution of surplus assets to another entity

42.0 This section applies if the club

- (a) Is wound-up under part 10 of the Associations Incorporations Act
- (b) It has surplus assets.

42.1 The surplus assets must not be distributed among the club members.

42.2 The surplus assets must be given to another entity -

- (a) Having objects similar to the association's objects
- (b) The rules of which prohibit the distribution of the entity's income and assets to its members.

42.3 In this section - "**surplus assets**" has the meaning given under part 10 of the Associations Incorporations Act.