

Understanding your constitution



As a management committee member, you must always act in accordance with your club's constitution, so it's important that you have read and are familiar with its contents.

The sections below provide an overview of some sections of your constitution and what they mean. These are the standard sections in a constitution, however your constitution may have different titles or contain more sections.

Name	The full legal name of your organisation.
Definitions and interpretations	<p>This section will define terms used in the constitution that are not adequately explained in the body of the document.</p> <p>It should also explain how any ambiguity in the interpretation of the document is to be resolved.</p>
Objects or Purpose	<p>This is the part of the constitution that tells the <i>story</i> of your organisation. It explains why the organisation exists and what it seeks to achieve.</p> <p>Here is where your club provides information that demonstrates that you are a not-for-profit organisation. Most clubs will have several objects including things like "to promote and support the sport of ..." and "to establish facilities for the benefit of the local community"</p>
Powers Body corporate = legal entity	This section explains how the organisation, as a body corporate, has the powers of an individual or corporation. For example, it can buy things, sell things, enter into contracts, take out insurance policies, open bank accounts and be the subject of legal action, all in its own right.
	<p>The different classes or categories of membership, their rights and their obligations.</p> <div data-bbox="539 1234 1382 1415" style="background-color: #005696; color: white; padding: 10px; border-radius: 5px;"> <p>As you might expect, children under 18 are not allowed to vote or be elected to the management committee - does your constitution make it clear if parents of junior members become members of your club, so that they can vote or serve on the committee?</p> </div>
Membership	<p>This section will explain who is eligible to be a member of your organisation, how they become members, the entitlements they can expect to receive, the obligations they must meet to remain members and how members can be disciplined. It should include details about which classes of members are eligible to attend and vote at general meetings and who is eligible for election to the management committee.</p> <p>Keep in mind that this section of your constitution may need to specifically capture non-participants, such as volunteers.</p> <p>Your constitution is required to include a grievance procedure explaining how disputes between members can be resolved.</p> <div data-bbox="539 1798 1382 1980" style="background-color: #005696; color: white; padding: 10px; border-radius: 5px;"> <p>Life memberships can be granted in appreciation of many years' service to the club by a member. Does your club constitution allow life memberships to be granted? Can they vote at general meetings? And do they have to pay annual fees?</p> </div>



<p>The management committee The 'management committee' may be referred to as the 'board' in your constitution.</p>	<p>The sections of the constitution relating to the management committee define its composition, eligibility for election, the election process, why and how committee members can be removed from office, and how vacancies on the committee are to be filled.</p> <p>The powers of the management committee should also be defined. Typically the constitution grants the committee the authority to exercise the overall powers of the organisation, to achieve its objects or purpose.</p>
<p>Meetings</p>	<p>The meeting requirements for the management committee and subcommittees, as well as for general meetings of members. This should include minimum meeting frequency, who can attend and vote at meetings, quorum requirements and meeting procedures for each type of meeting.</p> <p>The minimum requirement for committee meetings under the Act is that they are held at least once every 4 months. You will probably need to meet more often than this, but it is not necessary for your constitution to stipulate monthly meetings.</p>
<p>Finances</p>	<p>How the financial affairs of the organisation are to be managed, including your financial year end date.</p> <p>A club can change its financial year end date if it wishes to move it to a more convenient time of year.</p> <div style="background-color: #0056b3; color: white; padding: 10px; border-radius: 5px;"> <p>Make sure that your current financial year end date suits your club. Is it in a period when the treasurer is already very busy?</p> <p>As the club's AGM must be held within 6 months of the financial year end, is this a good time of year to be electing new committee members?</p> </div>
<p>Documents and records</p>	<p>This section should include a clause that confirms the organisation's not-for-profit status - that the proceeds and profits of the organisation cannot be distributed among members.</p>
<p>Amending or replacing the constitution</p>	<p>How and where the organisation's documents and records are to be kept.</p> <p>The process that the organisation needs to follow should it wish to update or replace its constitution.</p> <p>Any changes to the constitution must be agreed by the members at a general meeting - the management committee cannot change them without this member approval.</p>
<p>Winding up / Dissolution</p>	<p>The process that the organisation needs to follow should there be a need for it to wind up (i.e. cease operations and close down).</p>

