

Objects and Rules of the Bathurst Football Referees Association Inc.



Objects & Rules of the Bathurst Football Referees Association Incorporated

(Last Amended March 31st, 2011)

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OBJECTS

1. To promote the “Game of Football”.
2. To elevate the status of football referees.
3. To improve the quality of refereeing by assisting members in their discipline and dedication in maintaining a high standard of professionalism.
4. To assist and encourage the personal development of the individual referee.
5. To provide an environment conducive to the recreational enjoyment of the game of football for the officiating referee.
6. To encourage and support new members to the association.
7. To promote a closer relationship between the Referee’s Association, Football Associations, Football Clubs, and associated organizations.
8. To adopt the Laws of the Game as declared by F.I.F.A. and / or the National Football Association.
9. To assist or take action, as deemed necessary, for and on behalf of any member unfairly or unjustly treated.
10. To ensure the uniformity of the interpretations of the Laws of the Game, standardization of officiating at matches, referees grading, and match dress.
11. To assist in establishing Referees Organisations in areas or districts where none exist.

NAME

This body shall be called the “**Bathurst Football Referees Association Incorporated**”, and shall be referred to throughout these rules as the “**B.F.R.A.**”.

PART I

PRELIMINARY : Definitions

1. (1) In these Rules:

“Ordinary Member” means a member of the committee who is not an office bearer of the association, as referred to in rule 15 (2);

“Secretary” means

- a) the person holding office under these rules as secretary of the association; or
- b) if no such 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 1984**;

“The Regulation” means **Associations Incorporation Regulation 1994**

(2) In these Rules:

- (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 a duty.

- (3) The provisions of the **Interpretations Act 1987** apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the act.
- (4) The “**Association**” or “**B.F.R.A.**” means the Bathurst Football Referees Association Incorporated.
- (5) “**F.I.F.A.**” means the Federation Internationale de Football Association.
- (6) “**F.F.A.**” means the Football Federation of Australia.
- (7) “**F.N.S.W.**” means the Football New South Wales.
- (8) “**Qualified Referee**” means a person holding a current referee’s certificate issued by the **FNSW** or **FFA**
- (9) A reference to gender includes both male and female genders.
- (10) “**Public Officer**” means the person appointed to this office under these Rules and in accordance with Section 22 and 23 of the Act.

PART II

MEMBERSHIP : Membership Qualifications

2. A person is qualified to be a member of the association if, and only if,
 - (a) the person is a person referred to in section (1) (a), or (c) of the **Act** and has not ceased to be a member of the association at any time after incorporation of the association under the **Act**; or
 - (b) the person is a natural person:
 - i) who has been nominated for membership of the association as provided by rule 3; and
 - ii) who has been approved for membership of the association by the committee of the association.

NOMINATIONS FOR MEMBERSHIP

3. (1) A nomination of a person for membership of the association:
 - (a) must be made by a member of the association in writing in the form set out in Appendix 1 to these rules; and
 - (b) must be lodged with the Registrar of the association.

- (2) As soon as practical after receiving a nomination for membership, the Registrar must refer the nomination to the committee which is to determine whether to approve or reject the nomination.

(3) If the committee determines to approve a nomination for membership, the Secretary must, as soon as practicable after that determination, notify the nominee to pay (within the period of 28 days after receipt by the nominee of the notification) the sum payable under these rules by a member as entrance fee and annual subscription.

(4) The secretary must, on payment by the nominee of the amounts referred to in clause (3) within the period referred to in that clause, enter the nominee's name in the register of members and, on that name being so entered, the nominee becomes a member of the association.

CESSATION OF MEMBERSHIP

4. (1) A person ceases to be a member of the association if the person:

- (a) dies; or
- (b) resigns membership; or
- (c) is expelled from the association
- (d) Remains unfinancial for an entire season. An entire season being the period from the AGM they were declared unfinancial at until the AGM of the following year.

MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

5. A right, privilege or obligation which a person has by reason of being a member of the association;

- (a) is not capable of being transferred or transmitted to another person; and

- (b) terminates on cessation of the person's membership

RESIGNATION OF MEMBERSHIP

- 6. (1) A member of the association is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the association who has paid all amounts payable by the member to the association in respect of the member's membership may resign from membership of the association by first giving to the secretary written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (3) If a member of the association ceases to be a member under clause (2), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of the members recording the date on which the member ceased to be a member.

REGISTER OF MEMBERS

- 7. (1) The public officer of the association must establish and maintain a register of members of the association specifying the name and address of each person who is a member of the association together with the date on which the person became a member.

- (2) The register of members must be kept at the principal place of administration of the association and must be open for inspection, free of charge, by any member of the association at any reasonable hour.

FEES , SUBSCRIPTIONS & LEVIES

8. (1) A member of the association must, on admission to membership, pay to the the association a fee of \$1.00 or, if some other amount is determined by the committee, that other amount.
- (2) In addition to any amount payable by the member under clause (1), a member of the association must pay to the association an annual membership fee of \$2.00 or, if some other amount is determined by the committee, that other amount:
- (a) except as provided by paragraph (b), before July 1st in each calendar year, or
 - (b) if the member becomes a member on or after July 1st in any calendar year – on becoming a member and before July 1st in each succeeding calendar year.
- (3) A special resolution for a levy may be approved at a Special General Meeting or Annual General Meeting.

- (4) A levy on match expense reimbursement received by members as refereeing officials may be approved upon submission by the management committee of a Special Resolution to a Special General Meeting or Annual General Meeting, such submission to be determined in accordance with the financial requirements of the Association for its proper operation. A levy on match expense reimbursements so determined shall remain in force until such time as it is changed at a subsequent Special General Meeting or Annual General Meeting.
- (5) The Association will place a levy on all match reimbursements earned by it's members, at a level as determined by the Executive, prior to each season, with the current state of the Association's finances, and overall fairness to all of it's members, in mind.
- (6) Members shall not be extended credit by the Association unless having sufficient funds owing to him / her to cover the purchase of equipment from the Property Officer. No monies in advance are permitted.

MEMBER'S LIABILITY

9. The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and the expenses of the winding up of the association is limited to the amount, if any, unpaid by the member in respect of membership of the association as required by rule 8.

RESOLUTION OF INTERNAL DISPUTES

- 10.** Disputes between members (in their capacity as members) of the association and disputes between members and the association, are to be referred to a community justice center for mediation in accordance with the **Community Justice Centres Act 1983**.

DISCIPLINE OF MEMBERS

- 11.** (1) A complaint may be made by any member of the association that some other member of the association:
- (a) has persistently refused or neglected to comply with a provision or provisions of these rules; or
 - (b) has persistently and willfully acted in a manner prejudicial to the interests of the association.
- (2) On receiving such a 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.

- (3) The committee, may by resolution, expel the member from the association or suspend the member from membership of the association 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.
- (4) 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 the action and of the member's right of appeal under rule 12.
- (5) 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, unless and until the association confirms the resolution under rule 12 (4), whichever is the later.

(6) Breaches of Appointments Procedure.

- (a) In accordance with Rule 46 (1) any member failing to carry out their appointment(s) without a reason that is acceptable to the Executive committee of the association, may be directly fined, suspended, or both,
- (b) Such fine shall be imposed by the Executive committee of the association, and shall not be more than twice the fee applicable to the appointment(s) missed.
- (c) The member shall retain their right of appeal under rules 12 and 46.

RIGHT OF APPEAL OF A DISCIPLINED MEMBER

- 12.** (1) A member may appeal to the association in general meeting against a resolution of the committee under rule 11, 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 clause (1), the secretary must notify the committee which is to, convene a general meeting of the association to be held within 28 days after the date on which the secretary received the notice.
- (4) At a general meeting of the association convened under clause (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.
- (5) If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

MEMBERS OBLIGATIONS

13. (1) Members shall officiate on games *only* with the prior approval of the association.
- (2) Members shall not take any action that may effect in any adverse way other members of the association.
- (3) Members shall be bound by the Rules of the Association and By Laws which are in force from time to time.
- (4) Members shall be required to appear at matches to which they are appointed not less than 30 minutes before the scheduled start time of any game, and attend the field a minimum of 5 minutes before the scheduled kick off time.
- (5) Members shall be suitably attired in the required uniform to officiate at any match. This includes the correct shorts, shirt, and socks with predominately black (or dark) footwear, and referee's cap. Track suits, jumpers, and other protective clothes may be worn on the line only, and with the permission of the referee of the match. Exceptions to this rule may be granted from time to time by the Executive Committee on medical grounds only. The BSRA actively encourages all members to ensure that they are suitably protected against the harmful effects of the sun.

- (6) Members shall remember that at all times they are seen as referee's and as a result comments made, even when not in uniform are recognized as being made by referees and as such must take care with comments made about games in progress, or refereeing matters pertaining to any game. Criticism of any member is ***STRICTLY PROHIBITED*** and will be ***SEVERELY*** punished.
- (7) Members will be required to attend training meetings and seminars as directed by the Executive Committee to ensure that their skills are kept above the standards expected.
- (8) Members will maintain their financial status with the BSRA, and will repay any debt incurred on their behalf by the Association upon request of the BSRA.

PART III

THE COMMITTEE : Powers Of The Committee

- 14.** The committee is to be called the **committee of management** of the association and, subject to the **ACT**, the **Regulations**, and these rules and to any resolution passed by the association in general meeting:
- (a)** is to control and manage the affairs of the association; and
 - (b)** may exercise all such functions as may be exercised by the association, other than those functions that are required by these rules to be exercised by a general meeting of members of the association; and
 - (c)** has the power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the association.

CONSTITUTION AND MEMBERSHIP

- 15.** **(1)** Subject in the case of the first members of the committee to section 21 of the Act, the committee is to consist of:
- (a)** the office bearers of the association; and

(2) The office bearers of the association are to be:

- (a) the President;**
- (b) the Vice President;**
- (c) the Treasurer;**
- (d) the Secretary;**
- (e) the Branch Coach;**
- (f) the Appointments Chairperson;**
- (g) the Property Officer**
- (h) the Registrar;**
- (i) the Member Protection Officer (2 positions)**
- (j) the Appointments Officer**

(3) Each member of the committee is, subject to these rules, to hold office until the conclusion of the annual general meeting following the date of the members election, but is eligible for re-election, and no member may be entitled to hold more than two positions on the committee at the same time.

(4) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.

ELECTION OF MEMBERS

- 16.** (1) Nominations of candidates for election as office bearers of the association or as ordinary members of the committee:
- (a) Must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form on the nomination); and
 - (b) Must be delivered to the secretary of the association 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 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 is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations 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 members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

SECRETARY

- 17.** (1) The secretary of the association must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- (2) It is the duty of the Secretary to keep minutes of:
- (a) all appointments of office bearers and members of the committee;
 - (b) the names of the members of the committee present at a committee meeting or a general meeting; and
 - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

TREASURER

- 18.** It is the duty of the Treasurer of the association to ensure:
- that all money due to the association is collected and received and
 - that all payments authorized by the association are made; and
 - that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association.

CASUAL VACANCIES

- 19.** For the purpose of these rules, a casual vacancy in the office of a member of the committee occurs if the member:
- (a) dies; or
 - (b) ceases to be a member of the association; or
 - (c) becomes insolvent under administration within the meaning of the Corporations Law; or
 - (d) resigns office by notice in writing given to the Secretary;
or
 - (e) is removed from office under rule 20; or
becomes a mentally incapacitated person; or
is absent without consent of the committee from all meetings of the committee held during a period of 6 months.

REMOVAL OF MEMBER

- 20.** (1) The association in general may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of the member so removed.

(2) If a member of the committee to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the Secretary or President (not exceeding a reasonable length) and requests that the representations be notified to the members of the association, the Secretary or the President may send a copy of the representations to each member of the association or, if the representations are not so sent, the member is entitled to require the representations be read out at a meeting at which the resolution is considered.

MEETINGS AND QUORUM

- 21.** (1) The committee must meet monthly from February through the season till October as a minimum at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the President or by any member of the committee.
- (3) Oral or written notice of meeting must be given by the Secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Notice of the meeting given under clause (3) must specify the general nature of the business to be transacted at the meeting and no other 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.

(5) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.

(6) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place at the same hour of the same day of the following week.

(7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.

(8) At a meeting of the committee:

(a) The President or, in the President's absence, the Vice-President is to preside; or

(b) if the President and the Vice-President are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

DELEGATION BY COMMITTEE TO SUB-COMMITTEE

- 22.** (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the association as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than:
- (a) this power of delegation; and
 - (b) a function which is a duty imposed on the committee by the **Act** or by any other law.
- (2) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time from the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Despite any delegation under this rule, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as if it had been done or suffered by the committee.
- (6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) A sub-committee may meet and adjourn as it thinks proper.

VOTING AND DECISIONS

- 23.** (1) Questions arising at a meeting of the committee or of any such sub-committees appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to rule 21 (5), the committee may act despite any vacancy on the committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by the sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

PART IV

GENERAL MEETINGS – ANNUAL GENERAL MEETINGS : Holding Of

24. (1) With the exception of the first Annual General Meeting of the association, the association must, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the association, convene an Annual General Meeting of it's members.
- (2) The association must hold it's first Annual General Meeting:
- (a) within the period of 18 months after it's incorporation under the **Act**; and
 - (b) within the period of 6 months after the expiration of the first financial year of the association.
- (3) Clauses (1) and (2) have effect subject to any extension or permission by the commissioner under section 26 (3) of the **Act**.

ANNUAL GENERAL MEETING – CALLING OF AND BUSINESS AT

25. (1) The Annual General Meeting of the association shall, subject to the **Act** and to rule 24, be convened on such reasonable date and at such reasonable place and time as the Executive Committee thinks fit, provided that it is held no later than January 31st of the year immediately following the current year. Members shall be given not less than seven (7) days notice of such meeting, from the date of posting.
- (2) In addition to any other business which may be properly transacted at an Annual General Meeting, the order of business of an Annual General Meeting shall be:
- (a) to receive and accept apologies

- (b) to confirm the minutes of the last preceding Annual General Meeting and of any Special General Meeting held since that meeting;
- (c) to receive and deal with correspondence relevant to the Annual General Meeting
- (d) to receive from the Committees and Officials, annual reports upon the activities of the Committees and Officials during the last preceding financial year.
- (e) to receive and consider the Annual Statement on financial matters which is required to be submitted to members pursuant to Section 26 (6) of the **Act**.
- (f) to elect Officials of the Association whose term of office has expired under Rule 50 (2)
- (g) to elect members of the committee as specified under Rule 47.
- (h) to decide on a process of audit
- (i) to elect Life Members, if applicable
- (j) to consider Notices of Motion of which previous notice has been given
- (k) to consider alterations to the Objects and Rules, by Special Resolution; and
- (l) to consider any general business properly brought forward.

(3) The order of business at an Annual General Meeting may be altered by a majority vote of those members present and entitled to vote.

(4) An Annual General Meeting must be specified as such in the notice convening it.

SPECIAL GENERAL MEETING – CALLING OF

- 26.** (1) The committee may, whenever it thinks fit, convene a Special General Meeting of the association.

- (2) The committee must, on the requisition in writing of at least 5 per cent of the total members, convene a Special General Meeting of the association.
- (3) A requisition of members for a Special General Meeting:
- (a) must state the purpose or purposes of the meeting; and
 - (b) must be signed by the members making the requisition; and
 - (c) must be lodged with the Secretary; and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition
- (4) If the committee fails to convene a Special General Meeting to be held within 1 month after that on which a requisition of members for a 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 as referred to in clause (4) must be convened as nearly practicable in the same manner as General Meetings are convened by the committee and any member who consequently incurs expense is entitled to be reimbursed by the association for any expenses so incurred.

NOTICE

27. (1) Except if the nature of the business proposed to be dealt with at a General Meeting requires a Special Resolution of the association, the Secretary must, at least 14 days before the date fixed for the holding of the General Meeting, cause to be sent by prepaid post or electronic mail (email) to each member at the member's address appearing in the register of members, a notice specifying the place, date, and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a General Meeting, requires a Special Resolution of the association, the Secretary must, at least 21 days before the date fixed for the holding of the General Meeting, cause notice to be sent to each member in the manner provided in clause (1) specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a Special Resolution.
- (3) No other business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an Annual General Meeting, business which may be transacted under rule 25 (2).

- (4) A member desiring to bring business before a General Meeting may give notice in writing of that business to the Secretary who must include that business in the next notice calling a General Meeting given after receipt of the notice from the member.

PROCEDURE

- 28.** (1) No item of business is to be transacted at a General Meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) Five members present in person (being members entitled under these rules 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 of the appointed time for the commencement of a General Meeting a quorum is not present, the meeting:
- (a) if convened on the requisition of members, is to be dissolved; and
 - (b) in any other case, 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 the day before the day which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting 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 3) is to constitute a quorum.

PRESIDING MEMBER

- 29.** (1) The President or, in the President's absence, the Vice-President, is to preside as chairperson at each General Meeting of the association.
- (2) If the President and the Vice-President are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

ADJOURNMENT

- 30.** (1) The chairperson of a General Meeting at which a quorum is present may, with the consent of the majority or members present at the meeting, adjourn the meeting from time to time and place to place. No business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a General Meeting is adjourned for 14 days or more, the Secretary must give written or oral 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.
- (3) Except as provided in clause (1) and (2), notice of adjournment of a General Meeting or of the business to be transacted at an adjourned meeting is not required to be given.

MAKING OF DECISIONS

- 31.** (1) A question arising at a general meeting of the association is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favor of or against the resolution.
- (2) At a General Meeting of the association, a poll may be demanded by the chairperson or by at least 3 members in person or by proxy at the meeting.
- (3) If a poll is demanded at a General Meeting, the poll must be taken:
- (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or
 - (b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

SPECIAL RESOLUTION

- 32.** 1) A resolution of the association is a Special Resolution:
- (a) if it is passed by a majority which comprises at least three-quarters of such members of the association as, being entitled under these rules so to do, vote in person or by proxy at a General Meeting of which at least 21 days' written notice specifying the intention to propose the resolution as a Special Resolution was given in accordance with these rules; or
 - (b) where it is made to appear to the committee that it is not practicable for the resolution to be passed in the manner specified in paragraph (a), if the resolution is passed in a manner specified by the Commissioner.

VOTING

- 33.** (1) On any question arising at a General Meeting of the association a member has only one vote.
- (2) All votes must be given personally or by proxy but no member may hold more than 5 proxies.
- (3) 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.

- (4) A member or proxy is not entitled to vote at any General Meeting of the association unless all money due and payable by the member or proxy to the association has been paid, other than the amount of the annual subscription payable in respect of the then current year.

APPOINTMENT OF PROXIES

34. (1) Each member is to be entitled to appoint another member as proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed
- (2) The notice appointing the proxy is to be in the form set out in the Appendix 2 to these rules.

PART V

MISCELLANEOUS - INSURANCE

35. (1) The association must effect and maintain insurance under section 44 of the **Act**.
- (2) In addition to the insurance required under clause (1), the association may effect and maintain other insurance.

FUNDS - Source

- 36.** (1) Subject to any resolution passed by this organization in a General Meeting, the assets and income of this organization shall be applied solely to the furtherance of the objects of this organization and no portion shall be distributed directly, or indirectly, to the member persons, or officials of this organization, except as bona fide compensation for services rendered, or expenses incurred on behalf of this organization.
- (2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank account.
- (3) In the event of this organization being dissolved, the amount which remains after such dissolution and the satisfaction of all debts and liabilities and the costs, charges, and expenses of the winding up of this organization shall be paid, pursuant to section 43 (2) of the **Act**, - and applied by the Executive Committee in accordance with their powers to any fund, institution or authority which a non-profit organization associated with the development of soccer referees.
- (4) The association must, as soon as practicable after receiving³ any money, issue and appropriate receipt.

FUNDS - Management

- 37.** (1) Subject to any resolution passed by the association in General Meeting, the funds of the association are to be used in pursuance of the objects of the association in such a manner as the committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes, and other negotiable instruments must be sighted by any 2 members of the committee or employees of the association, being members or employees authorized to do so by the committee.

ALTERATION OF OBJECTS AND RULES

- 38.** (1) The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the association.

COMMON SEAL

- 39.** (1) The common seal of the association must be kept in the custody of the public officer.
- (2) The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures of 2 members of the committee or of 1 member of the committee and the public officer or Secretary.

CUSTODY OF BOOKS

- 40.** (1) Except as otherwise provided by these rules, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to the association.

FINANCIAL RECORDS : DURATION & INSPECTION

- 41.** (1) The financial year of the Association shall be January 1st to December 31st of the current year.
- (2) The records, books and other documents of the association must be kept open to inspection, free of charge, by a member of the association at any reasonable hour.

SERVICE OF NOTICES

- 42.** (1) For the purpose of these rules, a notice may be served by or on behalf of the association on any member either personally or by sending it by post to the member at the member's address shown in the register of members.
- (2) If a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document is, unless the contrary is proved, taken for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

APPLICATION FOR / CLASSIFICATION OF MEMBERS

- 43.** (1) Members who are qualified referees shall be classified as Class 1, Class 2, Class 3, or Class 4 referees according to the provisions of the FFA National Grading Schedule.
- (2) Applicants approved for membership shall be categorized as follows:
- (a) *Active Member*: a qualified member accepting appointments to officiate at games.
 - (b) *Non Active Member*: a qualified member **not** accepting appointments to officiate at games.
 - (c) *Provisional Member*: a new referee who intends to be an active member and who has satisfied the theory examination requirements but has yet to satisfy the field test requirements for the classification to be confirmed.
 - (d) *Associate Member*: a person who is not a qualified referee and who has reached the minimum age of 12 years
- (3) Applicants who are qualified referees shall hold a referee's certificate issued by the FFA or the FNSW or eligible for issue of such certificate.
- (4) An applicant who is a qualified referee or who has had previous refereeing experience with a recognized refereeing organization shall present a clearance from the referees organization of which they were a member.

- (5) An applicant desirous of becoming an Active Member and who has no previous refereeing experience shall attend a coaching course on the Laws of the Game, and successfully pass the relevant theory examination prescribed by the FNSW.
- (6) An applicant who was previously a qualified referee may be required to sit for an appropriate theory examination in accordance with the requirements of the FNSW National Grading Schedule.
- (7) The membership year shall be from January 1 to December 31 of the following year. Membership shall be renewed on an annual basis.
- (8) Persons desirous of seeking re-admission as a member or renewing their membership of the previous year shall complete an Application for Membership form.
- (9) On payment by the applicant of the amount in accordance with Rule 3 (3), or agreement to pay, the applicant becomes a Member of the association.
- (10) Members who are qualified referees and who desire to seek regrading to a higher National Classification shall submit a written request to the Secretary. The request shall be referred to the Management Committee who shall verify the member's eligibility whereupon the member shall:

- (a) If a Class 4 referee, be field tested according to the requirements of the FFA National Grading Schedule in the presence of and association inspector appointed by the management committee.
- (b) If a Class 3 referee, be invited to attend the mandatory lecture sessions for members seeking regarding to Class 2 and upon completion shall sit for the Class 2 Theory Examination prescribed by the FNSW. Upon successful completion of the theory examination the member shall then be field tested firstly in the presence of an association inspector appointed by the management committee, and then secondly in the presence of a FNSW inspector outside the boundaries of this association. Upon satisfying the field test requirements, the FNSW application for class 2 Certificate form shall be completed and submitted to the FNSW.
- (c) If a Class 2 referee, be invited to attend the mandatory lecture sessions for members seeking regarding to Class 1 as organized by the FNSW, and upon successful completion of the theory examination following the course the member shall be field tested at the Class 1 level firstly in the presence of two Association inspectors appointed by the management committee, and then secondly by two FNSW Inspectors outside the boundaries of this association. Upon satisfying the field test requirements, the FNSW application for Class 1 certificate form shall be

- (11) Members who are qualified referees may be field tested in the presence of an Association Inspector appointed by the management committee. All members shall be organized into groups for the purpose of appointments. The management committee shall arrange groupings according to the refereeing ability of members. Groupings shall be reviewed by the management committee at least once each year.
- (12) Members may apply for a reassessment of their grouping by submitting a written application to the Secretary. Application shall be examined by the management committee who shall decide whether the applicant's refereeing ability warrants placement in another group. If considered necessary, the management committee shall arrange a field test on a suitable game in the presence of an Association Inspector in order to decide on the applicant's grouping.

LIFE MEMBERS

- (1) A member of the Association may be appointed as a Life Member upon approval of a Special Resolution at any Annual General Meeting. Up to four (4) members only may be so appointed at any given Annual General Meeting.
- (2) A member shall only be considered for Life Membership after a minimum of ten (10) years membership, a portion of which may be served as a Non-Active Member, or may be recognized for outstanding service to the Association and or the unincorporated body prior to the expiration of ten (10) years, and must be financial at the time of nomination.

- (3) A nomination for Life Membership may be submitted by any member and shall be lodged in writing to the Secretary 60 days prior to the date notified for the next Annual General Meeting whichever is the earlier. Nominations shall be considered by the management committee which shall determine the candidate, if any, to be submitted under a special resolution for the proposed election.
- (4) A Life Member shall be entitled to all privileges of membership of the Association.
- (5) A Life Member may attend meetings of this Association at any time and enter into debates, but shall have no voting rights.
- (6) Life Members of the unincorporated body shall be Life Members of the Association.

RULE DELETED

45.

DISCIPLINING OF MEMBERS / MEMBERS RIGHT OF APPEAL

- 46.** (1) The Association shall be empowered to take action against members in accordance with Rule 11.
- (2) Should a member wish to appeal against the Special Resolution in favour of the confirmation of the resolution, (Rule 12 (5)), they have the right of appeal to the NSWSR Inc.. A member's intention to so appeal shall be notified in writing, which notice shall be lodged with the Secretary within 7 days of receiving the notice under Rule 12 (5).
- (3) Rule 46 (2) shall be the first right of appeal for a member following the initial compliance with Rule 11, the member may elect to then proceed with the matter under Rule 10.
- (4) Where the executive Committee is of the opinion that a member has:
- (a) refused or neglected to comply with a provision of these rules; or
 - (b) refused or neglected to comply with a provision of the By Laws;
- or
- (c) acted in a manner prejudicial to the interests of the association or its members or refereeing in general,
- the Executive Committee may, by resolution –

- (i) impose a fine and or censure the member; or
- (ii) suspend the member from specified activities for a specific period; or
- (iii) expel the member from membership of the association; or
- (iv) refer the matter to the Management Committee of the Association for their determination.

(5) Where the Executive Committee passes a resolution referring the matter to the Management Committee as provided by Rule 46 (4) (e), the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member which –

- (a) sets out the resolution of the Executive Committee, and
- (b) states that the member may address the Management Committee at a meeting to be held not earlier than 7 days and not later than 28 days after service of the notice.

COMMITTEES AND SUB – COMMITTEES

- 47.** (1) The Association will elect 2 ordinary members (Rule 15 (1) (b)) with the following titles and will be called the Appointments Committee:
- (a) Referee’s Appointments Chairperson
 - (b) Referee’s Appointments Person

The Appointments Committee will also consist of the following *non office bearing members*:

- (a) Association Inspector's: being any member with an official Level 1 inspectors accreditation for the purpose of carrying out inspection reports *ONLY*. These members will have no appointment capacity, and will report to the Branch Coach.

This appointments committee **will meet as required** to appoint referee's to games. This appointments committee will cause all appointments (uncompleted) to be in the possession of the Webmaster within 30 minutes of completion and the appointments (completed) to be in the possession of the Treasurer on a weekly basis.

- (2) The elected office bearers of the Association shall form the following committees. The President, Vice President, Secretary, and Treasurer will be known as the "Executive Committee" of the Association. The Executive Committee together with the Branch Coach, Property Officer, Registrar, Appointments Chairperson, Appointments Officer, and Member Protection Officers will be known as the "Management Committee" of the Association. The Management Committee will meet as required at the request of any member of the Executive Committee and or the Appointments Committee Chairperson.

FUNCTIONS OF COMMITTEES AND SUB – COMMITTEES

48. The functions of the committees shall be:

Executive Committee.

The Executive Committee of the Association, subject to the **Act**, the Regulation, and these rules, and any resolutions passed by a general meeting of the Association shall:-

- (a)** control and manage the affairs of the Association;
- (b)** exercise all such functions as may be exercised by the Association other than those functions that are required by those Rules to be exercised by the Appointments Committee or by a General Meeting of the Association.
- (c)** Have the power to perform all such acts and do all such things as deemed by the Executive Committee to be necessary or desirable for the proper management of the affairs of the Association; and
- (d)** Report it's action to the next General Meeting.
- (e)** Determine the (grading) grouping levels appropriate for competitions serviced by the Association, receive reports from the Management Committee on recommendations for regarding and grouping of referees.
- (f)** Arrange social activities as proposed to and or approved by the Association.

Management Committee.

The Management Committee shall meet at a reasonable time and place as determined by rule 47 (2) and shall:-

- a) attend to any matters as directed by the members,
- b) prepare future development programs
- c) consider matters that are of general concern to the Association and its members;
- d) report its actions to the next general meeting,
- e) preferably meet monthly or as required,
- f) arrange and conduct lectures sessions and theory examinations for new referees for course designated by the Management Committee,
- g) arrange and conduct field assessments for new referees;
- h) provide Application for Membership forms, examination results and field assessment results for new referees to the Secretary;
- i) arrange the inspection of member's field performance on a regular basis;
- j) arrange and conduct mandatory lecture sessions for Class1 and Class 2 regrading applicants advised by the Management Committee;
- k) arrange and conduct theory examinations for Class 2 regrading applicants,
- l) recommend to the Executive Committee various planned activities for the development of referees for the short and long term

- m)** recommend to the Executive Committee those members proposed for regrouping, investigate the grading of member referees for those who submit written requests and adjust the member's grading as found appropriate.
- n)** inform the Executive Committee on examinations and educational activities generally and report immediately regarding all matters which may be prejudicial to the Association.

Appointments Committee.

The Appointments Committee shall meet at a time and place as determined by the committee and shall:-

- a)** appoint suitably qualified member referees to officiate as the Referee or Assistant Referee at a game of competitions designated by the Management Committee in accordance with grading and or groupings as determined by the Executive Committee.
- b)** prepare written notices for appointments made and effect distribution to the members concerned,
- c)** receive data from referee assessment reports and from referee inspection reports and collate information to provide guidance for appointments and or revised grouping recommendations.
- d)** receive data on the withdrawal of members from appointments as necessary, and notify other members concerned of such changes.
- e)** provide the Management Committee with recommendations and other information pertinent to the grading and or grouping of member referees.
- f)** provide reports to the Management Committee on Appointments Committee activities,

- g) provide reports to each General Meeting on matters pertaining to appointments,
- h) carry out inspections of member referees as requested by the Management Committee and that said inspections be paid at a rate of \$20 per senior match, and \$15 per junior match, provided such inspections be official inspection reports carried out by official Level 1 Inspectors as specified in Rule 47 (1).
- i) provide reports on inspections to the Management Committee within 7 days of such inspections;
- j) use the Association Appointment Sheet to list all referee appointments
- k) cause the appointments sheets to be in the possession of the Treasurer before the first match to enable the official appointments sheet's reproduction in a neat and legible format.
- l) cause the appointments sheets to be in the possession of the Treasurer within 48 hours of all completed appointments.

DUTY & FUNCTIONS OF OFFICIALS

49. (1) *President*

The President shall:-

- a) ensure that all members are made aware of the Objects of the Association.
- b) use his / her best endeavours to achieve the Objects of the Association.
- c) exercise a watching brief over the whole of the administration of the Association.
- d) be responsible for the good order and discipline of the Association

- e) act as Public Officer of the Association and have custody of the common seal and membership details of the Association.
- f) be the chairperson of all meetings he / she attends, except the Appointments Committee.
- g) conduct such meetings in accordance with the Rules of the Association.
- h) have the right to exercise his / her vote as a member and shall have a casting vote.
- i) attend General Meetings of the NSWSR Inc.

(2) *Vice - President*

The Vice President shall:-

- a) in the absence of the President, be the chairperson of all meetings he / she attends, except the Appointments Committee.
- b) report immediately all matters which may be prejudicial to the Association.
- c) attend General Meetings of the NSWSR Inc
- d) implement the equipment policy as determined by the Management Committee and monitor the actions of the Equipments Officer.

(3) *Secretary*

The Secretary shall:-

- a)** administer the affairs of the Association as directed by the Executive Committee, Management Committee, or members and as the Rules direct;
- b)** exercise such other duties as may come within the province of Secretary;
- c)** sign all outgoing correspondence and receive all incoming correspondence, and generally advance details of all written matters dealt with by the Executive Committee and the Management Committee.
- d)** report immediately all matters which may be prejudicial to the Association.

(4) *Treasurer*

The Treasurer shall:-

- a)** ensure that all monies due to the Association is collected and received.
- b)** hold all financial assets of the Association in an authorized account(s) in the name of the Association with financial institutions that are licensed by the Reserve Bank of Australia and as approved by the Management Committee or a general meeting from time to time.
- c)** ensure that all payments authorized by the Association are made;
- d)** ensure that correct records and accounts are kept showing the financial affairs of the Association including full details of all receipts and payments connected with the activities of the Association.

- e) prepare and present reports on the financial status of the Association to each General Meeting.
- f) prepare a financial statement covering the financial year to December 31st of the current year for audit and submission to the Annual General Meeting;
- g) report immediately all matters which may be prejudicial to the Association.
- h) ensure that members are paid 3 times during the season, IF REQUESTED IN WRITING, and approved by the committee. These payments to occur as close as possible to the end of May, end of July, and end of Season, following receipt of monies owed by clubs and associations, whom shall be billed at appropriate times to ensure these payments are met. Members shall not be entitled to extra payments unless approved by a Management Committee meeting under extreme circumstances.

(5) *Property Officer*

The Equipments Officer shall:-

- a) keep record of all equipment and uniforms available, and shall keep record of all equipment and uniforms ordered on behalf of members and all equipment and uniforms received by members. Records of equipment and uniforms received by members must be sent to the Treasurer as required or every 14 days.
- b) be available so members may order and or purchase equipment and uniforms, as required.

- c) provide recommendations for equipment acquisitions and arrange procurement of items approved by the Management Committee.
- d) provide reports to each General Meeting on matters pertaining to equipment and uniforms.

(6) *Member Protection Officers*

The Member Protection Officers shall:-

- a) implement the directions and instructions of the Working with Children Check as directed by both the FNSW Inc and the Department of Sport and Recreation.
- b) report immediately all matters which may be prejudicial to the Association.

(7) *Registrar*

The Registrar shall:-

- a) maintain all records pertaining to the registration of all members of the Association
- b) prepare the members register, and all other registration reports for distribution to the FNSW & FFA registrar, the BFRA Treasurer and the BFRA President.
- c) ensure that all members complete the respective registration forms.
- d) report immediately all matters which may be prejudicial to the Association.

TERM OF OFFICE

- 50.** (1) All office bearers as listed in Rule 15 (2) shall be elected for a one year term.
- (2) Each official shall, subject to these Rules, hold office until the conclusion of the Annual General Meeting applicable to that Official's election, but is eligible for re-election.

GENERAL MEETINGS

- 51.** (1) General Meetings of the Association shall be held at least every second month during the period from March to September, at such reasonable time and place as the Executive Committee may determine.
- (2) The order of business for General Meetings shall be:-
- (a) to receive and accept apologies;
 - (b) to confirm the minutes of the preceding General Meeting;
 - (c) to deal with any business arising from the minutes
 - (d) to receive and deal with any correspondence;
 - (e) to receive the Treasurer's financial statement;
 - (f) to approve the payment of accounts received;
 - (g) to receive reports from Officials and Committee's;
 - (h) to deal with Notices of Motion (if any);
 - (i) to deal with any General Business properly brought forward.

The order of business may be amended by a majority vote of those members present and entitled to vote.

REIMBURSEMENT OF EXPENSES

- 52.** (1) The Association may, by appropriate resolution carried at a General Meeting and or Annual General Meeting, approve the reimbursement of expenses to any Official or Officials of the Association.
- (2) No honoraria or Ex-Gratia payments shall be made.

NOTICE OF MOTION

- 53.** (1) Notice of Motion of variation to the Objects and Rules of this Association shall be submitted in accordance with Rule 26 , Rule 31 , and Rule 37.
- (2) The Objects and Rules of the Association shall only be varied by a majority vote of those persons in attendance and entitled to vote at a meeting of the Association.

APPENDIX 1

Bathurst Soccer Referees Association Inc.

At a meeting of the Bathurst & District Soccer Referees Association

Held on the 26th day of March 1996,

It was resolved that the presently unincorporated body

Will be taken over by the

Bathurst Soccer Referees Association Incorporated

Moved By;

..... (Signature)

..... (Printed Name)

Seconded By;

..... (Signature)

..... (Printed Name)

Appendix 2

Application No.2008/____
BSRA use only ..



BATHURST SOCCER REFEREES ASSOCIATION Inc. ABN 75.917.507.158
P.O. Box 1505, Bathurst 2795.

2008 MEMBERSHIP FORM

Surname: _____ Christian Name(s): _____
Date of Birth: ____ / ____ /19 ____
Residential Address: _____
Postal Address (if different from above): _____
E-Mail: _____@_____
Home Phone No.: _____ Work Phone No.: _____
Mobile: _____ Fax: _____

Membership fees are as follows (please tick relevant box):

| | | | |
|---------------------------|--------------------------|--|--------------------------|
| Active Referees - \$50 | <input type="checkbox"/> | Active Cadets (under 14 at the 1st July 2008) - \$30 | <input type="checkbox"/> |
| Active Life Member - \$20 | <input type="checkbox"/> | Non Active Member (Affiliated but not active) - \$20 | <input type="checkbox"/> |
| Associate Member - \$15 | <input type="checkbox"/> | Dual Member 1 - \$50 | <input type="checkbox"/> |
| | | Dual Member 2 - \$20 | <input type="checkbox"/> |

(Associate members don't have voting rights)

(Dual Member 1 are those wishing to affiliate with 2 refereeing branches with BSRA being their PRIMARY Association)

(Dual Member 2 are those wishing to affiliate with 2 refereeing branches with BSRA being their SECONDARY Association)

Affiliations or Interests (please tick relevant box):

Do you have an affiliation with a club? If so provide details: eg Coach, Manager, Player, Child, Committee
Team/Age: _____ Affiliation:(Child's/Parent's Name): _____
Team/Age: _____ Affiliation:(Child's/Parent's Name): _____
Team/Age: _____ Affiliation:(Child's/Parent's Name): _____

Are you a member of another Refereeing Branch? Yes / No. If yes which: _____
What other Referee's Association(s) have you ever belonged to: _____

Preferred refereeing venue: Proctor Park/ALP, No Preference (circle preference)

Preferred refereeing age: Junior/Senior, No Preference (circle preference)

Note: Upon completion and acceptance of this application by the management committee, you are bound to adhere to the 'Orders and Regulations' of the BSRA and to comply with any reasonable request issued by the Executive.

You also agree to pay any unpaid fee incurred on your behalf by the BSRA, upon request.

Applicant's Signature: _____ Date: ____/____/2008

Parent's/Guardian's Signature: _____ Date: ____/____/2008
(if applicant is under 18)

Management Committee's Decision: **Approval / Rejection** Date: ____/____/2008

Management Committee's Signature _____

Bathurst Soccer Referees Association Inc.

Registered No: Y2512343
ABN: 75 917 507 158

President: Chris Orme
6332 3724
Secretary / Treasurer: Grant Foster
6331 1715
Coach: Andrew Short
6337 1696



P.O. Box 1505 Bathurst 2795