|  |
| --- |
| Constitution of Moree Diggers Club Swimming Club |
| Adopted May 2014 |
|  |

**Contents**

[Part 1 - Preliminary 1](#_Toc389398353)

[1. Name of Organisation 1](#_Toc389398354)

[2. Definitions 1](#_Toc389398355)

[3. Objectives 2](#_Toc389398356)

[4. Colours and Mascot 2](#_Toc389398357)

[Part 2 – Membership 3](#_Toc389398358)

[5. Membership Generally 3](#_Toc389398359)

[6. Classification of Members 3](#_Toc389398360)

[7. Life Membership 3](#_Toc389398361)

[8. Cessation of Membership 4](#_Toc389398362)

[9. Membership Entitlements Not Transferable 4](#_Toc389398363)

[10. Resignation of Membership 4](#_Toc389398364)

[11. Register of Members 4](#_Toc389398365)

[12. Fees and Subscriptions 5](#_Toc389398366)

[13. Member’s Liabilities 5](#_Toc389398367)

[14. Resolution of Disputes 5](#_Toc389398368)

[15. Disciplining of Members 5](#_Toc389398369)

[16. Right of Appeal of Disciplined Member 6](#_Toc389398370)

[Part 3 - The Executive Committee 7](#_Toc389398371)

[17. Powers of the Executive Committee 7](#_Toc389398372)

[18. Composition and Membership of the Executive Committee 7](#_Toc389398373)

[19. Election of Executive Committee Members 8](#_Toc389398374)

[20. Roles and Responsibilities 8](#_Toc389398375)

[21. Casual Vacancies 8](#_Toc389398376)

[22. Removal of Executive Committee Members 9](#_Toc389398377)

[23. Executive Committee Meetings and Quorum 9](#_Toc389398378)

[24. Delegation by Executive Committee to Sub-Committee/Ancillary positions 10](#_Toc389398379)

[25. Voting and Decisions 11](#_Toc389398380)

[Part 4 – Annual General Meetings 12](#_Toc389398381)

[26. Annual General Meetings – Holding of 12](#_Toc389398382)

[27. Annual General Meetings – Calling of and Business at 12](#_Toc389398383)

[28. Conducting written ballot 13](#_Toc389398384)

[Part 5 – General Meetings 14](#_Toc389398385)

[29. General Meetings and Quorum 14](#_Toc389398386)

[30. Making of Decisions 14](#_Toc389398387)

[31. Voting 15](#_Toc389398388)

[32. Proxy Votes 15](#_Toc389398389)

[33. Postal Ballots 15](#_Toc389398390)

[Part 5 – Miscellaneous 16](#_Toc389398391)

[34. Insurance 16](#_Toc389398392)

[35. Funds – Source 16](#_Toc389398393)

[36. Funds - Management 16](#_Toc389398394)

[37. Change of Name, Objectives and Constitution 16](#_Toc389398395)

[38. Custody of Books 16](#_Toc389398396)

[39. Inspection of Books 17](#_Toc389398397)

[40. Service of Notices 17](#_Toc389398398)

[41. Financial Year 17](#_Toc389398399)

[42. By-Laws 17](#_Toc389398400)

#

# Part 1 - Preliminary

## Name of Organisation

* 1. The name of the Club is Moree Diggers Club Swimming Club which may be abbreviated to Diggers Club.

## Definitions

* 1. In this constitution, unless the contrary intention appears-
		1. “committee” means the Executive Committee of management of the Diggers Club;
		2. “club member” and/or “member” means a financial member of Diggers Club;
		3. “financial year” means the year ending on 30 June;
		4. “membership year” runs from 1 September to 31 May;
		5. “Executive Committee meeting” means a meeting convened and attended only by members of the Executive Committee of the Diggers Club, unless otherwise invited;
		6. “annual general meeting” means the yearly mandatory meeting at which club members, interested parties, stakeholders and the public attend so they can be presented with the annual reports and vote in Executive Committee members;
		7. “general meeting” of the Diggers Club is a meeting other than an annual general meeting or the Executive Committee, where by all Club members are welcome;
		8. “service personnel” means someone who has served at some time in one of the armed forces either army, navy or air force, either full time, part time or as reserve personnel for a period of six months or more and is eligible for RSL sub branch membership.
		9. “family” means no more than two (2) adults (aged 18 years or older) and minors (aged younger than 18 years) such as child, grandchild, sibling, niece/nephew or cousin for whom the adult/s are responsible for. The number of minors are limited to four (4) except in the case where all the minors are permanently residing within a single residence which is operating as a financial household unit.
		10. “writing” includes e-mail;
		11. “present” at a meeting includes presence by electronic means such as conference call;
		12. “place” of a meeting includes an electronic meeting place;
		13. “Presentation of trophies” marks the finale of the swimming season and recognises the achievements of members during the membership year.
	2. In this constitution:
		1. a reference to a function includes a reference to a power, authority and duty, and
		2. a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.
	3. The provisions of the [*Interpretation Act 1987*](http://www.legislation.nsw.gov.au/xref/inforce/?xref=Type%3Dact%20AND%20Year%3D1987%20AND%20no%3D15&nohits=y) apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.

## Objectives

* 1. To provide an adult swimming Club in the Moree Plains area for armed force service personnel and non-service personnel.
	2. To promote and encourage swimming for all ages and levels of ability.
	3. To assist in arranging activities of a swimming and social nature and participating with similar organisations.

## Colours and Mascot

* 1. The club colours shall be black and white
	2. The club mascot shall be an emu as pictured below
	

# Part 2 – Membership

## Membership Generally

* 1. A person is eligible to be a member of the Diggers Club if the person:
		1. is a financial member of the Moree & District Services Club
		2. is a minor who is accompanied by a person who qualifies under 5.1.1

## Classification of Members

* 1. Each club member of the Diggers Club shall be classified as service/non-service personal, family/single or life member.

## Life Membership

* 1. Life membership of the Diggers Club may only be granted under the following conditions:
		1. Nominations must be submitted by a club member in writing 28 days prior to the AGM of any year to the Executive Committee. Nominations must give full details of:
			1. reasons for the submission
			2. be signed by two Executive Committee members who support such nomination
		2. The person nominated shall have served a minimum of seven (7) years on the Executive Committee. Those years may not necessarily be consecutive years, or
		3. Any person, who does not qualify under 7.1.2, who is deemed to have rendered outstanding, valuable and faithful service, to the aims and objectives of the Diggers Club.
	2. As soon as practicable after receiving a nomination for life membership, the Executive Committee must determine whether to approve or to reject the nomination.
	3. Upon the decision, the secretary must:
		1. notify the nominee and club member, in writing, that the Executive Committee approved or rejected the nomination (whichever is applicable), and
		2. if the nomination was approved, announce the life member status at the AGM.
	4. The secretary of the Diggers Club must establish and maintain a register of Diggers Club life members including:
		1. the name, residential or postal address, phone number, month and year of birth, email address of the member;
		2. the date on which life membership was bestowed;
		3. and, if in the case of, the passing of the life member
	5. The Register Of Life Members must accompany the minutes of the annual general meeting Clause Annual General Meetings – Calling of and Business at

## Cessation of Membership

* 1. A person ceases to be a member of the Diggers Club:
		1. if the person dies;
		2. if the person resigns membership;
		3. if the person is expelled from the Diggers Club or the Moree Services Club;
		4. fails to pay the annual membership fee under Clause Fees and Subscriptions within three (3) months after the fee is due.

## Membership Entitlements Not Transferable

* 1. An obligation of a person by reason of membership of the Diggers Club:
		1. is not capable of being transferred or transmitted to another person;
		2. terminates on cessation of the person’s membership, unless the obligation is for fees and subscriptions owing to the Diggers Club at the time of cessation of membership Clause Cessation of Membership

## Resignation of Membership

* 1. A member of the Diggers Club may resign from membership of the Diggers Club 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.
	2. If a member of the Diggers Club ceases to be a member under Clause Cessation of Membership and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## Register of Members

* 1. The secretary of the Diggers Club must establish and maintain a Register Of Members of the Diggers Club, containing:
		1. the name, residential or postal address, phone number, month and year of birth, email address of the member and Moree Services Club badge number;
		2. the classification of the member in accordance with Clause Classification of Members
	2. A Club member must not use information about a person obtained from the Register Of Members to contact or send material to the person, other than for the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the Diggers Club or other material relating to the Diggers Club.
	3. If a Club member requests that any information contained in the Register of Members about another member (other than the published information in 11.4) that information must not be released or made available for inspection as it is a Breach of Privacy.
	4. The Register of Members must accompany the minutes of annual general meeting Clause Annual General Meetings – Calling of and Business at however the published information is limited to member’s names and Moree Services badge number.

## Fees and Subscriptions

* 1. Upon registration to Diggers Club, all new members must pay the Diggers Club membership fee.
	2. An existing member of the Diggers Club must pay the Diggers Club membership fee upon registration to remain an ongoing member.
	3. Life members must complete registration forms annually in order to maintain a current Registration of Life Members Clause Life Membership
	4. Fees and Subscriptions are set at the annual general meeting Clause Annual General Meetings – Calling of and Business at.

## Member’s Liabilities

* 1. The liability of a member of the Diggers Club to contribute towards the payment of the debts and liabilities of the Diggers Club or the costs, charges and expenses of the winding up of the Diggers Club is limited to the amount, if any, unpaid by the member in respect of membership of the Diggers Club as required by Clause Fees and Subscriptions

## Resolution of Disputes

* 1. A dispute between a member and another member (in their capacity as members) of the Diggers Club, or a dispute between a member or members and the Diggers Club, are to be referred to the Executive Committee;
	2. The Executive Committee will deal with members according to Clause Disciplining of Members

## Disciplining of Members

* 1. A dispute or complaint may be made to the Executive Committee by any person about a member of the Diggers Club:
		1. who has refused or neglected to comply with a provision or provisions of this constitution, club by-laws or
		2. has wilfully acted in a manner prejudicial to the interests of the Diggers Club.
	2. The Executive Committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
	3. After considering the nature of the complaint or dispute, the Executive Committee may redirect the complaint or dispute to the Board of the Moree Services Club and as such, give the member/s in question 14 days written notice to make submissions to the Board of the Moree Services Club in connection with the complaint.
	4. If the Board of the Moree Services Club expels or suspends a member (whether the member’s actions were associated with Diggers Club or not), that member will also be deemed to have been expelled or suspended from Diggers Club.
	5. The Executive Committee will also review the membership of any minors who are registered under the expelled or suspended person as minors will need to be accompanied by a responsible adult.
	6. The member expelled or suspended cannot make a claim upon the Diggers Club and its property.

## Right of Appeal of Disciplined Member

* 1. As Diggers Club is underwritten by the Moree Services Club, the decision by the Board is final.

# Part 3 - The Executive Committee

## Powers of the Executive Committee

* 1. Subject to the constitution and to any resolution passed by the Diggers Club in general meeting, the Executive Committee:
		1. is to control and manage the affairs of the Diggers Club, and
		2. may exercise all such functions as may be exercised by the Diggers Club, other than those functions that are required by this constitution to be exercised by a general meeting of members of the Diggers Club, and
		3. has power to perform all such acts and do all such things as appear to the Executive Committee to be necessary or desirable for the proper management of the affairs of the Diggers Club.

## Composition and Membership of the Executive Committee

* 1. The Executive Committee is to consist of:
		1. The office-bearers of the Diggers Club:
			1. the president,
			2. the vice-president,
			3. the secretary/public officer
			4. the treasurer
		2. and
			1. the club captain,
			2. the head handicapper,
			3. and the life members.
	2. The Executive Committee may create sub-committee and/or ancillary positions as required.
	3. An Executive Committee member may hold up to two (2) offices (other than both the president and vice-president offices).
	4. Each member of the Executive Committee is, subject to this constitution, to hold office until the conclusion of the annual general meeting following the date of the member’s election, but is eligible for re-election.
	5. Any person who is not a member of the Executive Committee may attend and participate in Executive Committee meetings by invitation passed by resolution of the Executive Committee, but, as he or she is not a member of the Executive Committee, may not vote. Such a person may carry out any activities as directed by the Executive Committee.

## Election of Executive Committee Members

* 1. Nominations of candidates for elections for positions on the Executive Committee of the Diggers Club:
		1. must be made in writing by a Club member and seconded by a different Club member of the Diggers Club
		2. must have the written consent of the candidate, and
		3. must be delivered to the secretary of the Diggers Club at least seven (7) days before the date fixed for the holding of the annual general meeting at which the election is to take place.
	2. A person nominated as a candidate for the Executive Committee of the Diggers Club must be a Club member of the Diggers Club.
	3. If insufficient nominations are received to fill a vacancy on the Executive Committee, further nominations can be received at the annual general meeting.
	4. If insufficient further nominations are received, any vacant positions remaining on the Executive Committee are taken to be casual vacancies.
	5. If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
	6. If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
	7. The ballot for the election of Executive Committee members is to be conducted at the annual general meeting and vote conducted by ballot.

## Roles and Responsibilities

* 1. The roles and responsibilities of the Executive Committee are set out in the By-Laws of the Diggers Club.
	2. The roles and responsibilities of sub-committee and/or ancillary positions are set out in the By-Laws of the Diggers Club.

## Casual Vacancies

* 1. In the event of a casual vacancy occurring in the membership of the Executive Committee, the Executive Committee may appoint a Club member of the Diggers Club to fill the vacancy and the Club member is so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.
	2. A casual vacancy in the office of a member of the Executive Committee occurs if the member:
		1. dies, or
		2. ceases to be a member of the Diggers Club, or
		3. becomes an insolvent under administration within the meaning of the Corporations Act 2001 of the Commonwealth, or
		4. resigns office by notice in writing given to the secretary, or
		5. is removed from office under Clause Removal of Executive Committee Members, or
		6. becomes a mentally incapacitated person, or
		7. is absent without the consent from the Executive Committee for three (3) consecutive meetings of the Executive Committee and/or general meetings, but only after resolution to that effect by the Executive Committee, or
		8. is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than three (3) months, or
		9. is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the Corporations Act 2001 of the Commonwealth.

## Removal of Executive Committee Members

* 1. The Diggers Club in general meeting may by resolution remove any member of the Executive Committee from the office before the expiration of the member’s term of office.
	2. The Executive Committee member being removed shall not be permitted a vote on this resolution.
	3. The general meeting may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
	4. If a member of the Executive Committee to whom a proposed resolution referred to in this Clause 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 Diggers Club, the secretary or the president may send a copy of the representations to each member of the Diggers Club or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

## Executive Committee Meetings and Quorum

* 1. The Executive Committee must meet at least three (3) times in each period of 12 months at such place and time as the Executive Committee may determine.
	2. Additional meetings of the Executive Committee may be convened by the President or by any member of the Executive Committee.
	3. Oral or written notice of a meeting of the Executive Committee must be given by the secretary to each member of the Executive Committee at least 72 hours (or such other period as may be unanimously agreed on by the members of the Executive Committee) before the time appointed for the holding of the meeting.
	4. Notice of a meeting given under Clause General Meetings and Quorum must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the Executive Committee members present at the meeting unanimously agree to treat as urgent business.
	5. Executive Committee meetings may be conducted by conference call or other form of electronic communication.
	6. Four (4) or more members of the Executive Committee shall constitute a quorum for the transaction of the business of a meeting of the Executive Committee.
	7. No business is to be transacted by the Executive Committee unless a quorum is achieved and if, within half an hour of the time appointed for the meeting, a quorum is not achieved, the meeting is to stand adjourned to the same hour of the same day and in the same place in the following week.
	8. If at the adjourned meeting a quorum is not achieved within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
	9. At a meeting of the Executive Committee:
		1. the president or, in the president’s absence, the vice-president is to preside, or
		2. if the president and the vice-president are absent or unwilling to act, one of the remaining members of the Executive Committee as may be chosen by the members present at the meeting is to preside.

## Delegation by Executive Committee to Sub-Committee/Ancillary positions

* 1. The Executive Committee may, by instrument in writing, delegate to one or more sub-committees and/or ancillary positions (consisting of such member or members of the Diggers Club as the Executive Committee thinks fit) the exercise of such of the functions of the Executive Committee as are specified in the instrument, other than:
		1. this power of delegation, and
		2. a function which is a duty imposed on the Executive 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 Clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
	3. A delegation under this Clause 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 Clause, the Executive 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 Clause has the same force and effect as it would have if it had been done or suffered by the Executive Committee.
	6. The Executive Committee may, by instrument in writing, revoke wholly or in part any delegation under this Clause.
	7. A sub-committee may meet and adjourn as it thinks proper.
	8. Roles of sub-committee and/or ancillary positions are listed as by-laws of Diggers Club.

## Voting and Decisions

* 1. Questions arising at a meeting of the Executive Committee or of any sub-committee appointed by the Executive Committee are to be determined by a majority of the votes of members of the Executive Committee or sub-committee present at the meeting.
	2. Each member present at a meeting of the Executive Committee or of any sub-committee appointed by the Executive 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 quorum, the Executive Committee may act despite any vacancy on the Executive Committee.
	4. Any act or thing done or suffered, or purporting to have been done or suffered, by the Executive Committee or by a sub-committee appointed by the Executive Committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the Executive Committee or sub-committee.

#

# Part 4 – Annual General Meetings

## Annual General Meetings – Holding of

* 1. The Annual General Meeting of the Diggers Club will be held four (4) weeks prior to the annual Presentation of Trophies.

## Annual General Meetings – Calling of and Business at

* 1. The annual general meeting of the Diggers Club will be convened at the discretion of the Executive Committee with each Club member given no less than 14 days written notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
	2. An annual general meeting must be specified as such in the notice convening it.
	3. In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
		1. to confirm the minutes of the last preceding annual general meeting and any general meeting which has not had its minutes confirmed,
		2. to receive from the Executive Committee reports on the activities of the Diggers Club during the last preceding financial year,
		3. to receive and consider any financial information including (but not limited to):
			1. income and expenditure
			2. sponsorship and grants
			3. members subscriptions
			4. fees, charges and insurances
			5. capital expenses
		4. to elect an Executive Committee for Diggers Club as per this constitution
		5. to elect any ancillary positions as per the By-Laws of Diggers Club
		6. to nominate a minimum of three (3) signatories on Diggers Club bank accounts
			1. one of which is the Treasurer
			2. and the other two (2) that hold positions as members of the Executive Committee
			3. None of the signatories shall be related, members of the same household or in partnership with the other signatories (either de facto, marriage, association or business)
		7. to acknowledge life membership status and Register Of Life Members Clause Life Membership
		8. to acknowledge the Register Of Members Clause Register of Members to set the
		9. Fees and Subscriptions for the coming membership year as outlined in Clause Fees and Subscriptions

## Conducting written ballot

* 1. You must be a financial member of Diggers Club to vote at the AGM.
	2. Each adult Club member present at a meeting is entitled to one vote.
	3. Ballots conducted at the annual general meeting are to be determined by a majority of the votes of Club members
	4. Nominations are subject to conditions for Clause Election of Executive Committee Members
	5. Starting with the role of President, the Returning Officer will announce who the nominees are.
	6. Each member writes the name of their preferred candidate on a piece of paper and places it into the ballot box
	7. Once all votes are cast, the Returning Officer opens the ballot box and counts the votes.
	8. The Returning Officer announces the number of votes for each candidate and this is recorded in the minutes
	9. The process will continue until all positions are filled or until there are no further nominations.

# Part 5 – General Meetings

## General Meetings and Quorum

* 1. The Executive Committee must hold a general meeting at least six (6) times in each 12 month period at such place and time as the Executive Committee may determine.
	2. Additional general meetings may be convened by the President or by any member of the Executive Committee.
	3. Oral or written notice of a general meeting must be advertised to Club members at least seven (7) days (or more) before the time appointed for the holding of the general meeting and give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
	4. No business other than that specified in the notice convening a general meeting is to be transacted at the meeting, unless it is considered urgent.
	5. A member desiring to bring any business before a general meeting may give notice in writing to the secretary who must include that business in the next notice calling a general meeting.
	6. Four (4) or more members of the Executive Committee and five (5) or more Club members shall constitute a quorum for the transaction of the business of a meeting of a general meeting
	7. No business is to be transacted by the Diggers Club unless a quorum is achieved and if, within half an hour of the time appointed for the meeting, a quorum is not achieved, the meeting is to be dissolved.
	8. At a general meeting:
		1. the president or, in the president’s absence, the vice-president is to preside, or
		2. if the president and the vice-president are absent or unwilling to act, one of the remaining members of the Executive Committee as may be chosen by the members present at the meeting is to preside.

## Making of Decisions

* 1. A question/motion arising at a general meeting of the Diggers Club is to be determined by either:
		1. a show of hands, or
		2. if on the motion of the chairperson or if three (3) or more members present at the meeting decide that the question should be determined by written ballot
	2. If the question/motion is to be determined by a show of hands, 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 Diggers Club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
	3. If the question/motion is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

## Voting

* 1. On any question/motion arising at any meeting (Executive, general or annual) of the Diggers Club each member has one vote only.
	2. In the case of an equality of votes the chairperson of the meeting is entitled to exercise a second or casting vote.
	3. You must be a financial member of Diggers Club to be entitled to vote at any general or annual meeting.

## Proxy Votes

* 1. Proxy voting can be undertaken at or in respect of a general meeting or Executive Committee meeting.
	2. Proxy votes may be submitted electronically.

## Postal Ballots

* 1. The Diggers Club may hold a postal ballot to determine any issue or proposal (other than an appeal under Clause Right of Appeal of Disciplined Member)
	2. A postal ballot may be conducted by electronic means such as email.

# Part 5 – Miscellaneous

## Insurance

* 1. The Diggers Club may effect and maintain insurance.

## Funds – Source

* 1. The funds of the Diggers Club are to be derived from joining fees and annual subscriptions of members, donations, grants, fundraising ventures and, subject to any resolution passed by the Diggers Club in general meeting, such other sources as the Executive Committee determines.
	2. All money received by the Diggers Club must be deposited as soon as practicable and without deduction to the credit of the Diggers Club’s bank.
	3. The Diggers Club must, as soon as practicable after receiving any money, issue an appropriate receipt.

## Funds - Management

* 1. Subject to any resolution passed by the Diggers Club at a general meeting, the funds of the Diggers Club are to be used in pursuance of the objects for the Diggers Club in such manner as the Executive Committee determines.
	2. The Executive Committee will determine and resolve to make payment prior to any invoice, bill, despatch note, debt, goods and services, reimbursement being remunerated or paid.
	3. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by a minimum of two (2) signatories as per Clause Annual General Meetings – Calling of and Business at
	4. None of the signatories on the bank accounts of Diggers Club can be related, members of the same household or in partnership (either de facto, marriage, association or business) with another signatory on the same account.

## Change of Name, Objectives and Constitution

* 1. No part of the constitution of the Diggers Club shall be repealed or altered and no new additions shall be made save by at least three quarters or greater of the total number of votes in the Diggers Club being voted in favour of the resolution at a general meeting and fourteen (14) days notice of the intention to propose any such change shall be given to the secretary who shall give at least twenty one (21) days notice of a general meeting to consider the resolution to every member.

## Custody of Books

* 1. Except as otherwise provided by this constitution, 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 Diggers Club.

## Inspection of Books

* 1. The following documents must be open to inspection, free of charge, by Club member of the Diggers Club at any reasonable hour:
		1. records, books and other financial documents of the Diggers Club,
		2. this constitution,
		3. minutes of all meetings (Executive, general and annual) of the Diggers Club.
	2. A member of the Diggers Club may obtain a copy of any of the documents referred to above for a fee of not more than $1 for each page copied.

## Service of Notices

* 1. For the purpose of this constitution, a notice may be served on or given to a person:
		1. by delivering it to the person personally, or
		2. by sending it by pre-paid post to the address of the person, or
		3. by sending it by facsimile transmission, email or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
	2. For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:
		1. in the case of a notice given or served personally, on the date on which it is received by the addressee, and
		2. in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
		3. in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

## Financial Year

* 1. The financial year of the Diggers Club is:
		1. the period of time commencing on the date of incorporation of the Diggers Club and ending on the following 30 June, and
		2. each period of 12 months after the expiration of the previous financial year of the Diggers Club, commencing on 1 July and ending on the following 30 June.

## By-Laws

* 1. The Executive Committee may formulate, issue, adopt, interpret and amend the Diggers Club By-Laws for the proper advancement, management and administration of the Club, the advancement of the purposes of the Club and swimming in the local area. Such By-Laws must be consistent with the Constitution and any policy directives of the committee.
	2. All By-Laws are binding on the Club and all Members.
	3. All amendments, alterations, interpretations or other changes to the By-Laws shall be advised to Club members by means approved by the Executive Committee and prepared and issued by the Club.
	4. The Club shall take reasonable steps to distribute the information to Club members.

THIS CONCLUDES THE CONSITUTION