



CONSTITUTION

Revised: January 2013

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1. NAME OF ASSOCIATION

The name of the incorporated association is the Figure Skating Association of Tasmania Incorporated (FSAT)

2. DEFINITIONS AND INTERPRETATION:

In this Constitution, unless the contrary intention appears:

"Act" means the Associations Incorporation Act 1964 (a Tasmanian State Government document);

"Annual General Meeting" (AGM) is a once yearly meeting held to conduct business as per section 15 below.

"Association" means The Figure Skating Association of Tasmania Inc. (FSAT);

"Club" means a Figure Skating Club, which must be an Incorporated Body (as per the State Body), affiliated with the Association and formed for the promotion of Figure Skating in any or all disciplines;

"Committee" means any group of Officers or Members delegated with the responsibility by the Association Executive to carry out any specific task or tasks on a one off or on a continuing basis. Committee includes sub-committees and ad hoc Committees;

"Committee Meeting" means a meeting of the Committee occurring at least once in every two calendar months, to exercise its function to properly conduct the business and operation of the Association as per section 16

"Committee Member" means an elected member of the Committee who is not an Executive Officer of the Association;

"Delegate" means a Delegate appointed by a Club or group to represent that Affiliated Club or group at any meeting;

"Eligible Person or Club" means a Person or Club that is in good financial standing and that has no outstanding disciplinary issues with the Association

"Executive" or "Executive Committee" means the body of Executive Officers of the Association as described in accordance with Rule 21 of the Act;

"Fee" means monies payable to the Association;

"Figure Skating" means the disciplines of Singles Skating, Pair Skating, Ice Dance and Synchronised Skating as per the ISU definition Rule 300;

"Financial Year" means the year commencing on July 1 and ending on 30th June;

"General Meeting" means a General Meeting of members convened in accordance with Rule 12 of the Act;

"ISA" means Ice Skating Australia Incorporated;

"ISU" means International Skating Union;

"Member" means a fee-paying individual of organisation admitted to membership of the Association;

"Officer" means the a nominated representative of the management body of the Association;

"Policy, Procedures and Bylaws" means a course of action or set of rules and procedures determined for a specific purpose;

"Private Business" means Committee business that is not obliged to be divulged to the membership body at large. Matters which are Private Business may include, but are not limited to: i) proceedings for the discipline and/or expulsion of any member; ii) dealings with the capital funds of the Association; iii) proceedings with reference to eligibility or disqualification of a member; and iv) the making of, or alteration to, the By-Laws, Policies and/or Procedures of the Association.

"Public Officer" means the Public Officer of the Association as per the Act. This position is typically held by the Secretary;

"Regulations" means regulations under the Act;

"Secretary" means the Honorary Secretary of the Association;

"State Body" means the State Governing Body for Incorporated Associations as defined by the State Government of Tasmania's Department of Justice: Consumer Affairs and Fair Trading. The State Government's term, "Incorporated Associations", here embraces both the Figure Skating Association of Tasmania, Incorporated, and any Clubs, as per the above definitions.

"Treasurer" means the Honorary Treasurer of the Association;

"Relevant documents" means the same meaning as in the Act;

3. OBJECTS AND PURPOSES OF THE ASSOCIATION

- (1) The basic objects and purposes of the Association are:
 - i. To guide, further and promote ice skating (except speed skating and ice hockey) in all its branches;
 - ii. To establish, maintain and improve standards of figure skating within Tasmania;
 - iii. To conduct State Championships, tests of proficiency and competitions in figure skating;
 - iv. To provide and supervise uniform regulations for tests, competitions and championships; and
 - v. To promote and foster the objects of ISA to the end that there will be uniform regulations for figure skating throughout the Commonwealth of Australia.
- (2) In order to carry out its objects and purposes, the Association has the following powers:
 - i. The purchase, leasing or hiring of property necessary or convenient to any of the objects or purposes of the Association;
 - ii. The accepting of any gift for any one or more of the objects or purposes of the Association;
 - iii. The taking of any step the Committee considers appropriate for the purpose of procuring contributions to the funds of the Association, including but not limited to fundraising; and
 - iv. The doing of any lawful thing incidental or conducive to the attainment of the objects and purposes listed above.

4. MEMBERSHIP OF THE ASSOCIATION

- (1) Any Individual or Club may apply for membership of the Association. To have the Individual or Club application considered, the Individual or Club must comply with the following conditions.
 - i. Applications be made in writing on a prescribed membership application form to the Secretary, via email to the prescribed email address or via post to the prescribed postal address;
 - ii. Applications be accompanied by a prescribed annual membership fee to the Treasurer via direct deposit to the prescribed bank account or via cheque or money order to the prescribed postal address.
 - iii. In making an application, the applicant is deemed to have accepted the Constitution, By-Laws, Policies and/or Procedures of the Association.
- (2) The Committee must consider every application for membership within 30 days of the Committee meeting at which the application is submitted. If the application has not been dealt with within 90 days of receipt it shall be deemed to have been accepted.
- (3) Membership of the Association is available in the following forms:
 - i. Full members - being persons aged 18 years and above who are eligible members;

- ii. Junior members - being persons aged less than 18 years who are eligible members. Junior members must have relevant parent/s and guardian/s as members by proxy.
 - iii. Family members - being persons of an individual member's immediate family only. The membership will entitle the members of that family to be collectively afforded the same rights accorded to one member;
 - iv. Life Membership - being persons granted Life Membership status by a decision of the Committee for valuable service to the Association. Acceptance of a Life Membership is deemed to also be an acceptance of the Constitution and submission to the By-Laws, Policies and/or Procedures of the Association
 - v. Club - An organisation formed for the promotion of Figure Skating, whether as the sole object of such association or not, must apply for membership of the Association.
 - a. Each affiliated club shall be entitled to appoint amongst its own members one representative to serve on the Committee. The appointment of the club representative shall be made via email or in writing and forwarded to the Secretary of the Association prior to the representative assuming a position on the Committee.
 - vi. Volunteer Member - being a person who has for a specific reason volunteered their services for a period of time. The period of time is at the discretion of the Committee.
- (4) Membership, once granted, will continue until resignation, expulsion or expiry of annual membership period. .
- (5) Only full members, parents and/or guardians of junior members, life members and club representatives are eligible to vote in General Meetings.
- (6) A list of members of the Association is to be kept by the Secretary who will make it available for inspection, after written request, by any member of the Association to determine the membership status of any particular person or club.

5. EXPULSION OF MEMBERS

- (1) The Committee may remove from membership any person or club of the Association who acts in a manner contrary to the Association's Constitution, By-Laws and/or Policies and/or Procedures.
- (2) In the event of any dispute, the final decision will be at the discretion of the Executive Committee (with the exception of any Executive Committee member who is the subject of the proposed expulsion).
- (3) The person or club must be informed, in writing, of the allegation and given an opportunity to submit a written explanation seven (7) days prior to a Committee or General Meeting at which the member will have the opportunity to address the Committee in their defence.
- (4) If the Committee is satisfied that the allegation is proven and sufficient to warrant expulsion, they may request the person or club to resign.

- (5) If the person or club requested to resign does not do so within twenty one (21) days after such a request, the Committee may expel the member from the Association.
- (6) Proceedings of the Committee regarding the removal of any person or club is to be Private Business of the Committee, and the notice of meeting need not contain the name of member or members concerned.
- (7) If a member of the Committee fails to fulfil his or her commitments to the Association or fails to attend three (3) consecutive routine meetings without an acceptable reason, then the Committee may
 - i. Revoke that person's membership of the Committee; and/or
 - ii. Request that person's resignation from the Committee and/or Association.
- (8) The Secretary must confirm in writing or email to the member his or her resignation or expulsion within seven (7) days of the Committee's decision, as well as his or her right of appeal.
- (9) The resignation or expulsion of the member does not take effect until the expiration of the period in which the member is entitled to appeal the Committee's decision.

6. RIGHT OF APPEAL OF DISCIPLINED MEMBERS

- (1) A person or club may appeal the decision of the Committee under s.5 within seven (7) days from which they receive confirmation of the Committee's decision under s.5 by lodging with the Secretary a notice in writing or email. Such notice must state the grounds of the appeal.
- (2) The Committee must convene a General Meeting to hear the appeal within twenty -one (21) days from the receipt of the notice by the Secretary.
- (3) On the hearing of the appeal at the General Meeting;
 - i. No other business, other than the question of the appeal, is to be transacted;
 - ii. The member must be given the opportunity to make representations in writing, email and orally.
- (4) The Officers of the Association present at the meeting are to decide the matter by vote by secret ballot as to whether the decision of the Committee is to be upheld.
- (5) In the event of any dispute, the final decision will be at the discretion of the Executive Committee (with the exception of any Executive Committee member who is the subject of the proposed expulsion or disciplinary measure).
- (6) The decision of the General Meeting is final.

7. STRUCTURE OF THE ASSOCIATION

- (1) The structure of the Association comprises three levels;
 - i. The Members and Affiliated Clubs
 - ii. The Officers and Committee Members of the Association
 - iii. The Executive.
- (2) All Officers of the Association are also Members of the Association and are required to comply with the Constitution, By-Laws, Policies and/or Procedures, as well as the additional requirements as set out below.

8. ACCOUNTS OF RECEIPTS AND EXPENDITURES

- (1) The Association will keep true accounts of receipts and expenditure as required by the Tasmanian State Government's "Associations Incorporation Act 1964".
- (2) All books, documents and securities of the Association will be kept by the Treasurer.

9. BANKING AND FINANCE

- (1) The Association is to undertake banking and financial management as required by the Associations Incorporation Act 1964, and in compliance with the By-Laws of the Association.

10. AUDIT OF ACCOUNTS

- (1) The official conditions of auditing requirements and whether a professional audit should be undertaken are to be revisited in the last Meeting of each financial year.
- (2) The decision on whether a professional audit should be undertaken should be revisited on the election of a new Treasurer.
- (3) Treasurer reporting should be reviewed by the Executive Committee in May each year.
- (4) If a professional audit is not sought, the Treasurer shall prepare an Annual Financial Report in the form of an auditor's report, for submission at the Annual General Meeting.
- (5) The accounts of the Association are to be audited or an Annual Financial Report (as outlined above) prepared at least once in each financial year, no more than two (2) months after the end of the financial year.
- (6) In the event that an audit is a legal requirement
 - i. The auditor is to hold office until the Annual General Meeting after the one at which he or she is appointed, and is eligible for re-appointment.
 - ii. If no auditor is appointed at the Annual General Meeting, the Committee is to appoint an auditor for the current financial year of the Association.
 - iii. If a casual vacancy occurs in the office of auditor during the course of the financial year of the Association, the Committee may appoint a person as the auditor to hold office until the next Annual General Meeting.
 - iv. An auditor can only be removed from office during the course of the financial year of the Association by a special resolution.

11. OFFICERS OF THE ASSOCIATION

- (1) The Executive Officers of the Association are as follows
 - A President
 - A Vice President
 - A Secretary. The Secretary typically also holds the role of Public Officer as per s.12 below.
 - A Treasurer.
- (2) The Officers of the Association are appointed by the Committee as appropriate and from time to time roles and titles may change (noting that the maximum number of Officers is eight (8), as per s.13 below). Refer to By-Laws, Policies and/or Procedures.

- (3) All Officers must be at least eighteen (18) years of age.
- (4) All Officers are to fulfil the duties and responsibilities specified in the By-Laws, Policies and/or Procedures
- (5) Each Officer of the Association is to hold office until the next AGM after the date of election and is eligible for re-election.
- (6) Any Officer can be removed from office by a decision of the Committee.
- (7) Any Officer may resign by giving notice of at least one (1) month to the Secretary. If the Secretary wishes to resign, he or she must give the required notice to the President.
- (8) If a casual vacancy in any office referred to in sub rule (1) occurs, the Committee may appoint one of its members to the vacant office until the AGM following the date of the appointment.

12. THE PUBLIC OFFICER

- (1) As per the requirements of the Act, the Association is to appoint a Public Officer.
- (2) The role of Public Officer is typically held by the Secretary. Otherwise, the role may be allocated at the discretion of the Executive.
- (3) The Public Officer must be at least eighteen (18) years of age and resident in Tasmania.
- (4) The Public Officer is to give notice to the State Body in writing as per the body's prescribed form within fourteen (14) days of his or her appointment.
- (5) The Public Officer may resign by giving notice of at least one (1) month to the Secretary.
- (6) In the event of a casual vacancy in the position of Public Officer, the Committee may appoint one of its members to the vacant office until the AGM following the date of the appointment.

13. STRUCTURE AND ROLE OF THE COMMITTEE

- (1) The affairs of the Association are to be managed by The Committee.
- (2) The Committee
 - i. subject to this Constitution, may exercise all the powers and perform all functions of the Association; and
 - ii. has power to do anything that appears to the Committee to be essential for the proper management of the business and affairs of the Association.
- (3) The Committee consists of the following members elected at the AGM of the Association in each year:
 - i. The Executive Officers of the Association, and
 - ii. Up to eight (8) other Officers of the Association.
- (4) An ordinary Committee member is to hold office until the AGM next after the date of election and is eligible for re - election.

14. ELECTION OF THE COMMITTEE

- (1) The election of the Committee is to take place by secret ballot at each AGM.
- (2) All eligible persons or clubs are able to vote at this election.

- (3) Nominations for the above Officer positions must be received in writing by the Secretary at least seven (7) days before the date of the AGM. All nominations must be signed by the person nominated and by two additional eligible members.
- (4) The Secretary will provide written acknowledgement of nominations received as soon as practicable.
- (5) Persons nominated for the position of President must have previously held an Executive Officer position for a minimum of one year. In the event that no such person has been nominated, other nominees may be considered at the discretion of the Committee.
- (6) Persons nominated for the positions of Vice President, Secretary or Treasurer must have previously been an officer of the Committee for a minimum of one year. In the event that no such persons have been nominated, other nominees may be considered at the discretion of the Committee.
- (7) In the event of no nominations being received for a position then the person currently holding that position may be reappointed.

15. ANNUAL GENERAL MEETING

- (1) The Annual General Meeting (AGM) of the Association is to be held at least once in each financial year, no more than three (3) months after the end of the financial year.
- (2) The ordinary business of the AGM is to be as follows:
 - i. To confirm the minutes of the last preceding AGM and of any General Meeting held since that meeting;
 - ii. To receive reports of Association activities for the preceding financial year.
 - iii. To receive financial statements of the Association for the preceding financial year,
 - iv. To receive the auditor's report, if required as per s.10,
 - v. To elect the Officers of the Association;
 - vi. If required, to appoint the auditor and determine his or her remuneration; and
 - vii. To deal with such items of business of which written notice has been received by the Secretary no later than 30th June in each year.
- (3) No other business will be transacted at the AGM
- (4) Notice and agenda of the AGM must be given to all members of the Association by email or by posting said notice to the member's last known address on or before 30th July of that year. Where practical, the notice will also be posted on the club notice board of each ice skating rink in Tasmania.
- (5) All current members of the Association are able to attend the AGM and participate in discussion, however only full members, a parent or guardian of a junior member life members, and each club representative are able to vote.
- (6) All resolutions proposed at an AGM, other than those relating to constitutional changes, will be passed by a simple majority of votes received from eligible persons or club delegates, including votes received by proxy.

- (7) All constitutional changes must be passed by three-quarters of eligible persons or club delegates, including votes received by proxy, as per the Act.

16. COMMITTEE MEETINGS

- (1) The Committee will meet at least once in every two (2) calendar months and where practicable monthly to exercise its function to properly conduct the business and operations of the Association.
- (2) The quorum of a Committee meeting is three (3) members (at least two (2) members of the Executive must be present).
- (3) The Executive Officers may meet inter-sessionally as determined by the President.
- (4) Notice of every Committee meeting must be emailed or posted to members, and placed on Association notice boards of each ice skating rink in Tasmania, where practicable, at least seven (7) days before each meeting.
- (5) All matters arising at a Committee meeting, except Private Business, are to be decided by a simple majority of votes of those present. In the event of an equality of votes, the chairperson of the meeting (typically, the President) is to have a second or casting vote.
- (6) Matters arising that constitute Private Business will require a three quarters majority vote of all the Officers, including votes received by prox.

17. GENERAL MEETINGS

- (1) The Committee may convene a General Meeting of the Association at any time.
- (2) A General Meeting of the Committee can be called by the Secretary in the following circumstances:
 - i. On the request of the President; or
 - ii. On the request of the Committee, by email or in writing to the Secretary, that is signed by no less than three (3) members of the Committee; or
 - iii. On the request of any person/s or club, by email or in writing to the Secretary, that is signed by at least 10% of eligible members, as per the Act.
- (3) A request for General Meeting:
 - i. Is to state the objects of the meeting and the nature of the business that is intended to be transacted; and
 - ii. Is to be signed by the members requesting the meeting.
- (4) If the General Meeting is not convened within four (4) weeks of the request being received by the Secretary, the meeting may be convened by any of the members who made the request. Notice of a General Meeting must be given at least fourteen (14) days prior to the date set for a General Meeting, whereby the Secretary must:
 - i. Notify each member by emailing or posting the notice and an agenda and;
 - ii. If possible post a notice on the Association notice board in each ice rink in Tasmania.
- (5) Business is not to be carried out at a General Meeting unless a quorum of eligible members is present at the meeting when that business is being considered.

- i. The quorum for a *General Meeting* will be five (5) eligible persons or club delegates. If a quorum is not present thirty (30) minutes after the appointed time for the start of the *General Meeting*:
 - a. A new time is to be set for the meeting, as soon as practicable after the original date;
 - b. All members are to be notified of the place, date and time for the meeting and
 - c. The new meeting is to proceed regardless of whether a quorum of eligible members is present.

18. COMPETITIONS AND CHAMPIONSHIPS

- (1) All competitions and championships must be conducted in accordance with the By -Laws and the Policies and/or Procedures of the Association, as well as the rules and regulations of Ice Skating Australia Inc. (ISA) or the International Skating Union (ISU)

19. AMENDMENTS TO THE CONSTITUTION

- (1) Alterations, additions and amendments to the Constitution may be made, providing:
 - i. That these are put forward as an item of business at the *Annual General Meeting* or a *General Meeting*; and
 - ii. All constitutional changes must be passed by three-quarters of eligible persons or club delegates, including votes received by proxy, as per the Act.

20. LIABILITY

- (1) Members of the Association are not liable to contribute towards the payment of debts and liabilities of the Association or the costs, charges and expenses of the dissolution of the Association.

21. INDEMNITY

- (1) Every member of the Association is indemnified out of the assets of the Association for any liability arising out of the execution of duties of membership which:
 - i. Is incurred in defending any proceedings, whether civil or criminal,
 - ii. In which judgement is given in favour of the member,
 - iii. Or on which the member is acquitted;
 - iv. Or in connection with any application under the Act in which relief is granted to her by the Court in respect of any negligence, default, breach of duty or breach of trust.

22. DISSOLUTION

- (1) The Association may be dissolved by a special resolution of not less than three-quarters of the *General Membership* at a *General Meeting*.
- (2) At least twenty-eight (28) days notice, specifying the proposed resolution must be sent to the *General Membership*.

(3) Non receipt of the said notice will not invalidate any such resolution.