

Drug Free Powerlifting Association Australia Pty Ltd Constitution

(Adopted from VDFPA Inc February 2nd 2005)

Name

1. The name of the company shall be Drug Free Powerlifting Australia Pty Ltd, hereafter referred to as DFPA Pty Ltd.

Objects

2. The objects for which the Company is established are:-
 - (1) To organise and promote powerlifting as a sport and means of physical improvement;
 - (2) To encourage the ethics of true sportsmanship, and as testimony to this, to ban within the affiliated Associations the use of ergogenic drugs*, both in training and competition;
 - (3) To establish a uniform standard of lifting and recording;
 - (4) To authorise and supervise the making of all official lifts;
 - (5) To give lifters a status and rank in accordance with their officially ascertained abilities, thus protecting the genuine lifter against the exaggerated claims of those who do not care to be subjected to any official or authentic test;
 - (a) This Company adheres to the concept of both In and Out of competition testing, and also random drug testing and the membership authorises the Australian Sports Anti-Doping Authority, or any organisation which may subsequently replace them, to conduct random drug testing of all affiliated Association members at any time and at any place with no exclusions.
 - (b) Testing for the use of chemical and pharmaceutical substance by members of the affiliated Association or persons who take part in events organised, sanctioned or recognised by this Company shall be known as 'drug testing'. Such testing may take the form of but is not exclusively limited to, the sampling of any bodily fluid or tissue of any person selected as a subject for such testing.
 - (6) To obtain extensive recognition of the Company by the public and the media.
 - (7) To promote the concept of Drug Free Sport by recognising other organisations, both within Australia and internationally, which adhere to the same concept of Drug Free Sport as this Company.
 - (8) 'Drug' shall mean any chemical or pharmaceutical substance as set out in the banned substance list of the World Anti-Doping Agency (WADA) prohibited list as amended from time to time, and will also include other chemical and pharmaceutical substances which may from time to time be prescribed by ASADA, the Company, its National or International Affiliates
 - (9) To provide a conduit to World Drug Free Powerlifting Federation (WDFPF) and overview the affiliated Associations

POWERS

3. The powers of the Company are:-

- (1) To take over the funds and other assets and liabilities of any other Company, (if required).
- (2) To subscribe to, become a member of , and co-operate with any other Company, club, or organisation, whether incorporated or not, whose objects are altogether, or in part, similar to those of the Company provided that the Company shall not subscribe to or support with its funds, any club, organisation, or Company which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Company under or by virtue of rule 28(10).
- (3) In furtherance of the objects of the Company to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Company;
- (4) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purpose of, or capable of being conveniently used in connection with, any of the objects of the Company;
- (5) To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Company.
- (6) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Company.
- (7) To remunerate any person or body corporate for services rendered;
- (8) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Company's interests;
- (9) To invest and deal with the money of the Company not immediately required in such manner as may from time to time be thought fit;
- (10) To borrow or raise money either alone or jointly with any other person or legal entity, in order to further the aims of the Company, and to pay-off such loans;
- (11) To furtherance the objects of the Company, to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Company.
- (12) To take any gift of property for any one or more of the objects of the Company;
- (13) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Company, in the shape of donations, annual subscriptions or otherwise;
- (14) To print and publish any newspapers, periodicals, books or leaflets that the Company may think desirable for publication;
- (15) To make donations for patriotic, charitable, or community purposes;
- (16) To do all other such things as are incidental, conducive to the attainment of the objects and the exercise of the powers of the Company.

Classes of Membership of affiliated Associations

4.

(1) The membership of the organisation shall consist of ordinary members, and any of the following classes of members;

(a) Associate members – shall be categorised as non-competitive members, i.e. people prepared to referee, coach, officiate, or otherwise help in the staging of competitions, serve in an appointed position or an appointed committee, fund-raise, organise social functions or contribute in any other capacity to further the objects of the Company. Such members shall be unlimited;

(b) Life members – shall be such who by virtue of a combination of –

(i) Length of membership of the organisation

(ii) Length of activity in the sport, and/or

(iii) Outstanding achievements in, and contributions to the sport/Company

shall be deemed worthy of consideration for entry to the category. The annual subscription fee shall be waived for life members. Life members shall enjoy all the rights and privileges of ordinary members. Life members may be competitive but shall be required to pay all competitive fees and expenses incurred by ordinary members. Applications for life membership shall be taken and determined upon by the Management Committee from time to time. Membership shall be limited only by such standards, as the Committee shall choose to impose.

(c) Honorary Members – shall be such persons who, by virtue of their standing in the community, and their interest in the activities of the Company, are deemed to be eligible to avail themselves of the facilities of the Company. Such persons may include politicians, representatives of the Queen, members of the business community, visiting international lifters or officials, etc. It is understood that such persons are unable to perform the duties of an Associate member. Honorary members may not vote. There is no subscription fee, and eligibility for membership, and limitations on numbers of honorary members is determined from time to time by the Management Committee.

(2) The number of ordinary members shall be unlimited.

Application for Membership to affiliated Associations

5.

(1) Every applicant for any class of membership of the Company (other than the foundation members) shall be proposed by one member of the Company and seconded by another member. The application for membership shall be made in writing, signed by the applicant and his proposer and seconder, and shall be in such form as the Management Committee from time to time prescribes. This rule applies to new members only, but does not apply to Honorary members.

(a) It shall be the obligation of any person applying for membership of this Company to supply a passport size clear colour photograph of their full face to the registrar upon application. Further all members who joined this Company prior to the passing of this amendment must also supply such photo within a period of 3 calendar months from the date of this amendment being passed. Any expense incurred must be met by the individual applicant or member.

- (2) All members shall be bound by the Constitution and Rules on enrolment.
- (1) Prospective members shall be required to complete a form or forms of such format as the Management Committee shall from time to time determine, but which must include statutory declaration stating that the member -
 - (a) is not using ergogenic drugs, at time of application for membership
 - (b) shall not use during the time he/she remains a member of the Company, ergogenic drugs.
 - (2) No prospective member may join the Company if he is actively using ergogenic drugs in another sport or sporting Company.
 - (3) (a) Any person who incites, procures, aids, abets or comforts any other person in order that the other person will refuse, or fail to undergo, a drug test as set out in Rule 17, shall be liable, in the case of a first infraction, to an automatic lifetime suspension from membership, attendance at or participation in all sanctioned events and recognition in any manner by the Company.
 - (b) Any person who conspires with one or more other persons, whether or not such other persons are members of this Company, shall be automatically liable to a lifetime suspension from membership and any of the rights and benefits which accrue to members, and to attendance at, and participation in, all events sanctioned by this Company. Further, any person who so conspires and who is not then a member of the Company, by his actions automatically disbars himself or herself from future membership of this Company, and the rights and benefits which accrue to members.
 - (4) It shall be the duty of all members of this Company to familiarise themselves with the provisions of the Constitution and any amendments as they are made.
- (3) All members must notify the Secretary of any changes of address.
- (1) Clubs/branches shall be granted affiliation on condition that they have a minimum of 5 members.
 - (2) Affiliation shall be granted at a rate determined from time to time by the Committee.
 - (3) Affiliation fees shall be due and payable on the first day of January each year.
 - (4) A period not exceeding one calendar month shall be granted clubs/branches in which to renew their affiliation. Failing this, they may not participate in team competition until such time as the affiliation is renewed.
 - (5) A club/branch joining the Company after 31st October in any particular year shall have its affiliation fee counted as covering the whole of the next calendar year, with the proviso that if the club/branch wished to participate in club competition, in the remainder of the calendar year, it must pay in full for that calendar year.
 - (6) If a management committee of a club/branch wishes, they may pay the total membership and affiliation of their members in one lump sum.
 - (7) All members must be registered with the Company on enrolment. Club/branch secretaries shall report to the Company according to the Rules and By-Laws issued by that body, and at all times shall notify all changes of addresses of members. They shall also report to the Committee when any member of the club/branch commits any act, whatsoever, necessitating his/her resignation or termination of club/branch membership.

(8) Affiliated clubs/branches, whilst retaining full control of their own affairs shall, in matters concerning the Company, act within and be subject to the Rules and By-Laws of the Company and the specific decisions of the Committee.

(9) A club/branch member who wishes to transfer to another club/branch must first gain a clearance from his/her club/branch of origin, the format of the clearance to be determined by each club/branch. The club/branch secretary shall then notify the Company Secretary of the grant/rejection of the clearance, and the reasons entailed.

(4) Any member who wishes to join another weightlifting Company must first notify the Secretary, in writing, of his intent to do so.

Membership Fees of affiliated Associations

6.

(1) The membership fees for each class of membership shall be such sum as the members shall from time to time at any time at any general meeting so determine.

(2) The membership fees for each class of membership shall be payable on or before the first day of the second month of calendar year, i.e. on or before February 1.

(3) Membership fees shall be reviewed and determined from time to time by the Management Committee and shall commence from the date of this document.

(4) Notice of renewal of membership shall be published, and relevant forms included, in the final edition each year, of the Company's official newsletter or magazine and/or mailed to each member.

(5) Membership fees shall be due on the or before February 1 of the calendar year in which the member wishes to be enrolled.

(6)The Secretary shall issue a reminder notice to defaulting members at the end of January, and any member still in default at the end of March shall be considered to have his membership suspended.

(7)No member may compete in any competition if his annual subscription is in arrears.

(8)Life members and Honorary members shall not be required to pay a membership fee.

(9) Prospective members shall be required to complete a form or forms of such format as the Management Committee shall from time to time determine, but which must include statutory declaration stating that the member-

- a. is not using, at time of application for membership
- b. shall not use, during the time he/she remains a member of the Company, ergogenic drugs.

(10) No prospective member may join the Company if he/she is actively using ergogenic drugs in another sport or sporting Company.

Admission and Rejection of Members

7. (1) At the next meeting of the Management Committee after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the Management Committee, who shall thereupon determine upon the admission or rejection of the applicant.

(a) The Committee of the Company is entrusted with the authority to grant membership to any person who applies and agrees to adhere to the provisions of the Constitution and a fit and proper person. Membership is not a right and the Committee decision is final, provided that should the Committee grant membership and another member believes that the particular grant should not have been given, he may object by the calling of a Special General Meeting as set out in Article 9 of this Constitution where the vote of those in attendance shall be finally binding.

(2) Any applicant who receives a majority of the votes of the members of the Management Committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership being applied for.

(3) Upon the acceptance or rejection of an application from any class of membership the Secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.

(4) Any member whose conduct shall, upon inquiry, be deemed to be detrimental to the honour of the Company, or whose actions or public statements are such as to be calculated to bring discredit upon the Company or any of its members or their authorised activities, may be expelled from the Company by resolution of a two – thirds majority of a general meeting, in accordance with Rule 8 of the Constitution and Rules.

(5) Should such a majority deem it fitting, they may not proceed in expulsion but may impose such conditions as they consider necessary to ensure the good behaviour of the offending member in future. Any member expelled shall forfeit all claims to a refund or return of any money paid by him in way of subscriptions.

(6) The Committee may suspend a member should it deem such action to be warranted. The period of suspension shall be determined by the Management Committee, and the Secretary shall notify the member accordingly.

(a) The membership agrees to allow the Company to publish the particulars and names of members who have been suspended, including a summary of the reason for such suspension and the term of such suspension. The membership further agrees to allow such particulars to be communication to all other sporting bodies recognised by this Company. Further all members agree to waive any legal rights to suit in defamation arising out of such publication or communication, both against this Company and its Office Bearers.

(7) The penalty for a member striking another member during a competition, at a meeting, in front of the media, or at any other official function of the Company, shall be automatic and immediate suspension. The Committee shall then determine whether to proceed with termination of membership, in accordance with Rules 8 and 9 of the Constitution and Rules. Any suspension for such an offence shall be not less than six months, and not more than three years.

(8) Membership will under no circumstances be granted to any person who is currently under suspension for misconduct or use of chemical or pharmaceutical substances by any other Company recognised by this Company, during the term of such suspension.

Termination of Membership

8. (1) A member may resign from the Company at any time by giving notice in writing to the Secretary. Such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect from that later date.

(2) If a member:-

- i. Fails to comply with any of the provisions of these rules;
- ii. Or has membership fees in arrears for a period of two months or more
- iii. Or conducts himself in a manner considered to be injurious or prejudicial to the character or interests of the Company;

The Management Committee shall consider whether his membership shall be terminated, such decision to be put to a general meeting.

(3) The member concerned shall be given a full and fair opportunity to present his case and if the general meeting called resolves to terminate his membership it shall instruct the Secretary to advise the member in writing accordingly.

(4) (a) Any lifter who intentionally competes in any sporting event sanctioned by any person or body which does not adhere to the Drug Free concept or does not adopt all schedules of the World Anti-Doping Agency banned substance list or is not recognised by this Company, shall be liable to suspension of membership of this Company and all rights and benefits which accrue to such membership. In the case of a first infraction such suspension shall be for 3 years starting from the calendar date of the infraction. In the case of any subsequent infraction such suspension shall be for life starting from the date of the infraction.

(b) Any member who participates in any sporting event, knowing that a fellow participant is the subject of a suspension or equivalent sanction imposed either by the Company or another governing body recognised by this Company, shall be deemed to be 'tainted' and shall be liable to suspension of membership and all rights and benefits which accrue to such membership. In the case of a first infraction, such suspension shall be for 3 calendar years from the date of the infraction. In the case of any subsequent infraction, such suspension shall be for life starting from the date of the infraction.

(c) Where a member is found to have contravened any provision of this Constitution and as a result has been suspended, any records, grades, prizes, placings, grants, or other advantages which the member has accrued in the period between the contravention and the imposition of the resulting suspension shall be automatically forfeited to the Company for disposition as the Committee sees fit.

(d) Where any member is in receipt of any form of grant, award, or financial or other assistance arising out of membership of this Company, arranged by this Company, or connected directly or indirectly with membership of this Company and becomes subject to any suspension imposed either by this Company or any other governing body recognised by this Company, the member shall be immediately stripped of all such awards, grants, or assistance and shall be liable to repay any financial or equivalent advantage arising in full. Any member who refuses or fails to comply with this obligation shall not be considered for renewal of membership at the conclusion of any suspension until such obligations are completely discharged.

APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

9. (1) A person whose application for membership has been rejected or whose membership has been terminated may within one month of receiving written notification thereof, lodge an appeal against the decision of the general meeting.
- (2) Upon receipt of a notification to appeal against a rejection or termination of membership the Secretary shall convene, within three months of the date of receipt by him such notice, a general meeting to determine the appeal. At any such meeting the applicant shall have the opportunity to fully present his case and the management committee or those members who sought to reject the application for membership or sought to terminate the membership subsequently shall likewise be given the opportunity to present their case. The appeal shall be determined by the vote of the members present at such meeting.
- (3) Where a person whose application is rejected, does not appeal against the decision of the general meeting within the time period prescribed by these rules or so appeals but the appeal is unsuccessful, the Secretary shall forthwith refund the amount of any fee paid. (On a pro-rata basis).

REGISTER OF MEMBERS

10. (1) The Management committee shall cause a Register of members to be kept by the affiliated Associations in which shall be entered the names and residential addresses of all persons admitted to membership of the Company and the dates of their admission, also a Register of all coaches and referees, and a Register of all affiliated clubs/branches.
- (2) Particulars shall also be entered into the Register of deaths, resignations, terminations and reinstatement of membership and any further particulars as the Management Committee or the members at any general meeting may require from time to time.
- (3) The Register shall be open for inspection at all reasonable times by any member who previously applies to the Secretary for such inspection.

MEMBERSHIP OF MANAGEMENT COMMITTEE

11. (1) The Management Committee of the of the Company shall consist of a PRESIDENT, SECRETARY, VICE-PRESIDENT and TREASURER, all of whom shall be members of the Company, and such number of other members as the members as the members of the Company at any general meeting may from time to time appoint.
- (2) At the Annual General Meeting of the Company, all members of the Management Committee for the time being shall retire from office, but shall be eligible upon nomination for re-election for a further one year term.
- (3) The election of office bearers and other members of the Management Committee shall take place in the following manner:
- (a) Any two members of the Company shall be at liberty to nominate any other member to serve as an officer or other member of the Management Committee.
 - (b) The nomination, which shall be in writing and signed by the member and his proposer and seconder, shall be lodged with the Secretary at least fourteen days before the annual general meeting at which the election is to take place.
 - (c) A list of the candidate's names in alphabetical order, with the proposer's and seconder's name, shall be posted in a conspicuous place in the office

or usual place of meeting of the Company for at least seven days immediately preceding the annual general meeting. In the absence of such an office or headquarters, the Secretary shall ensure said list is posted so as to be in the members' hands at least five days before the meeting.

- (d) Balloting lists shall prepared (if necessary) containing the candidates in alphabetical order, and each member present at the annual general meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies.
- (e) Should, at the commencement of such meeting, there be insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.

(4) In addition to the four major positions on the Management Committee, namely President, Vice-President, Secretary and Treasurer, other positions may be filled from election to election. These positions may include Vice-Presidents (Masters, Womens, Juniors, in that order of seniority) and Minute Secretary. The positions of Record Keeper, Circular Editor, Publicity Officer, Referee Co-ordinator, and coaching co-ordinator may also be filled from election to election.

(5) All referees of National category or higher shall be part of a Referee Panel, which shall sit from time to time, and it's findings and recommendations shall be made available to the Management Committee.

(6) All coaches of level 2 category or higher shall be part of a coaching panel, which shall sit from time to time, and it's findings and recommendations shall be made available to the Management Committee.

RESIGNATIONS FROM MANAGEMENT COMMITTEE

12. Any member of the Management Committee may resign from membership of the management committee at any time giving notice in writing to the Secretary but such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date or such member may be removed from office at a general meeting of the Company where that member shall be given the opportunity to fully present his case. The question of removal shall be determined by the vote of the members present at such general meeting.

VACANCIES ON MANAGEMENT COMMITTEE

13. (1) The Management Committee shall have the power at any time to appoint any member of the Company to fill any vacancy on the Management Committee until the next annual general meeting. Should the vacancy occur during the twelve months following the annual election the duties of the vacant position may be taken on by a current member of the Management Committee until the following annual general meeting, at which time it will be thrown open to election for a further one year term.

(2) Any member of the Management Committee who is absent from 3 consecutive meetings of the committee without leave of absence from the committee shall forfeit his seat and the committee shall be empowered to appoint another member in his place.

(3) No member may hold more than one of these positions, (other than assume the duties following a casual vacancy) for more than twelve months, ie. until the annual general meeting. A member holding more than one position is entitled to one vote only at all meetings of the Company.

(5) The continuing members of the Management Committee may act notwithstanding any casual vacancy in the Management Committee, but if and so long as this number is reduced below the number fixed by or pursuant to these Rules as the necessary quorum of the Management Committee the continuing members or members may act for the purpose of increasing the number of members of the Management Committee to that number or of summoning a general meeting of the Company, but for no other purpose.

FUNCTIONS OF THE MANAGEMENT COMMITTEE

14.(1) Except as otherwise provided by these rules and subject to the resolution of the members of the Company carried at any general meeting the Management Committee

- (a) shall have the general control and management of the administration and affairs, property and funds of the Company; and
- (b) Shall have authority to interpret the meaning of these Rules and any matter relating to the Company on which these rules are silent.

(2)The Management Committee may exercise all powers of the Company

- (a) to borrow or raise funds or secure the payment of money in such manner as the members of the Company may think fit and secure the same or the payment or performance of any debt, liability, contract guarantee or other engagement incurred or to be entered into by the Company in any way and in particular by the issue of debentures, perpetual or otherwise charged upon all or any of the Company's property, both present and future, and to purchase, redeem or pay off any securities;
- (b) To borrow money from members at a rate of interest not exceeding interest being charged by the Commonwealth Bank for overdrawn accounts on money lent, whether the term of the loan be short or long, and to mortgage or charge to property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Company, and to provide and pay off such securities; and
- (c) To invest in such manner as the members from time-to-time determine.

MEETINGS OF THE MANAGEMENT COMMITTEE

15. (1) The Management Committee shall meet at least once every two calendar months to exercise its functions.
- (2) A special meeting of the Management Committee shall be convened by the Secretary on the requisition in writing signed by not less than one third of the members of the Management Committee, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat.
- (3) At every meeting of the Management Committee a simple majority of a number equal to the numbers elected and/or appointed to the Management Committee as at the close of the last general meeting of members, shall constitute a quorum.
- (4) Subject as previously provided in this Rule, the Management Committee may meet together and regulate its proceedings as it sees fit. Provided that questions arising at any meeting of the Management Committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be deemed to be decided in the negative.

(5) A member of the Management Committee shall not vote in respect to any contract or proposed contract with the Company in which he is interested, or any matter arising thereout, and if he does so his vote shall not be counted.

(6) Not less than 14 days notice shall be given by the Secretary to members of the Management Committee. Such notice shall clearly state the nature of the business to be conducted thereat.

(7) The President shall preside as Chairman at every meeting of the Management Committee, or if there is no President, or if at any meeting he is not present within ten minutes after the time appointed for holding the meeting, the Vice-President shall be Chairman or if the Vice-President is not present at the meeting then the members may choose one of their number to be Chairman of the meeting.

(8) If within half an hour from the time appointed for the commencement of a Management Committee meeting a quorum is not present, the meeting, if convened upon requisition of members of the Management Committee, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed from the meeting, the meeting shall lapse.

(9) Questions arising at the meeting of the Committee or any sub-committee shall be determined by a show of hands or if demanded by a member by a poll taken in such a manner as the person presiding may determine.

(10) Any notice of motion shall be in the hands of the Secretary by 7 days prior to the meeting date.

DELEGATIONS OF AUTHORITY

16. (1) The Management Committee may delegate any of its powers to a sub-committee consisting of such members of the Company as the Management Committee thinks fit. Any sub-committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the Management Committee.

(2) A sub-committee may elect a Chairman of its meeting. If no such Chairman is elected, or if at any meeting the Chairman is not present within ten minutes of the time appointed for holding the meeting, the members present may choose one of their number to be Chairman of the meeting.

(3) A sub-committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present and, in the case of an equality of votes, the question shall be deemed to be decided in the negative.

(a) The President directs the debate and keeps order at the meetings, according to the rules and traditions of Parliamentary debate.

(b) The Secretary shall prepare and supervise all papers of meetings, Correspondence and other documents, and shall carry out the instructions and directions of the Committee in a proper manner.

(c) He/She shall be the official medium of communication between members of the Company and shall be under the immediate direction of the President in all matters of emergency that may arise between the meetings of the Committee.

(d) The Secretary or a member nominated by a Committee shall be the only members empowered to communicate DFPA Pty Ltd Office Bearers or other State Office Bearers concerning Company matters.

(e) In the event of a Minutes Secretary being on the Management Committee at any particular time then Rule 23(10) of the Constitution and Rules shall be taken to mean that the Secretary shall ensure that the Minute Secretary shall take accurate minutes.

- (f) The Secretary/Minute Secretary shall ensure that the minutes of all meetings shall be distributed to members. This may be done by printing them as part of the official newsletter, and thus circulating them to all members, or by distributing a copy to each club/branch.
- (g) The minutes, if printed as part of the official newsletter, shall be printed in full before any editorial or summary is printed.

ACTS

17. All acts done by any meeting of the Management Committee or of a sub-committee or by any person acting as a member of the Management Committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Management Committee or persons acting for the aforesaid, or that the members of the Management Committee or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the Management Committee.

RESOLUTIONS

18. A resolution in writing signed by all the members of the Management Committee for the time being entitled to receive notice of a meeting of the Management Committee shall be valid and effectual as if it were passed at a meeting of the Management Committee duly convened and held. Any resolution may consist of several documents in like form, each signed by one or more of the Management Committee.

ANNUAL GENERAL MEETING

19. (1) The annual general meeting shall be held within 3 months of the close of the financial year.
- (2) The business to be transacted at every annual general meeting shall be –
- (a) The receiving of the Management Committee's report and the statement Of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the Company for the preceding financial year:
 - (b) The receiving of the auditors report upon the books and accounts for the preceding financial year:
 - (c) The appointment of an auditor:
 - (d) The election of members of the Management Committee:
 - (e) Confirmation of minutes of previous Annual General Meeting.
- (3) All members are entitled to admission to general meetings and may vote in debates.
- (4) At Management Committee meetings, all members of the committee may attend, plus one delegate from each club / branch plus life members. Club / branch delegates and life members may participate in any debate, but may not vote.
- (5) Selection criteria for delegates is the prerogatives of individual club / braches, but whenever a new delegate is appointed he/she should present the Secretary with a letter of accreditation from the club / branch secretary.
- (6) At all general meetings, postal votes may be accepted from institutionalised members, ie. members who are in prison or hospital. Such vote shall be in a form approved by the committee. Votes from hospital shall be accompanied by a letter of verification from the hospital superintendent. Members who are ill and at home should endeavour to procure a proxy vote.
- (7) The annual general meeting of the Company may be held in conjunction with the State Championships each year.
- (8) An exception to Rules 15(2) and 15(6) of the Constitution and Rules shall be that the President or Secretary may convene immediately a Committee meeting at the conclusion

of any State Championship specifically to select a representative team. Such a meeting may have no other items of business.

SPECIAL GENERAL MEETINGS

20. The Secretary shall convene a special general meeting –
- (a) When directed by the Management Committee: or
 - (b) On the requisition in writing signed by not less than one-third of members presently on the Management Committee or not less than the number of ordinary members of the Company which equals double the number of members presently on the Management Committee plus one. Such requisition shall clearly state the nature of the business to be transacted thereat; or
 - (c) On being given notice in writing of an intention to appeal against the decision of the Management Committee to reject an application for membership or to terminate the membership of any person.

CONSTITUTING A QUORUM

21. (1) At any general meeting the number of members required to constitute a quorum shall be double the numbers on the Management Committee plus one.
- (2) No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business. For the purpose of this rule “member” includes a person attending as a proxy or as a representing a corporation, which is a member.
- (3) If within half an hour from the time appointed for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee or Company, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee shall determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the members present shall be a quorum.
- (4) The Chairman may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting) adjourn the meeting from time-to-time and from place-to-place, but no business at any adjourned meeting other than business left unfinished at the meeting at which the adjournment took place. When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.
22. (1) The Secretary shall convene all general meetings of the Company by giving not less than 14 days notice of any such meeting to the members of the Company:
- (2) The manner by which such notice shall be given shall be determined by the Management Committee. Provided that notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of his membership by the Management Committee, shall be given in writing. Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.
- (3) Any notice of a motion shall be in the hands of the Secretary by 7 days prior to the meeting date.
23. Unless otherwise provided by these Rules, at every general meeting -
- (1) The President shall preside as Chairman, or if there is no President, or if he is not present within 15 minutes after the time appointed for holding the meeting or is unwilling to act, the Vice-President shall be the Chairman or if the Vice-President is

not present or is unwilling to act the members present shall elect one of there number to be the Chairman of the meeting:

- (2) The Chairman shall maintain order and conduct the meeting in a proper and orderly manner.
- (3) Every question, matter or resolution shall be decided by a majority of votes of the members present;
- (4) Every member present shall be entitled to one vote or in the case of equal votes the Chairman shall have a second or casting vote. Provided that no member shall be entitled to vote at any general meeting if his subscription is more than one month in arrears at the time of the meeting.
- (5) Voting shall be by a show of hands or a division of the members, unless one fifth of the members present demand a ballot, in which event there shall be a secret ballot. The Chairman shall appoint two members to conduct the secret ballot in such manner as he shall determine and the result of the ballot as declared by the Chairman shall be deemed to be the resolution of the of the meeting at which the ballot was demanded;
- (6) A member may vote in person or by proxy or by attorney and on a show of hands every person present who is a member or representative of a member shall have one vote and in a secret ballot every member present in person or by proxy or by attorney or other duly authorised representative shall have one vote;
- (7) The instrument appointing a proxy vote shall be in writing, in the common or usual form under the hand of the appointer or his attorney duly authorised in writing or, if the appointer is a corporation, either under seal or under the hand of an officer or attorney duly authorised. A proxy may but not need be a member of the Company. The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret ballot;
- (8) Where it is desired to afford members an opportunity for or against a resolution the instrument appointing a proxy shall be in the following form or a form as near thereat as circumstances permit;

DRUG FREE POWERLIFTING AUSTRALIA PTY LTD.

I -----of-----being a member of the abovenamed Company, hereby appoint -----of-----or failing him -----of----- as my proxy vote for me on my behalf at the (annual) general meeting of the Company, to be held on the -----day of -----20--, and any adjournment thereof.

Signed this -----day-----20—

Signature -----

*In favour

This form to be used *against the resolution-----

- Strike out whichever is not desired. Unless otherwise instructed the proxy may vote as he thinks fit.

- (9) The instrument appointing a proxy shall be deposited with the Secretary prior to the commencement of any meeting or adjourned meeting at which the person named in the instrument proposes to vote; and
- (10) The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Management Committee meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such

minutes, the minutes of every Management Committee meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding Management Committee meeting verifying their accuracy. Similarly, the minutes of every general meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding general meeting or annual general meeting.

PERMITS AND PUBLICITY

24. (1) Any member of the Company desirous of taking part in any display, competition, etc. not under affiliated Associations. or DFPA Pty Ltd. Jurisdiction shall first apply to the committee for permission.
- (2) Any member who is able to procure publicity for himself/herself, his/her club/branch, or the Company in general is to be encouraged, with the proviso that both proposed details beforehand, and results after the event (particularly newspaper clippings or photocopies) be provided or notified to the Publicity Officer, or in the absence of said officer, to the Secretary, for inclusion in the Annual Report.

ALTERATION TO RULES AND STATEMENT OF PURPOSE

25. Subject to the provision of the Companies Incorporations Act 1981, after 21 days notice of the meeting consent by three fourths majority of the meeting, these rules and statement of purposes may be amended, rescinded or added to from time to time by a special resolution carried at any general meeting.

COMMON SEAL

26. The Management Committee shall provide for a Common Seal and for its safe custody. The Common Seal shall only be used by the authority of the Management Committee and every instrument to which the seal is affixed shall be signed by a member of the Management Committee and shall be counter signed by the Secretary or by a second member of the Management Committee or a person appointed by the Management Committee for that purpose.

FUNDS AND ACCOUNTS

27. (1) The funds of the Company shall be banked in the name of the Company in such Bank, Building Society, or other financial institution as the Management Committee from time to time direct.
- (2) Proper books and accounts shall be kept and maintained either in writing or printed form in the English language showing correctly the financial affairs of the Company and the particulars usually shown in books of that nature.
- (3) All monies shall be banked as soon as practicable after receipt thereof.
- (4) All monies of twenty dollars or over shall be paid by cheque signed by any two of the President, Secretary, Treasurer and any other member authorised from time to time by the Management Committee.
- (5) Cheques shall be crossed 'Not Negotiable' except those in payment of wages, allowances or petty cash recoupment which may be open.
- (6) The Management Committee shall determine the amount of petty cash which shall be kept on the imprest system.
- (7) All expenditure shall be approved or ratified at a Management Committee meeting.
- (8) As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement containing particulars of –
- (a) The income and expenditure for the financial year just ended;

(b) The assets and liabilities and of all mortgages, charges and securities affecting the property of the Company at the close of that year.

(9) All such statements shall be examined by the auditor who shall present his report upon such audit to the Secretary prior to the holding of the annual general meeting next following the financial year in respect of which such audit was made.