

ACT RACE & FITNESS WALKING CLUB INCORPORATED

This Constitution was last updated on the 13 December 2025.

1. **Name**

1.1 The name of the Club shall be the ACT Race & Fitness Walking Club Incorporated, hereinafter referred to as the 'Club'.

1.2 All correspondence issued or executed by or on behalf of the Club shall bear the name of ACT Race & Fitness Walking Club Inc. in legible characters.

2. **Office of the Club**

2.1 The office of the Club shall be at such place as the Club may determine from time to time.

3. **Objective of the Club**

3.1 The objective of the Club is to promote the sport of race walking and encourage walking as a means of maintaining health and fitness in the ACT region.

4. **Powers of the Club**

4.1 The powers of the Club are:

4.1.1 To conduct walking events, including competitions held under the auspices of the Australian Capital Territory Athletics Association Incorporated, hereinafter referred to as A.C.T.A; the Australian Federation of Race Walking Clubs, hereinafter referred to as A.F.R.W.C. and Australian Capital Territory Masters Athletics Club Incorporated, hereinafter referred to A.C.T.M.A.C.

4.1.2 To organise coaching and education for registered members.

- 4.1.3 To appoint officials to act as representatives of the Club in any competitions organised under the auspices of the A.C.T.A, A.F.R.W.C. and A.C.T.V.A.C.
- 4.1.4 To take whatever steps are considered necessary in order to ensure that the interests and rights of all registered members, regardless of race, gender, ability or background, are in no way hindered or jeopardised.
- 4.1.5 To appoint persons, both paid and unpaid, to fulfil specific functions that the Club has deemed as necessary for the carrying out of this Constitution or for any matters connected therewith.
- 4.1.6 To impose and collect fees, dues, levies and other charges as determined by the Committee.
- 4.1.7 To buy, sell and supply goods of all kinds provided that it is not for the purpose of trading or securing pecuniary profit for the Club's members.
- 4.1.8 To refuse registration to any person.
- 4.1.9 To cancel registration for any person without necessarily reimbursing fees.
- 4.1.10 To suspend, disqualify and/or otherwise discipline, in accordance with Section 19 of this Constitution, any member who:
- 4.1.10.1 has committed any breach of this Constitution or laws; or
- 4.1.10.2 has committed any breach of the rules or directions of the Club.
- 4.1.10.3 has acted in a manner prejudicial to the interests of the Club.

5. **Membership**

5.1 Membership of the Club shall consist of the following:

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|-----------------------|------------------|
| (a) Competing Members | (b) Officials |
| (c) Associate Members | (d) Life Members |
| (e) Honorary Members | |

5.1.1 For voting rights only, the competing member must be 18 years of age or older at the time of the vote. Where the competing member is under 18 years of age at the time of the vote, a parent or legal guardian will be eligible to vote on their behalf. i.e. 1 parent/guardian vote per underage member.

5.1.2 Officials shall comprise

(a) Those persons who officiate in any capacity whatsoever at Club competition or skill based activities and /or other authorised activities organised for or on behalf of the Club

(b) Officers, including persons serving on the committee, officials and delegates, not being persons covered by (a). Officials shall not be entitled to compete but shall have full voting rights.

5.1.3 Associate members shall comprise those persons who wish to support the Club and are not covered by the other membership categories. Associate members will not be entitled to competing or voting rights.

5.1.4 Life Members shall be elected only by secret ballot at an Annual General Meeting, on two-thirds recommendation of the Committee. Life members shall be entitled to full competing and voting rights.

5.1.5 Honorary members shall comprise the Patron(s), visitors and others as deemed by the Committee. Honorary members shall have competing rights but shall not have voting rights.

5.2 An application by a person for membership of the Club

- (a) shall be made in writing in the form determined by the committee;
- (b) shall be lodged with the secretary, or the secretary's agent; and
- (c) shall be accompanied by the subscription fee for the financial year.

5.3 Life and Honorary members shall not be required to pay the annual subscription fee.

6. **Subscription Fees**

6.1 Subscriptions are due and payable on the first (1) October each year.

6.2 Subscription fees shall be determined by the Committee. Hardship cases shall discuss the matter with the Secretary and suitable arrangements for payment may be granted over the twelve month period of the season.

6.2.1 The Committee may determine different subscription rates based on age.

6.3 The subscription of person joining the club after the thirty first (31) March in any year shall be deemed to commence on the first (1) July in that year.

6.4 Any member who does not pay their subscription and other money due to the Club within two (2) months after they become due, shall, if the Committee so decides, be suspended until the amounts are paid.

7. **Management**

7.1 The management of the Club shall be vested in a Committee of not less than five (5) members, who shall be elected by a simple majority at the Annual General Meeting of the Club. All members of the Committee must belong to a category of membership that entitles them to full voting rights.

7.2 The committee shall consist of a President, Vice President, Secretary, Treasurer, Race Secretary and up to five additional members, each of whom shall be elected at the Annual General Meeting after nominations have been called for.

7.3 The committee may allocate other positions amongst its members as it considers necessary.

7.4 Each member of the committee shall, subject to these rules, hold office until the conclusion of the Annual General Meeting following the date of the member's election, but is eligible for re-election.

8. **Powers of the Committee**

8.1 The Committee shall have the power to take any action necessary for the conduct of the Club's affairs between the period of Annual Meetings, including the making of rules, provided that such action is not contrary to this constitution.

8.2 The Committee shall have the power to make such payments from the funds of the Club as are from time to time considered

necessary to the good management of the Club for the furthering of its objectives.

8.3 The Committee shall determine the investment of the Club's moneys in such a manner as is deemed appropriate.

8.4 The Committee shall in accordance with the *Associations Incorporations Act 1991 (ACT)*, appoint a public officer who shall undertake such duties as are required by the laws of the Australian Capital Territory. If that office at any time becomes vacant, the Committee shall appoint within 14 days, a person resident in the Australian Capital Territory to fill that vacancy.

8.5 The Committee shall determine the filling of casual vacancies on the Committee as notified in accordance with Section 12 of this Constitution.

9. **Annual General Meeting**

9.1 The Annual General Meeting shall be held once in each calendar year, within the period of five (5) months, beginning at the end of the Club's most recently ended financial year and shall be open to any person interested in furthering the objectives of the Club

9.2 The secretary shall, at least 21 days before the date fixed for the holding of the Annual General Meeting, cause to be sent by email to each member at the member's address appearing in the register of members a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting. Where the nature of business proposed requires a special resolution of the Club, the notice shall specify the intention to propose the resolution as a special resolution.

9.3 In addition to any other business which may be transacted at the Annual General Meeting, the business of the meeting shall be –

- (a) to confirm minutes of the last preceding Annual General Meeting;
- (b) to receive Committee reports on the activities of the association during the last preceding financial year;
- (c) to elect a Club Patron or Patrons and members to the Committee, including office bearers; and
- (d) to receive and consider the Annual Report and Financial statements.

9.4 A member desiring to bring any matters of general business before an Annual General Meeting shall do so in writing and be received by the Secretary at least (7) days prior to the meeting.

9.5 Fifty percent (50%) of members with voting rights must be present at the meeting to constitute a quorum.

9.6 Voting, except for Life Members shall be by a show of hands unless a ballot is deemed by one third (1/3) of those present and entitled to vote.

9.7 Voting for Life members shall be by ballot.

9.8 If within one half hour (1/2 hr) of the time appointed for the meeting, a quorum is not present, the meeting shall be adjourned for a period as decided by a majority of those present.

9.8.1 Notice of the adjourned meeting shall be given as provided in Rule 9.2.

9.8.2 If at any adjourned meeting, a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the present (being not less than 5) shall constitute a quorum.

10

Nomination and Election of Office bearers

10.1 Nominations of candidates for election as office bearers or as ordinary committee members

(a) shall be made in writing and accompanied by written consent of the candidate; and

(b) delivered to the secretary not less than seven (7) days before the date fixed for the Annual General Meeting at which the election is to take place.

10.1.1 In the absence of written nomination for the position, a verbal nomination with the consent of the nominee, provided they are present, may be accepted during the meeting.

10.2 The ballot for election of office bearers and ordinary committee members, where required, shall be conducted at the Annual General Meeting in such manner as the committee may direct.

11

Committee Meetings

11.1 The Committee shall meet at least once within a two (2) calendar month period at a date, time and place to be decided and advised by the secretary, unless agreed by the Committee that such a meeting is not required and shall be a valid meeting if attended by not less than four (4) of the elected members.

11.2 All Committee members in attendance will each have a vote.

11.3 The President or his/her nominated representative shall have an ordinary and casting vote if necessary at all meetings.

12

Casual Vacancies

12.1 Any member of the Committee may submit their resignation in writing to a Club meeting.

12.2 If any member of the Committee is absent from 2 consecutive meetings of the Club without the expressed permission of the Committee, the position may be declared vacant.

12.3 Vacant positions on the Committee shall be filled until the next Annual general meeting by persons appointed by the Committee.

13 **Special General Meetings**

13.1 A Special General Meeting shall be called at any time upon request in writing by twenty-five percent of members of the club with voting entitlements or when the Committee decides that such a meeting is necessary. Such meetings shall be held within one month of receiving such a request and not less than 21 days notice shall be sent to all members with voting rights.

13.2 If within half an hour of the time appointed for the commencement of the meeting, a quorum is not present; the meeting shall be abandoned.

14. **Quorum**

14.1 Fifty percent (50%) of members with voting entitlements shall constitute a quorum at any Annual or Special General Meeting. Four members shall constitute a quorum of the Committee.

15 **Appointment of proxies**

15.1 Each member shall be entitled to appoint another member as proxy by notice given to the Secretary prior to the start of the meeting for which the proxy is appointed.

Amendments to the Constitution

16.1 Amendments to this Constitution shall be in writing and proposed and seconded by members with voting entitlements and shall be forwarded to the Secretary at least 28 days prior to the Annual General Meeting or Special General Meeting called for that purpose.

16.2 For the purpose of amending the Constitution, it will be necessary for not less than three-quarters of those members with voting entitlements present at the Annual General Meeting or Special General Meeting called for the purpose, to agree to any such proposed amendment.

17. Finance

17.1 The financial year of the Club will end on the **thirtieth (30) September** each year.

17.2 The Club shall derive income from activities and grants approved by the Committee.

17.3 All monies received by the Club shall be deposited to the credit of the Club with a banking institution, or other financial institution in the Australian Capital Territory approved by the Committee.

17.4 All payments made for the Club shall be electronic transfer with the exception being payments processed by the Treasurer's petty cash.

17.5 All purchases over \$300 must be approved by the Committee in advance, and noted in the minutes of a Committee meeting. A summary of accounts and expenditure since they were last presented will be presented to and the Committee on a

quarterly basis.

17.6 At each Annual General Meeting, a Reviewer shall be appointed in accordance with the Associations Incorporation Act 1991 (ACT) to review all accounts of the Club, including special and trust accounts and report on such to the next Annual meeting.

17.6.1 In the case of an appointed Reviewer being unavailable for the entire year or that it is necessary to replace an appointed Reviewer, the Committee shall have the power to appoint a replacement Reviewer for the period up until the next Annual General Meeting.

17.7 The income and property of the Club whence so ever derived, shall be applied solely towards the promotion of the objectives of the Club and no portion thereof shall be transferred directly or indirectly by the way of dividend, bonus or otherwise howsoever by way of profit to the members of the Club. Nothing herein shall prevent the payment in good faith of remuneration to any officer or servant of the Club in return for any services actually rendered to the club, or reasonable and proper rent for premises let by any member of the Club.

18 **Annual Financial Return**

18.1 The reviewed annual financial return shall be presented at the Annual General meeting by the Treasurer and shall be debated and received or otherwise by a simple majority of those adults present.

18.2 The Committee shall ensure that copies of the Reviewed Annual General Report and Balance Sheet are available for perusal by members immediately before and during the Annual general Meeting.

19 **Members' Liability**

19.1 No registered member or committee member shall be liable for any claim whatsoever, monetary or otherwise in the event claims by persons whether they be members or non-members.

19.2 Where a debt has incurred through the illegal action of a member or members, or without authority of the Committee, that member or members will be liable for the debt.

20. **Disciplining of Members**

20.1 Any member may be expelled or suspended from membership at the discretion of the Committee, provided that such a member shall have the right of appeal to a General Meeting. Voting on this issue shall be by secret ballot both in the Committee and in the General Meeting.

21. **Dissolution of the Club**

21.1 The Club may be wound up voluntarily whenever a resolution is passed requiring the club to be wound up or dissolved at a Special General Meeting of the Club called for this purpose.

21.2 If upon winding up or dissolution of the Club after the satisfaction of all its debts and liabilities any moneys or property whatsoever remaining shall not be paid or distributed among registered members but may be offered to a club, association or organisation with objects similar to those of the Club. This course of action will be determined by the members of the Club with voting entitlements at a meeting held prior to, or at the same time, as the motion of dissolution or winding up.

22 **Common Seal**

22.1 The seal of the Club, hereinafter known as “the Seal”, shall be in the form of a

rubber stamp inscribed with name ACTRFWC encircling the word “seal”.

22.2 The Seal of the Club shall not be affixed to any instrument except by the authority of the Committee and the affixing thereof shall be attested by the signatures either of two members of the Committee or of one member of the Committee and of the Public Officer of the Club or such other person as the Annual general Meeting may appoint for that purpose and that attestation is sufficient for all purposes and that the Seal was affixed by authority of the Committee.

22.3 The Seal shall remain in the custody of the secretary.

22.4 The Secretary shall maintain a register of the use of the Seal recording date and purpose for which it was used and the authority by which it was used.

23. Interpretation

23.1 Any doubt arising as to the application or meaning of any clause shall be decided by the Committee whose decision will remain until altered by a majority vote of a General Meeting, whose decision shall then be final and conclusive.

24. Responsibilities of Office Bearers.

24.1 President

24.1.1 The President shall chair all meetings of the Club Committee and General Meetings of the Club. In the event of the President being absent from a meeting, the President shall nominate another member to perform the duties of Chairman for that meeting.

24.2 **Secretary**

24.2.1 The secretary shall:

- (a) Maintain the business records of the Club.
- (b) Make provision for the custody of any books, documents or securities of the Club.
- (c) Provide for the inspection by members of any books or documents of the Club.
- (d) Act as minute Secretary at each Club Meeting and maintain a true and proper record of each meeting.
- (e) Receive, triage and respond to correspondence sent to the Club. Any correspondence requiring the Committee's consideration can be presented at a Committee Meeting and the outcome noted in the meeting minutes.
- (f) Be responsible for forwarding correspondence on behalf of the Club and maintain a file of all such correspondence.
- (g) Notify Committee members of the date of Committee meetings.
- (h) Give notice of the Annual general Meeting and any other General Meeting of the Club by the best possible means that will ensure that all interested parties are given notice of such meetings.
- (i) Maintain a register of members.

24.3 **Treasurer**

24.3.1 The Treasurer shall:

- (a) Keep a detailed record of all receipts and payments transacted for the Club by the Committee. The record shall be in the form of a ledger

book or similar system and shall comply with the requirements of the *Associations Incorporations Act (1991) ACT*.

(b) Pay on invoice only, all accounts approved for payment by the Committee,

(c) Maintain or delegate an imprest petty cash float as determined by the Committee.

(d) Arrange for any 2 of 3 members of the Committee, one of whom must be the Treasurer, others to be determined by the Committee, to act as co-signees of all payments issued on the Club Bank account ensuring that 2 or more members of the same family cannot act as signees.

(e) Deposit fees and monies due to the Club in the approved Club Bank account or other financial institution as approved by the Committee within seven days of receipt.

(f) Present to the reviewer appointed by the Committee a summary of receipts and expenditure and a balance sheet together with supporting documents for auditing purposes.

(g) Present for approval the reviewed Summary of receipts and expenditure and Balance Sheet to the Committee meeting prior to the Annual general Meeting in order that it may be included in the Annual Report.

24.4 **Race Secretary**

24.4.1 The Race Secretary shall be responsible for the conduct of the Club's competition program.

25. **Public Officer**

25.1 The Public Officer shall –

25.1.1 Within fourteen (14) days after appointment, give notice in writing to the registrar-General of their appointment, and of their full name and address.

25.1.2 Within fourteen (14) days of changing address give notice in writing to the Registrar-general of the change.

25.1.3 Within one (1) month after the amendment of this constitution, give notice of the amendment in writing to the Registrar-General, and

25.1.4 Within six (6) months from the end of the financial year, the audited report. referred to in Rule 16 of this constitution, file a copy of that report with the Registrar-General.

26. **Club Uniform**

26.1 The Committee will approve a Club uniform to be worn by all competing members in all official competitions at which the club will be represented. The uniform will predominantly be in the colours of blue and gold.