

CONSTITUTION OF THE MELBOURNE UNIVERSITY SPORTS ASSOCIATION

Preamble

WHEREAS:

- A The Melbourne University Sports Union ("**the Sports Union**") was founded in 1904 by the affiliation or association of five sports clubs at the University of Melbourne.
- B The Constitution of the Sports Union was amended extensively and was replaced on 30 April 1985 at a General Meeting of the Sports Union Council.
- C At a General Meeting held on [21 March 1995] the Sports Union, all previous constitutions are revoked and the following constitution is adopted as from the date of approval by the University Council, 3 April 1995.
- D Any rights to Life or Honorary Membership conferred or subsisting under the previous constitution unless a contrary intention appears, continue to subsist under this new constitution.
- E The office bearers of the Sports Union elected under the old constitution continue in office until 31 December 1995.
- F The Clubs affiliated to the Sports Union continue to be affiliated until otherwise determined pursuant to the new constitution.

NAME AND COMPOSITION

- 1 The Melbourne University Sports Association ("**the Sports Association**") consists of the Clubs affiliated to the Sports Association and the Members.

DEFINITIONS

- 2 The following words and expressions have the following meanings unless contrary to the context:-
- "**Club**" means a Clubs affiliated to the Sports Association;
- "**Club Member**" means a member of a Club;
- "**Council**" means the Council of the Sports Association;
- "**Council Member**" means a person elected, appointed or nominated to the Council;
- "**SPRC**" means the Sport and Physical Recreation Committee of the University;
- "**Director**" means the person for the time being holding the office of Director of Sport & Physical Recreation of the University;
- "**Executive**" means the executive committee appointed by the Council under **clause 11**;
- "**Honorary Life Member**" means a person referred to in **clause 6**;
- "**Individual User**" means a person deemed eligible by the SPRC to use the sporting and physical recreation services of the University but who is not a Club member;
- "**Junior Member**" means a person referred to in **clause 5(c)**;
- "**Life Member**" means a person referred to in **clause 6**;
- "**Sports Association**" means the Melbourne University Sports Association;
- "**Sports Centre**" means the headquarters of Sport and Physical Recreation within the University campus;
- "**Sports Fee**" means the annual fee payable by an annual subscriber who is not an enrolled student as determined by SPRC from time to time;
- "**University**" means the University of Melbourne.

OBJECTS

- 3 The objects of the Sports Association are:

- (a) in co-operation with the SPRC to ensure that the University is represented in sport honourably and at the highest level of achievement, and to uphold and advance the University's distinguished record of performance in the Australian University Championships;
- (b) to represent the interests of the Clubs and Club members to the University;
- (c) to assist and encourage the provision of sporting and physical recreation opportunities of a high standard and wide range for all Clubs of the Sports Association;
- (d) recognising the fundamental role of Clubs in the achievement of the preceding purposes, to foster and support Clubs;
- (e) to represent the interests of those enrolled students who seek physical recreation not associated with formal Club activity;
- (f) to represent the interests of those deemed eligible by the University Council to have access to the sporting facilities upon payment of an annual subscription to the Sports Centre, as per Clause 5 of this Constitution.
- (g) to help promote within the University an awareness of the importance of sport and physical recreation to physical and psychological well-being;
- (h) to promote an understanding of the scope of the University's role in the enhancement of sporting excellence and research into the function of sport and physical recreation;
- (i) to help foster and encourage the development of new, innovative sporting and physical recreation activities within the University;
- (j) to provide a forum for discussion of sporting and physical recreation issues;
- (k) to advise and assist the University in providing facilities and resources desirable for the attainment of the objects of the Sports Association; and
- (l) to make recommendations to the University concerning other matters affecting the sporting and physical recreation interests of the University as may be deemed appropriate by the Council;

THE CLUBS

- 4.1 The Clubs affiliated to the Sports Association are set out in Schedule 1, as amended from time to time.
- 4.2 Clubs may be affiliated with the Sports Association provided that they fulfil the eligibility criteria in Schedule 2, as amended by Council from time to time.
- 4.3 Where a Club fails to satisfy one or more of these criteria, the Council, may by a special resolution, disaffiliate that Club.

MEMBERSHIP OF CLUBS AND ACCESS TO FACILITIES

- 5 Eligibility for membership of the Sports Association Clubs and access to Sports Centre facilities is limited to:

- (a) enrolled students of the University;
- (b) those persons in the following categories who have paid the Sports Fee (Annual subscription) for that category:
 - (i) graduates of the University or any other university with which the University has reciprocal rights;
 - (ii) members of staff on the payroll of the University;
 - (iii) members and staff of the University's affiliated residential colleges and halls of residence;
 - (iv) persons not on the payroll of the University but who are employed on the University site by an organisation which has a permanent office on the site of the University;
 - (v) any former member under **clause 5(a)** for a period not exceeding four years from the date on which that member ceased to be eligible under that clause; and
 - (vi) enrolled students of the Lincoln Institute while they are undertaking studies at the University;.
- (c) where competition in a league or association requires a Club to be involved in the training of juniors, those juniors are Junior Members of the Sports Association on the payment of the Sports Fee; and
- (d) Life Members and Honorary Life Members.

LIFE MEMBERSHIP AND HONORARY LIFE MEMBERSHIP OF THE SPORTS CENTRE

- 6.1 Any graduate of the University may become a Life Member of the Sports Centre upon payment of the Sports Fee which is payable upon application to be a Life Member.
- 6.2 The Sports Association may elect a person to be an Honorary Life Member of the Centre as recognition of that person's outstanding services to the Sports Association.
- 6.3 An Honorary Life Member is entitled to the privileges of a Life Member of the Centre but does not pay the Sports Fee.
- 6.4
 - (a) Following the nominations made by two Clubs in writing to the Council, the election of an Honorary Life Member of the Centre is by a special resolution of the Council at the next Annual General Meeting of the Council.
 - (b) To be eligible for such nomination an Honorary Life Member must be a Member of a Sports Association Club for at least 6 years.
- 6.5 A Life Member or Honorary Life Member at the date of the adoption of this constitution, continues to be a Life Member or Honorary Life Member as the case may be.

SPORTS CENTRE ACCESS ENTITLEMENT

- 7.1 Those described in Clause 5 above (other than Junior Members) are entitled to use all sporting facilities and equipment provided by the University and controlled by SPRC subject to the payment of any charges imposed by SPRC for such use and upon the terms and conditions specified by the University, the SPRC and the Council or any delegate of those bodies.

- 7.2 A Club member is subject to the constitution, rules and regulations of that Club and must pay any fees or charges required by that Club from time to time.
- 7.3 Junior members of a Club may subject to directions by the Director and the payment of any applicable charges, use the sporting facilities and equipment as are available to that Club for the purposes of training and competition for that Club.
- 7.4 Enrolled students remain eligible to use the facilities controlled by the Sports Centre until the end of the semester which follows their successful completion of studies and cessation as an enrolled student.

SPORTS FEE (ANNUAL SUBSCRIPTION)

- 8 An application for access to the Sports Centre must be accompanied by the Sports Fee.

OFFICE BEARERS AND THE COUNCIL

- 9.1 The Patron of the Sports Association is elected by the Council.
- 9.2 The office bearers of the Sports Association are:
- (a) President;
 - (b) Four Vice-Presidents, including a nominee of the Vice Chancellor of the University; the President of the Academic Board or delegate; and two enrolled students;
 - (c) Honorary Secretary;
 - (d) Honorary Treasurer,
- and at least one of whom must be a woman and one must be a man, and they are elected at a meeting of the Council held in the second semester in the manner described in Clause 12.
- 9.3 The Council consists of:
- (a) the Office Bearers;
 - (b) the Patron;
 - (c) the Director by virtue of the office;
 - (d) one representative from each Club;
 - (e) one member from the Melbourne University Student Union; and
 - (f) one member from the University of Melbourne Postgraduate Association;
- 9.4 Each representative of a Club, the Melbourne University Student Union and the University of Melbourne Postgraduate Association are appointed by that Club, the Melbourne University Student Union and the Graduate Association respectively and a casual vacancy of a position must be filled by the appointing body for that position.
- 9.5 The Director does not have a vote at any meeting of Council or a Committee of Council.

MEETINGS AND POWERS OF COUNCIL

- 10.1 The Council must meet at least 4 times a year provided that the first meeting is within the first five teaching weeks of the first semester and at least two meetings are held in each semester.
- 10.2 The Honorary Secretary must cause a notice of a meeting of the Council to be prepared and published at least 7 days before the date of the proposed meeting.
- 10.3 Any five members of Council may, in writing, request that the Honorary Secretary call a meeting of the Council which meeting must be held within 10 days receipt of that request. The Honorary Secretary must cause a notice of this meeting to be prepared and published stating the purpose of the meeting.

- 10.4 The quorum for a Council meeting is 15 and where a meeting has less than 15 Council members present, the meeting must be postponed for one week and the Honorary Secretary must prepare and publish a notice to all Council Members advising of such postponement and giving details of the new date, time and venue.
- 10.5 The Council has the power to:
- (a) make and amend policy decisions as required under this Constitution which have the same force and effect as this Constitution save for any inconsistency in which case the Constitution prevails;
 - (b) constitute committees including the Executive with such powers and duties as the Council decides from time to time; and
 - (c) do all such things as may be exercised or done by the Sports Association except those matters specified in the Constitution or in any University statute, that must be done by the Sports Association at an Annual General Meeting.
- 10.6 Enrolled students of the University are entitled to attend meetings of Council as observers provided they have given the Director not less than 48 hours notice of their intention to attend.

THE EXECUTIVE

- 11.1 The Executive consists of:
- (a) the President;
 - (b) Honorary Secretary;
 - (c) Honorary Treasurer;
 - (d) the Director; and
 - (e) three other Council Members,
- of whom:
- (i) at least two must be enrolled students;
 - (ii) at least one must be a woman and one must be a man;
- 11.2 The elected members of the Executive are elected in accordance with **clause 12**.
- 11.3 The Executive determines its own procedures and has the powers conferred on it by this Constitution and the Council.

12 ELECTIONS

- 12.1 Elections must be conducted in the following manner:
- (a) the Executive must appoint a returning officer who is a member of the Executive to conduct the election ("**the Returning Officer**");
 - (b) three weeks before the meeting, the Returning Officer must prepare and publish notices seeking nominations;
 - (c) nominations will not be accepted after 5pm on the Friday before the meeting; and
 - (d) the conduct of the election must be in accordance with the rules adopted by Council from time to time, known as the rules for the conduct of elections.
- 12.2 Where a person elected by the Council, fails to satisfy any eligibility criteria specified by this Constitution or the Council at any time during the holding of a position, that person is not entitled to hold that position and a casual vacancy exists.

- 12.3 Where a casual vacancy exists for an elected position, the Executive must call for an election to be held for that position in accordance with **clause 12.1**.

GENERAL MEETINGS

- 13.1 For the purposes of **clause 13 "General Meeting"** means the Annual General Meeting of the Council or a special general meeting of the Council.
- 13.2 An Annual General Meeting must be held in the teaching period of first semester for the purpose of receiving the Council's Annual Report and balance sheet.
- 13.3 A special general meeting may be called by:
(a) the Council; or
(b) 15 member Clubs where a written request for the special general meeting is made to the Executive and Executive must decide on the place and time for such a meeting which must be held within 20 days receipt of the request.
- 13.4 The Honorary Secretary must cause a notice of a General Meeting to be prepared and published at least 7 days before the date of the proposed meeting and in the case of a special general meeting, a statement of purpose of the meeting.
- 13.5 The quorum for a General Meeting is 30 and where a meeting has less than 30 members of Council present, the meeting must be postponed for one week and the Honorary Secretary must prepare and publish a notice to all members of Council advising of such postponement and the subsequent date of the proposed meeting.
- 13.6 All resolutions passed at a General Meeting are binding on all Member Clubs.

VOTING AT MEETINGS

- 14.1 The President chairs each meeting and in the absence of the President, a Council Member nominated by the Council.
- 14.2 Except for voting at elections the chairperson has a casting vote and all resolutions at a meeting must be passed by at least half the Members of Council present at that meeting, except as otherwise provided for by this Constitution.
- 14.3 Voting is by a show of hands except where 15 Members of Council require a ballot in which case the ballot must be conducted in accordance with the rules set by the Council from time to time.
- 14.4 Where a special resolution is required by this Constitution, the resolution must be passed by 3/4 of the Members present and voting at that meeting.

AMENDING THIS CONSTITUTION

- 15.1 The Council may amend the Constitution by a special resolution at any meeting of the Council held during the teaching period provided that the Honorary Secretary has caused a notice to be prepared and published at least 10 days prior to the meeting stating the proposed amendments.
- 15.2 Any amendment to this Constitution will be effective on the date of approval by the University Council.

FINANCE

- 16.1 The Council has control of all money of the Sports Association and all money received by the Sports Association must be paid into an account at a bank or financial institution specified by the Council from time to time.
- 16.2 The Council has the power to expend, borrow and invest money in such manner and on such terms as the Council determines from time to time.

- 16.3 Any two office bearers of the Council, or an office bearer and the Director, are authorised to sign cheques and any other documents on behalf of the Council.
- 16.4 No liability for any purpose may be incurred by any Club unless moneys sufficient to cover such liability have been voted by the SPRC or are held by the Club for the particular purpose.
- 16.5 The financial year for the Sports Association commences on 1 January of each year.
- 16.6 The Council must appoint an auditor to audit the accounts of the Sports Association which must be presented at the annual general meeting each year.
- 16.7 The University auditor may have access to all financial statements and accounts of the Sports Association for the purpose of the University or any University statute.
- 16.8 Each Club must comply with the reporting requirements as specified by the Council from time to time.

SPORTS ASSOCIATION COLOURS

- 17 Member Clubs of the Sports Association must wear the colours of the Sports Association which are Black (80/2/2) and Royal (163A) when competing.

BLUES AND DISTINGUISHED SERVICE AWARDS

- 18.1 The Council may award Blues annually to Members for distinguished sporting achievement while representing the University at Australian University Championships and otherwise as determined by the Council.
- 18.2 The Council may award Distinguished Service Awards annually to Members for outstanding services to Clubs or to the Sports Association.
- 18.3 The Council determines the procedures and criteria for the award of Blues and Distinguished Service Awards.

AUSTRALIAN UNIVERSITY CHAMPIONSHIPS

- 19 All Australian University Championships must be played in accordance with the rules of the Australian Universities Sports Federation, and eligibility for such Championships is confined to enrolled students