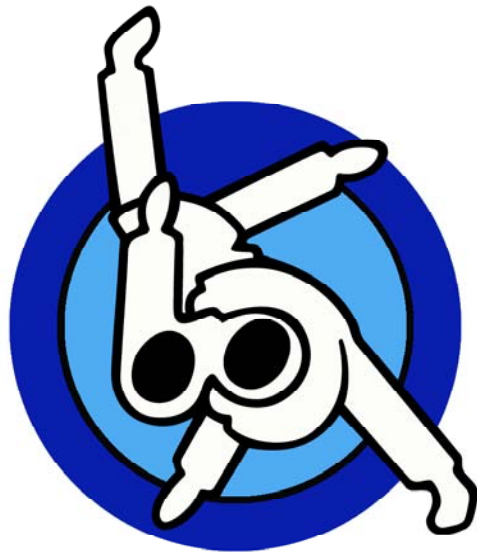


J.F.A. N.S.W. Inc.
Constitution
2006



**JUDO FEDERATION OF AUSTRALIA (NSW) INC.
CONSTITUTION**

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JUDO FEDERATION OF AUSTRALIA (NSW) INC CONSTITUTION

1. NAME

This association shall be known as the JUDO FEDERATION OF AUSTRALIA (NSW) Inc.

2. OBJECTS

1. The object of the Judo Federation of Australia (NSW) Inc. shall be;
2. To control the practice of Judo in NSW.
3. To provide standards for the practice of Judo.
4. To develop the standard of Judo.
5. To promote the sport of Judo.

3. POWERS

The powers of the Judo Federation of Australia (NSW) Inc. shall be those powers as defined in this constitution of incorporation.

4. DEFINITIONS

- “the act” means the Associations Incorporations Act, 1984.
“the Regulations” means the Associations Incorporations Regulations, 1985.
“B.O.M. means the Board of Management as defined in clause 7.
“J.F.A.N.S.W.” means the Judo Federation of Australia (NSW) Inc.
“Judo” is the sport defined and controlled by the International Judo Federation.
“B.B.R.” means the Black Belt Register of N.S.W.

5. MEMBERSHIP

5.1 All Financial members (other than associate members) of the JFA NSW, are defined for the purposes of the Act, to be Corporate members.

5.2 Qualifications for voting corporate members

- (a) Applications for Voting Corporate Membership must be persons over the age of 18 years who have been nominated by a club affiliated with the JFA NSW Inc.
- (b) Only one voting corporate member may be nominated by each club.

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- (c) Applicants must supply the JFA NSW Inc. with details of the nominating club and any other information necessary for consideration of the application.
- (d) The BOM may grant voting Corporate membership to applicants who satisfy the requirements of this clause.

5.3 Loss of Corporate membership

- (a) A Corporate member shall lose membership if:
 - i. The nominating club ceases to exist
 - ii. The nominating club loses affiliation
 - iii. The Corporate Member personally brings discredit to the JFA NSW Inc. or the sport of Judo.
 - iv. The Corporate Member knowingly and without adequate reason fails to follow a direction of the JFA NSW Inc.
 - v. The Corporate Member is of unsound mind.
 - vi. The Corporate Member is convicted of a criminal offence.
 - vii. The nominating club withdraws the nomination.

5.4 Affiliation of Clubs.

- (a) A club is defined as an association of Judo players formed for the purpose of providing facilities, equipment, coaching, administration and other activities necessary to carry on the practice of Judo which is clearly distinct from any other club.
- (b) The Board of Management may grant affiliation to a club which satisfied (a) above and pays the prescribed fee.
- (c) An Affiliated Club agreed that:
 - (i) All its members will be registered with the JFA NSW Inc.
 - (ii) It will adhere to all relevant rules and directions of the JFA NSW Inc.
 - (iii) It will implement all technical standards and policies of the JFA NSW Inc.
- (d) Loss of affiliation – an affiliated club may lose affiliation if it:
 - (i) Fails to pay the prescribed fee by 30th June in the year that it falls due.
 - (ii) Fails to comply with (c) above.
 - (iii) Brings discredit to the JFA NSW Inc. or the sport of Judo
 - (iv) Fails to obtain, 7 members registered with the JFA NSW Inc. by the end of December.

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(e) Charges against an affiliated club may be lodged with the JFA NSW Inc. Board of Management by any Corporate Member or a member of the Board of Management. Such charges shall be dealt with under the procedures of Clause 10.

5.5 Affiliated Club Branch

(a) A Club Branch is a club which is a dependency of an Affiliated Club with regard to its coaching, training or administration.

(b) The name of the Club Branch shall be that of the parent club with the branch name in parenthesis.

(c) Except as provided above, a Club Branch shall be governed by Clauses 5.4 (b), (c), (d) & (e).

5.6 Club Member

(a) A Club Member is a member of an Affiliated Club or Club Branch.

(i) A Senior Club Member shall be 16 years old or older.

(ii) A Junior Club Member shall be younger than 16 years.

(b) Club Members who register with the JFA NSW Inc. may participate in JFA NSW Inc. activities and be awarded grades recognised by the JFA NSW Inc.

5.7 Associates

(a) Associates may be Judo players who wish to participate in JFA NSW Inc. activities.

(b) Any person may apply to the JFA NSW Inc. for registration as an Associate and may be accepted by the Board of Management on payment of the prescribed fee.

(c) In applying for registration as an Associate, the person agrees to;

(i) Adhere to the rules, by laws and directions of the JFA NSW Inc.

(d) The JFA NSW Inc. may prevent any Club Member or Associate from participation in its activities or withhold any benefits of registration if the Club Member or Associate:

(i) ceases to be financial with the JFA NSW Inc.

(ii) knowingly brings the JFA NSW Inc. or the sport of Judo into disrepute.

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(e) Charges against **any Member** or Associate Corporate Member or member of the Board of Management and shall be dealt with according to the procedures of Clause **10**.

5.8 Common Interest Group.

(a) Common Interest Groups (CIG) are associations of Affiliated Clubs with interests in common which extend beyond the practice of the sport of Judo.

(b) A CIG may be affiliated with the JFA NSW Inc following application to the Board of Management on payment of the prescribed fee.

(c) In applying for affiliation a CIG agrees that;

- (i) **All its members will** be affiliated with the JFA NSW Inc.
- (ii) It will adhere to all **rules, by laws** and directions of the JFA NSW Inc.
- (iii) Any member **club which** loses affiliation with the JFA NSW Inc. will cease to enjoy rights and privileges of membership of the CIG.

5.9 Eligibility for participation at Annual or Special Congress

Eligibility for participation at Annual or Special Congress be based on current financial membership of the JFA NSW Inc as of 30th July prior to the Annual Congress or **30** days prior to a Special or Extra Ordinary Congress, and an Independent Scrutineer appointed to peruse the eligible voting members.

6.0 OFFICE BEARERS OF THE JFA NSW Inc.

The following shall be the office bearers of the JFA NSW Inc;

(a) President

The president shall head the Association and represent it where required. In the event that the **president** loses office the Vice President with the longest term of office shall take over the duties of the President until a replacement is made in accordance with this **c**onstitution.

(b) Vice President (3 positions)

The Vice President shall deputise for the President as required **and act on the Presidential Board**

(c) Treasurer

The Treasurer - who is appointed by the Board of Management shall ensure that;

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- (i) All money due to the JFA NSW Inc is collected and received and that all payments authorised by the JFA NSW Inc are made.
- (ii) Correct books and accounts are kept showing the financial affairs of the JFA NSW Inc including full details of all receipts and expenditure connected with the activities of the JFA NSW Inc
- (iii) An appointed Treasurer carries one vote at BOM meetings.

(d) Councillor (4 positions)

Councillors shall act on the Board of Management and assist in the good management of the JFA NSW Inc.

Line added here...

7.0 BOARD OF MANAGEMENT

7.1 The Board of Management shall comprise;

The President
The Vice President (3)
Councillors (4)
Technical Panel Member.

7.2 The Board of Management shall be responsible for the management of the JFA NSW Inc activities and affairs and may exercise such powers which are consistent with this constitution and the Act.

(7.2a becomes 7.3 in the proposed document and therefore numbering is out by one, 7.3 becomes 7.4 etc, from this point between the two documents)

7.2a The Board of Management may appoint sub-committees to consider and report on any question that the Board of Management may refer to them. The structure and size of a sub-committee shall be determined by the Board of Management for each occasion

7.3 Meetings

(a) The Board of Management shall meet at intervals no greater than 3 months.

(b) Meetings may be called at the request of the President, or at least 2 members of the Board of Management.

(c) Quorum for a Board of Management meeting shall be at least half of the current membership of the Board.

(d) A rescission motion on a matter raised within 12 months of the original motion, shall require at least 2/3 majority of all of those at a properly scheduled meeting.

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7.4 Casual Vacancies

(a) Members of the Board of Management may lose their positions on the Board if they;

- (i) Submit a resignation in writing.
- (ii) Cease to reside permanently in NSW
- (iii) Are of unsound mind.
- (iv) Fail to attend 3 consecutive meetings.
- (v) Are removed by Special Congress.
- (vi) Criminal Offence.

(b) Notice that a casual vacancy exists shall be circulated within 30 days to all corporate members calling for nominations. Nominations must be received in the JFA NSW Inc office within 30 days of dispatch of the notice.

(c) Following the closing date the Board of Management may elect a replacement from the nominations. If no nominations are received, the Board of Management may elect whosoever it pleases.

(d) A member of the Board of Management removed under Clause 7.4 (a) is not eligible for election to the casual vacancy so created.

7.5 Term of Office

(a) The term of office of each position on the Board of Management is 2 years.

(b) The President, 1 Vice President and 2 Councillors shall be elected at an Annual Congress.

(c) Two Vice Presidents and 2 Councillors shall be elected at every other Annual Congress.

(d) Replacements for Casual Vacancies, elected by the BOM under Clause 7.4 shall stand for re-election for the remaining term of office of the position at the next AGM, to allow the membership at large to exercise their voting right and express a majority opinion.

7.6 Minutes of the Board of Management meetings shall be dispatched to all Corporate Members, Regional Associations, Common Interest Groups, and members of the Board of Management within **30** days of the meeting.

7.7 Each member of the Board of Management shall exercise **1** vote except that in the case of an equality of votes on any matter before the Board, the President may exercise a casting vote.

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7.8 No member of the Board of Management may be represented by proxy at any Board meeting.

7.9 Notice of a Board meeting shall be in writing with at least **5** days clear notice.

7.10 If the President is unable or unwilling to chair a Board of Management meeting, the Board shall elect a person to chair the meeting.

7.11 All office bearers except the **technical panel** member shall be elected at **annual congress** as set out in **12.7**. The **technical panel** member is to be selected as follows;

(a) The **technical panel** member is to be elected by way of recommendation by the B.B.R. The person name is to be submitted to the members at the annual congress for approval (by simple majority)

(b) (i) If the nominated **technical panel** member fails to be approved at **annual congress**, the position will be filled by someone else, determined by negotiation between the B.O.M. and the B.B.R.

(ii) If there is no agreement (between the B.O.M. & the B.B.R.) on who the **technical panel** member should be – the position remains vacant, until the next **congress**.

(c) The **technical panel** member must be both a member of the JFA NSW Inc and the B.B.R.

(d) If the Technical **panel** member at any time during their appointment fails to maintain their membership in the JFA **NSW and** the B.B.R., or if the position becomes vacant for any reason, the B.B.R. will be responsible for the recommending a new **technical member** to the B.O.M. In this situation, the previous of paragraph “b” above will apply.

8.0 DELETED

(This section was deleted some years ago so has been removed in the proposed document and thus numbering is out. Section 9.0 becomes Section 8.0, etc)

9.0 FINANCE

9.1 Accounts

(a) The main account will be the bank account opened in the name of the JFA NSW Inc into which all receipts will be deposited immediately after receipt.

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(b) Working accounts must be established to allow the transfer of funds from the main account to facilitate the functions of the organization for a period of time and a nominated amount, as determined by the Board of Management.

(c) The Treasurer shall be a signatory to every account.

(d) Each account shall be operated by any **2** of the **4** signatures as determined by the B.O.M. from time to time.

(e) The Board of Management shall also receive a financial Report from each working account at its meeting.

(f) Investment accounts may be established in the name if the JFA NSW Inc as determined by the Board of Management.

9.2 Source

(a) The funds of the JFA NSW Inc shall be derived from the entrance fees, annual subscriptions of members, associated and affiliates, donations and any other source as the Board of Management determines.

(b) All money received by the JFA NSW Inc shall be deposited as soon as possible and without deduction to the credit of the JFA NSW Inc main bank account.

(c) The JFA NSW Inc shall, as soon as practicable after receiving any **money issue** an appropriate receipt.

9.3 Management

(a) Subject to any resolution passed by the JFA NSW Inc at Congress, the funds of the JFA NSW Inc shall be used in pursuance of the objects of the JFA NSW Inc in such a manner as the Board of Management determines.

(b) All cheques, drafts , bills of exchange, promissory notes and other negotiable instruments shall be signed by the Treasurer and President and in the absence of

either one above, a Vice President will sign, being members authorised to do so by the Board of Management.

(c) Notwithstanding 9.3 (b), the Executive Officer is authorised as a signature for any JFA NSW Inc cheques, as authorised by the Board of Management (for amounts less than \$500) – except where payments involve payments to the Executive Officer or a relative.

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10. DISCIPLINARY PROCEDURES

An investigation committee comprising of at least one board member shall investigate any complaint, or allegations of misconduct that are referred to it by the Board of Management. Investigations will be undertaken in a procedurally fair manner and where necessary, referred to the appropriate agency for investigation.

The investigation committee shall conduct whatever investigation it considers appropriate, before making recommendation to the Board of Management, on what action should be taken. The B.O.M. must accept any recommendation by the investigating committee on the innocence (or otherwise) of the member – but must accept, reject or modify any recommended penalty submitted to it.

The Board of Management decision is final. An appeal will only be allowed if there is new evidence not previously available to any of the persons affected by the decision. Appeal procedures and costs will follow JFA Inc. guidelines.

11. CONGRESSES

11.1 There shall be an Annual Conference held in accordance with these procedures and 11.2 below.

11.2 Special Congresses may be held in accordance with these procedures and 11.3 below.

VOTING

11.3 Voting at the Annual Congress or Special Congress be at the basis of one vote per Senior corporate member and one vote per 2 Junior corporate members. Fractions of a vote will not be permitted.

11.4 Each affiliated club may send one representative who may speak but may not vote.

11.5 Each affiliated Regional Association and Common Interest Group may send two representatives who may speak but not vote.

QUORUM

- 11.6** A quorum at a congress shall be one third of voting corporate membership or 20 members, whichever is the least figure. If quorum is not present within one hour of the stated time for commencement of the congress, then the congress will be adjourned for 30 days at which time, no quorum will be required.

NOTICE

- 11.7** In the event of a motion for adjournment of congress to another date being successful, then seven clear days of notice for the reconvened congress must be sent to all incorporated members. Only items submitted for the original agenda may be discussed.

NOTICE OF CONGRESS

- 11.8** Notice of a congress shall include the date, time and venue for the congress and the agenda. Only items on the agenda and matters directly consequential may be discussed.
- 11.9** The President shall take the chair unless unable or unwilling, in which case, the congress will elect a Chairman.
- 11.10** The President shall not have a casting vote. In the case of an equality of votes a motion will fail.

PROXIES

- 11.11** (a) Corporate members may vote by proxy.
- (b) Written authorisation “(from either the club President, Secretary, or the club corporate voting member)” to act as proxy must be submitted. Except as provided in (c) no person may act as proxy to more than two clubs.
- (c) A person with written authority, may represent as proxy, any Corporate Member within a Regional Association.
- 11.12** Procedures for debate at congress shall conform to rules of procedure adopted by congress. Amendments of rules of procedure shall be effective only on subsequent congresses. In the absence of a rule on procedure, the Chairman’s ruling shall be final.
- 11.13** Except as provided otherwise herein, all business at a congress shall be decided by simple majority of votes validly cast. The Chairman may call for a show of hands on any matter and rule accordingly or call for a poll. Following the Chairman’s ruling on a vote by show of hands, if any member so requests, a poll shall be held. Voting by poll shall be secret.

11.14 Minutes of a congress shall be dispatched to all corporate members within 30 days of the date of the Congress.

12. ANNUAL CONGRESS

12.1 The Annual Congress will be held in October of each year. The date shall be set at the preceding Annual Congress.

12.2 At least sixty days prior to the Annual Congress a notice shall be sent to all corporate members calling for the submission of items for the agenda and calling for nominations for positions falling vacant at Congress.

(New Section in Proposed Constitution...11.0 b) (i), (ii), (iii))

12.3 Submissions for the agenda or nominations or vacant positions must be lodged at the Head Office of the JFA NSW Inc, thirty clear days prior to the Annual Congress.

12.4 The Annual Conference shall have the power to elect officers and deal with any other matter that conforms with the constitution and the Act.

12.5 Notice in writing of the Annual Congress will be sent fourteen clear days prior to the Congress to all corporate members, regional Associations and Common Interest Groups.

12.6 The agenda for business at the Annual Congress will be;

1. Declaration of commencement of Congress
2. Minutes of the previous Annual Congress and business arising.
3. Minutes of any Special Congress held subsequent to this Congress and business arising.
4. President's Report
5. Treasurer's Report
6. Other Reports
7. Elections
8. Items submitted

9. Date of **Next** Annual Congress

10. Close of Congress.

12.7 Elections

(a) Where the number of nominations for a position equals the number of vacancies, the Chairman shall declare all those nominated as elected unopposed.

(b) Where the number of nominations is less than the number of vacancies, the Chairman shall declare all those nominated as elected unopposed and the remaining vacant positions shall be declared casual vacancies to be filled according to requirements as set out in the clause for “Casual Vacancies”.

(c) Where the number of nominations exceeds the number of positions, a poll shall be held to eliminate the excess nominations by exhaustive ballot.

(d) The Chairman shall appoint at least two tellers to carry out the poll and each nominee may appoint a scrutineer.

(e) Each ballot shall be decided by a simple majority of votes validly cast. Upon the tellers informing the Chairman of the result, the Chairman shall declare the results to the Congress.

(f) A **board member** (not up for election at the current Congress) may stand for a different position without affecting their position held. They will automatically be deemed to have resigned their previous position only if elected to another position. (This will create a casual vacancy in the board members first held position.)

13. SPECIAL CONGRESS

13.1 A Special Congress shall be called at the request of the President, any four (4) members of the Board of Management or any **ten corporate members** stating the reason for requesting the Congress.

13.2 Notice of a Special Congress must be sent in writing with **14** clear days of notice within **30** days of receipt of the request.

13.3 A Special Congress shall have the following powers;

1. To remove members of the Board of Management provided that at least two thirds of the vote validly cast are in favour.
2. To rescind a resolution of a previous annual or special congress provided that at least two thirds of the vote validly cast in favour.
3. To effect a change in the Constitution
4. Any other matter.

14. CONSTITUTIONAL AMENDMENTS.

Amendments to the constitution can only be made at an Annual Congress or an Extraordinary Congress called in accordance with the directions of this constitution and described in Clause 13.

15. DISSOLUTION OF THE JFA NSW. INC

In the event of the dissolution of the JFA NSW Inc because of insufficient interest in the sport to continue, all property will be auctioned and all outstanding accounts paid. Excess funds will be paid to JFA Australia Inc. for use within Australia to the benefit of Judo.

Should dissolution of the JFA NSW Inc occur due to a change in name or for some special constitutional requirement, then the new organization will maintain all funds and property of the JFA NSW Inc for the use of Judo as set out in this constitution.

16. REGIONS

16.1 Corporate members of the JFA NSW Inc shall be formed into Regional Associations for the conduct of Judo activities at regional level. Corporate members shall be associated with regions in which their clubs are located.

16.2 Regional divisions of NSW shall be;

(a) Metropolitan Region:

The area south of Sydney Harbour and extending to include the local government areas of Sutherland, Bankstown, Strathfield and Gordon.

(A bit missing here) The area north of Sydney Harbour and extending to include the local government areas of Auburn, Blue Mountains, Blacktown, Camden, Campbelltown, Fairfield, Holroyd, Liverpool, Penrith, Parramatta, Windsor and Wollondilly.

- (b) Illawarra and South East, Riverina (Riverina and Murray) Western NSW (Western, Orana and New England): **As defined by the Department of Industry and Decentralisation.**
- (c) Hunter Valley;
As defined by the Department of Industry and Decentralisation including the local government areas of Wyong, Gosford and Greater Taree.
- (d) North Coast;
As defined by the Department of Industry and Decentralisation but excluding the local government area of Greater Taree.

16.3 Regions as defined by **16.2** (a) to (d) above may only be amended at a **c**ongress by a constitutional amendment.

16.4 For the purpose of this section club branches will be considered to be clubs

16.5 Regional Committees

- (a) Each **regional association** shall elect a **regional committee** annually comprising of:
 - President
 - Vice President
 - Secretary
 - Treasurer
 - Committee Members **(1)**
- (b) The Regional Committee shall be authorised to act as a sub-committee of the JFA NSW Inc with objectives, powers and limitations set out below.

16.6 Objectives of the Regional Committees

- (a) To organise and control activities for the benefit of the sport of Judo within the region.
- (b) To represent and promote the JFA NSW Inc within the region
- (c) To represent the interests of the region to the Board of Management.

16.7 Powers of Regional Committees

- (a) The Regional Committee shall have the following powers;

- (i) To make rules necessary for the administration of the region **consistent** with this **constitution** and the Act.
- (ii) To carry out activities and functions delegated by the **board** of Management.
- (iii) Receive and expend money necessary for the administration of the region and maintain a bank account for that purpose.
- (iv) Make appointments necessary for the administration of the region.

(b) Regional Committees shall have the following limitations

- (i) They may not purchase property exceeding the value of **\$2000.00** without the written authority of the Board of Management.
- (ii) Enter into contracts without the written authority of the Board of Management
- (iii) Carry out any disciplinary action without the approval of the Board of Management.

16.8 The Regional Committee shall:

- (a) Keep minutes of all meetings and forward copies to the JFA NSW Inc.
- (b) Advise the JFA NSW Inc of the names of all office bearers and appointments within seven days of appointment.
- (c) Advise the JFA NSW Inc. of all proposed activities.

16.9 Regional General Meetings

- (a) Corporate **members** of clubs within a region shall exercise votes according to the clause on voting at Congress.
- (b) Corporate **members** may be represented by proxy in writing.
- (c) A quorum at a **general meeting** shall be one third of the total number of **corporate members**.
- (d) At least **ten (10)** clear days notice shall be given for a **general meeting**.
- (e) Minutes shall be circulated to all **corporate members** of clubs within a region and to the JFA NSW Inc. within thirty (30) days of a **general meeting**.

16.10 Regional Annual General Meeting.

An annual general meeting shall be held in February or March to elect the regional committee.

16.11 Special Regional General Meeting

- (a) A special Regional General Meeting shall be held;
- (i) By direction of the regional board
 - (ii) By direction of the Board of Management
 - (iii) At the request in writing of at least four (4) corporate members.
- (b) The special general meeting shall be held within thirty (30) days of receipt of the president's secretary's direction or request to call a meeting.
- (c) Notice of the special general meeting will state the reasons for the special meeting.

16.12 Finance

- (a) All funds shall be kept in a bank account on behalf of the JFA NSW Inc.
- (b) Any two of the President, Vice President, Secretary and Treasurer shall sign cheques.

16.3 Removal of the Regional Committee

(a) The Board of Management considers that a regional committee cannot carry out its responsibilities or is acting contrary to the constitution, by laws or policies of the JFA NSW Inc., the Board may dismiss the committee and call a special general meeting to elect a new regional committee or appoint a new regional committee.

(b) If a regional committee is dismissed all funds and assets revert to the control of the JFA NSW Inc.

17 AFFILIATED BODIES

- (i) The bodies listed in the next section [ie 17(ii)] shall work under the control and guidance of the JFA NSW Inc.
- (ii)
- (a) Referee Commission
 - (b) Tournament management Committee
(line added here)

