

School Sport

NT



Constitution

2020

Adopted by Special General Meeting 25 June 2020

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PART 1 – PRELIMINARY

1. Name

The name of the incorporated association is SCHOOL SPORT NT INCORPORATED and will trade as School Sport NT and Sport Education.

2. Purposes

The purposes of the Association are to:

- (1) Provide a range of appropriate School Sport NT programs for all NT students aged 10-19 years in the year of competition.
- (2) Enhance the status of sport education and representative sport programs as integral components of the Northern Territory curriculum.
- (3) Ensure that educational outcomes form the basis of all Sport Education and School Sport NT programs and that they are appropriate for the mental and physical development of students.
- (4) Contribute to students' healthy lifestyles and lifelong learning by providing opportunities to enhance quality of life and increase interest and participation in sport education.
- (5) Promote opportunities, recognise participation, and celebrate the outcomes of students.

3. Minimum number of members

The Association must have at least five (5) members.

4. Definitions

In this Constitution, unless the contrary intention appears:

“Act” means the *Associations Act 2003* (NT) and regulations made under that Act.

“Association” means the body of volunteers known as School Sport NT.

“Association members” means Northern Territory schools as represented by the principal delegates as set out in clauses 10 and 11.

“Chief Executive” means the Chief Executive of the Northern Territory Department of Education.

“Executive Officer of School Sport NT” refers to the leadership role of School Sport NT employed by the Department of Education, ex officio.

“Financial institution” means an authorised deposit-taking institution within the meaning of section 5 of the *Banking Act 1959* (Cth).

“General meeting” means a general meeting of members convened in accordance with clause 48.

“Life Member” refers to an honorary award as determined according to clause 22.

“Member” has the meaning as set out in clauses 10 and 11

“Region” or “geographic region” means the geographic areas in which schools are grouped for the purpose of delivery of education services by the Northern Territory Department of Education.

“Principal delegate” has the meaning as set out in clause 11.

“Special resolution” means a resolution notice of which is given under section 34 of the Act.

PART 2 – CONSTITUTION AND POWERS OF ASSOCIATION

5. Powers of Association

- (1) For achieving its objects and purposes, the Association has the powers conferred by sections 11 and 13 of the Act.
- (2) Subject to the Act, the Association may do all things necessary or convenient for carrying out its objects or purposes, and in particular, may:
 - (a) acquire, hold and dispose of real or personal property;
 - (b) open and operate accounts with financial institutions;
 - (c) invest its money in any security in which trust monies may lawfully be invested;
 - (d) raise and borrow money on the terms and in the manner it considers appropriate;
 - (e) secure the repayment of money raised or borrowed, or the payment of a debt or liability;
 - (f) appoint agents to transact business on its behalf; and
 - (g) enter into any other contract it considers necessary or desirable.

6. Effect of Constitution

This Constitution binds every member and the Association to the same extent as if every member and the Association had signed and sealed this Constitution and agreed to be bound by it.

7. Inconsistency between Constitution and Act

If there is any inconsistency between this Constitution and the Act, the Act prevails.

8. Altering the Constitution

- (1) The Association may alter this Constitution by special resolution and not otherwise.
- (2) If the Constitution is altered, the public officer must ensure compliance with section 23 of the Act.

9. Limitations

School Sport NT is an Association operated by the Northern Territory Department of Education and, as such, the operation of the Board is subject to the direction of the Chief Executive.

PART 3 – MEMBERS

Division 1 – Membership

10. Members

Membership of School Sport NT is made up of the schools located in the Northern Territory Department of Education geographic regions. These member regions are to be represented by up to two principal delegates as set out in clause 11.

11. Principal delegates

Geographic member regions must be represented at all times by at least one principal delegate who can exercise the rights of the member region.

- (1) Principal delegates are nominated from the schools within the geographic region they represent and are appointed for two years. They may serve consecutive terms.
- (2) There may be up to two principal delegates for each eligible region.
- (3) One principal delegate may be from a non-government school, however there must not be more than 4 non-government school principal delegates across all eligible regions at any one time and no more than 2 may sit on the board at any time.
- (4) Principal delegates exercise the rights on behalf of schools in their region who as a collective region are association members.
- (5) Nominations must be approved by the senior Department of Education regional officer to whom school principals report.
- (6) Should there be no self-nominations for principal delegates, then the Executive Director Schools North or South, as is appropriate leadership for the region, must nominate a suitable principal to represent region schools as members of the association.
- (7) Any reference to Association members or members in this Constitution, refers to the principal delegate exercising rights of the geographic region members as set out in this clause.

12. Sport Education Coordinators

Regional Sport Education Coordinators are Department of Education employees who provide sport education services in each region, providing access for student participation opportunities in local and representative sport. Sport Education Coordinators may:

- (1) provide advice and secretariat support for principal delegates as required; and
- (2) may attend general meetings with Principal delegates, however they may not represent principal delegates by way of proxy or otherwise.

13. Application to be principal delegate

- (1) To apply to become a principal delegate, written application must be submitted to the Board with approval from the senior Department of Education regional officer to whom school principals report or the Executive Director Schools North or South as is appropriate leadership for the region.

14. Acceptance of the Board

- (1) The Board will accept nominations for principal delegates which have been approved by the senior Department of Education regional officer. If there are more than two nominations received, then the Board will seek adjudication from the Executive Director Schools North or South as is appropriate leadership for the region, to determine the two most suitable representatives.
- (2) Acceptance of nominations for principal delegates will be recorded in the minutes of the meeting and delegate details added to the register of members as soon as practicable.
- (3) Principal delegates will serve a tenure of two for a period of two years, after which a further application must be submitted to the board.

15. Annual membership fees

- (1) At each annual general meeting, the Association must determine:
 - (a) the amount of the annual membership fee (if any) and the methodology for payment of membership fees for schools in each region for the following year; and
 - (b) the date for payment of the fee.
- (2) Each member school must pay the annual membership fee to the Treasurer as determined by the Board.
- (3) A member school whose subscription is not paid is not entitled to receive services from or participate in the programs of School Sport NT or Sport Education.

Division 2 – Rights of members

16. General

- (1) In this Division, and unless otherwise stated, reference to a 'member' refers to the geographical region schools as represented by their region principal delegate/s as referred to in clause 10, unless otherwise stated.
- (2) Each member has the right to
 - (a) receive notice of general meetings and of proposed special resolutions;
 - (b) submit agenda items to the Executive officer for discussion in meetings;
 - (c) appoint delegates to attend and present at general meetings;
 - (d) nominate observers and guests to attend general meetings;
 - (e) have one vote at a general meeting as set out in clause 18; and
- (3) A right of membership of the Association:
 - (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates on the cessation of membership whether by death, resignation or otherwise.

17. Register of members

- (1) The Association must establish and maintain a register of its members and enter in the register:
 - (a) the name of each member;
 - (b) the date on which each member of the association became a member;
 - (c) whether the member is life member;
 - (d) if a person ceases to be a member – the date they ceased to be a member;
 - (e) the address, email and phone contact details of the member; and
 - (f) any other information deemed necessary by the Board.
- (2) The Association must make the register of members available for inspection by members at reasonable times under section 34(2) of the Act.

18. Voting rights

Subject to clause 22, each member region has one vote at general meetings of the Association. If there are two principal delegates for any region, they may cast one vote reflecting the view of the schools they represent.

19. Notice of meetings and special resolutions

The Executive officer must give all members notice of general meetings and special resolutions in the manner and time prescribed by this Constitution.

20. Access to information on Association

The following must be available for inspection by members:

- (1) A copy of this Constitution;
- (2) Minutes of general meetings;
- (3) Annual reports and annual financial reports.

21. Raising grievances and complaints

- (1) A member may raise a grievance or complaint about a Board member, the Board, or another member of the Association.
- (2) The grievance or complaint must be dealt with by the procedures set out in Part 8.

22. Life members

- (1) The Board may determine a process to bestow an honorary Life Membership to any person whom, on criteria determined by the Board, has demonstrated extended and/or exemplary service supporting student involvement in School Sport NT programs.
- (2) Life members do not have a right to vote but may have other rights as determined by the Board or by resolution at a general meeting.

23. Resignation and termination of membership

Membership of the Association may be terminated by:

- (1) a notice of resignation as a principal delegate addressed and posted to the Association or given personally to the Executive officer or another board member at least 6 weeks before the member leaves;
- (2) failure of principal delegates to attend 3 consecutive meetings without notification;
or
- (3) any other grounds for expulsion in accordance with this Division.

24. Death of member or whereabouts unknown

If a principal delegate dies, or their whereabouts are unknown, or a member has not been in contact with the Association for over three (3) months, the Board must notify the senior Department of Education regional officer to whom school principal reports, in the first instance, or the Executive Director Schools North or South requesting appointment of an alternative principal delegate.

25. Disciplinary action

- (1) If the Board is satisfied that there are sufficient grounds for forming the view that a principal delegate is not properly representing the schools of their geographic region, they may refer the issue to the senior Department of Education regional officer to whom school principal reports, in the first instance, or the Executive

Director Schools North or South requesting appointment of an alternative principal delegate.

- (2) Sufficient grounds may exist if a principal delegate
 - (a) has failed to comply with this Constitution; or
 - (b) refuses to support the purposes of the Association; or
 - (c) has engaged in conduct prejudicial to the Association.

PART 4 – BOARD

Division 1 – General

26. Role and powers

- (1) The business of the Association must be managed by, or under the direction of, a Board.
- (2) The Board may exercise all the powers of the Association except those matters that the Act or this Constitution requires the Association to determine through a general meeting of members.
- (3) The Board may appoint and remove staff.
- (4) The Board may establish one or more subcommittees consisting of the principal delegates and/or Sport Education Coordinators as the Board considers appropriate.
- (5) The Board must act in good faith and diligence in all their duties.
- (6) Members of the Board have full voting rights unless otherwise specified.

27. Composition of Board

- (1) The Board consists of:
 - (a) One principal delegate from each of the eligible member regions;
 - (b) The Executive Officer of School Sport NT
 - (c) The Business Manager of School Sport NT who will act as Treasurer, and will not have voting rights,
 - (d) A Department of Education representative who may also be the same representative who sits on the School Sport Australia National Representative School Sport Committee
- (2) The second principal delegate from each of the eligible member regions may be invited to attend board meetings, however the nominated board member will exercise voting rights for the region.
 - a. If the nominated board member is not in attendance, the second principal delegate may act automatically as proxy.
 - b. The Board may agree to temporarily fill a vacancy on the board with an existing principal delegate while the Board seeks regional representation in accordance with clause 35.
- (3) An executive committee of the Board will consist of
 - (a) A Chairperson, elected from the principal delegate board members
 - (b) A Vice Chairperson elected from the principal delegate board members
 - (c) A Public Officer/Secretary who will be the Executive Officer of School Sport NT, ex officio;
 - (d) A Treasurer who will be the Business Manager of School Sport NT, ex officio and will not have voting rights.
 - (e) Any other executive committee role the Board deems necessary to appoint.

28. Delegation

- (1) The Board may delegate to a subcommittee or staff any of its powers and functions other than:
 - (a) this power of delegation; or
 - (b) a duty imposed on the Board by the Act or any other law.
- (2) The delegation must be in writing and may be subject to the conditions and limitations the Board considers appropriate.
- (3) The Board may, in writing, revoke wholly or in part the delegation.

Division 2 – Tenure of office

29. Board members

- (1) Principal delegate Board members will have a tenure of two (2) years, or until the second annual general meeting after the date of appointment, whichever is the latter, and may serve consecutive tenures.
- (2) Those members of the Board who are employees of the Department of Education fulfilling roles for School Sport NT are ex officio members of the Board for the duration of their employment in the roles;
- (3) Principal delegate Board members must be endorsed at an annual general meeting or appointed under clause 35.

30. Nominations for election to Board

Principal delegate members should notify the Executive Officer of their willingness to be members of the Board and if they are willing to fulfill an executive role on the Board.

31. Retirement of Board members

- (1) Principal delegates hold office until the second annual general meeting after their appointment unless the member vacates the office under clause 34.
- (2) Subject to sub-clause (3), at an annual general meeting the office of each Board member due for renewal, becomes vacant and nominations for new or continuing principal delegates tabled for endorsement in accordance with clause 14.
- (3) The Chairperson of the outgoing Board must preside at the annual general meeting until a new member is elected as Chairperson.
- (4) Members may serve consecutive terms on the Board.

32. Election by default

- (1) If the number of persons nominated for appointment to the Board under clause 30 does not exceed the number of vacancies to be filled, the Chairperson must declare the persons to be duly appointed as members of the Board at the annual general meeting.
- (2) If vacancies remain on the Board after the declaration under sub-clause (1), additional nominations of Board members may be accepted from other principal delegates from the floor of the annual general meeting.

- (3) Nominations may be accepted from the floor to fill vacancies so that each geographic region has representation on the board. If a representative is not available from any region, a vacancy may be temporarily filled by any principal delegate while the Board seeks regional representation in accordance with clause 35.
- (4) If the nominations from the floor are less than the number of remaining vacancies, the unfilled vacancies are taken to be casual vacancies and must be filled by the new Board in accordance with clause 35.

33. Election by ballot

- (1) If the number of nominations from each region exceeds the number of vacancies on the Board, ballots for those positions must be conducted.
- (2) The ballot must be conducted in a manner determined from time to time by resolution at a general meeting.
- (3) The members chosen by ballot must be declared by the Chairperson to be duly elected as members of the Board.

34. Vacating office

The office of a Board member becomes vacant if:

- (a) the member:
 - i. is disqualified from being a Board member under section 30 or 40 of the Act;
 - ii. resigns by giving written notice to the Board;
 - iii. dies or is rendered permanently incapable of performing the duties of office by mental or physical ill-health;
 - iv. ceases to be a resident of the Territory; or
 - v. ceases to be a member of the Association;
- (b) the member is absent from more than:
 - i. three (3) consecutive Board meetings; or
 - ii. three (3) Board meetings in the same financial year without tendering an apology to the Chairperson;

of which meetings the member received notice and the Board has resolved to declare the office vacant.

35. Filling casual vacancy on Board

- (1) If a vacancy remains on the Board after the application of clause 32 or if the office of a Board member becomes vacant under clause 34, the Board will notify the Executive Director Schools North or South and seek nominations for a principal delegate for the relevant region in accordance with clause 11 to fill that vacancy.
- (2) However, if the office of public officer becomes vacant, a person must be appointed under section 27(6) of the Act to fill the vacancy.

Division 3 – Duties of Board members

36. Collective responsibility of Board

- (1) As soon as practicable after being appointed to the Board, each Board member must become familiar with the Act and regulations made under the Act.
- (2) The Board is collectively responsible for ensuring the Association complies with the Act and regulations made under the Act.

37. Chairperson and Vice-Chairperson

- (1) Subject to sub-clauses (2) and (3), the Chairperson must preside at all general meetings and Board meetings.
- (2) If the Chairperson is absent from a meeting, the Vice-Chairperson must preside at the meeting.
- (3) If the Chairperson and the Vice-Chairperson are both absent, the presiding member for that meeting must be:
 - (a) Any principal delegate elected by the other members present if it is a general meeting; or
 - (b) a Board member elected by the other Board members present if it is a Board meeting.

38. Executive officer

The Executive officer must:

- (a) coordinate the correspondence of the Association;
- (b) ensure minutes of all proceedings of general meetings and of Board meetings are kept in accordance with section 38 of the Act;
- (c) maintain the register of members in accordance with section 34 of the Act;
- (d) unless the members resolve otherwise at a general meeting – have custody of all books, documents, records and registers of the Association, other than those required by clause 39(5) to be in the custody of the Treasurer; and
- (e) perform any other duties imposed by this Constitution on the Executive officer.

39. Treasurer

- (1) The Treasurer must:
 - (a) receive all moneys paid to or received by the Association and issue receipts for those moneys in the name of the Association;
 - (b) pay all moneys received into the account of the Association within 5 working days after receipt;
 - (c) make any payments authorised by the Board or by a general meeting of the Association from the Association's funds; and
 - (d) ensure cheques are signed by them and at least one other Board member, or by any 2 other Board members authorised by the Board.
- (2) The Treasurer must ensure the accounting records of the Association are kept in accordance with section 41 of the Act.
- (3) The Treasurer must coordinate the preparation of the Association's annual statement of accounts.

- (4) If directed to do so by the Chairperson, the Treasurer must submit to the Board a report, balance sheet, or financial statement in accordance with that direction.
- (5) The Treasurer has custody of all securities, books and documents of a financial nature and accounting records of the Association unless the members resolve otherwise at a general meeting.
- (6) The Treasurer must present a monthly financial statement at the Board meetings.
- (7) The Treasurer must perform any other duties imposed by this Constitution on the Treasurer.

40. Public officer

- (1) The public officer must ensure that documents are filed with the Commissioner of Consumer Affairs in accordance with sections 23, 28 and 45 of the Act.
- (2) The public officer must keep a current copy of the Constitution of the Association.

41. Auditor

At the end of every financial year, an auditor must examine the Books kept by the Association and ensure they are up-to-date, accurate, and appropriately formatted.

PART 5 – MEETINGS OF THE BOARD

42. Frequency and calling of meetings

- (1) The Board must meet together for the conduct of business at least 4 times in each financial year.
- (2) The Chairperson, or at least half the Board members, may at any time convene a special meeting of the Board.

43. Voting and decision making

- (1) Each Board member present at the meeting has a deliberative vote except the ex officio Treasurer.
- (2) A question arising at a Board meeting must be decided by a majority of votes.
- (3) If there is no majority, the person presiding at the meeting has a casting vote in addition to a deliberative vote.

44. Quorum

- (1) Business cannot be conducted in a meeting unless a quorum is present.
- (2) For a general meeting, one-half of the Board members constitutes a quorum. The ex officio Treasurer is counted for the purpose of determining a quorum.
- (3) For a Board meeting, 5 Board members constitutes a quorum. The ex officio Treasurer is counted for the purpose of determining a quorum.

45. Procedure and order of business

- (1) The procedure to be followed at a Board meeting must be determined from time to time by the Board.
- (2) The order of business may be determined by the members present at the meeting.

- (3) Only the business for which a special meeting is convened may be considered at a special meeting.

46. Disclosure of interest

- (1) A Board member who has a direct or indirect pecuniary interest in a contract, or proposed contract, with the Association must disclose the nature and extent of the interest to the Board in accordance with section 31 of the Act.
- (2) The Executive officer must record the disclosure in the minutes of the meeting.
- (3) The member cannot be present during the discussion of the matter, nor can they vote on this matter.
- (4) The Chairperson must ensure a Board member who has a direct or indirect pecuniary interest in a contract, or proposed contract, complies with section 32 of the Act.

PART 6 – GENERAL MEETINGS

47. Convening general meetings

- (1) The Executive officer must give at least 14 days' notice of a general meeting in any case other than a special general meeting, special resolution, urgent meeting, or an annual general meeting.
- (2) Meetings may be scheduled for attendance through the use of technology.
- (3) Notice for any general meeting must include:
 - (a) the date, time, and place of the meeting;
 - (b) the system to be used for attending via technology; and
 - (c) the nature of each item to be discussed.
- (4) An Association member or delegate attending a meeting through the use of technology, including:
 - (a) phone;
 - (b) Skype; or
 - (c) any other medium approved by the Board,is deemed to be present at the meeting in person.
- (5) The Executive officer will make arrangements for members to attend at a meeting through the use of technology. Members are responsible to ensure they can utilize the technology system determined for use of attending the meeting.
- (6) An Association member or delegate appearing by technology is taken to be present at the meeting and is taken to have voted in person if they vote.

48. Special general meetings

- (1) The Board:
 - (a) may at any time convene a special general meeting;
 - (b) must, within 30 days after it receives a request under sub-clause (4), convene a special general meeting for the purpose specified in that request.
- (2) The Executive officer must give to all members at least 21 days' notice of a special general meeting.
- (3) The notice must specify:
 - (a) when and where the meeting is to be held; and
 - (b) the particulars of, and the order in which, business is to be transacted.

- (4) Half the number of members constituting a quorum for a general meeting may make a written request to the Board for a special general meeting.
- (5) The request must:
 - (a) state the purpose of the special general meeting; and
 - (b) be signed by the members making the request.
- (6) If the Board fails to convene a special general meeting within the time allowed for in sub-clause (1)(b) – the members who made the request may convene a special general meeting as if they were the Board.
- (7) If a special general meeting is convened under sub-clause (6), the Association must meet any reasonable expenses of convening and holding the special general meeting.

49. Annual general meeting

- (1) The Association must hold its first annual general meeting within 18 months after its incorporation.
- (2) The Association must hold all subsequent annual general meetings within 3 months after the end of the Association's financial year.
- (3) The Board may determine the date, time, and place of the annual general meeting.
- (4) The Executive officer must give to all members at least 30 days' notice of an annual general meeting.
- (5) The notice must specify:
 - (a) when and where the meeting is to be held; and
 - (b) the particulars of and the order in which business is to be transacted.
- (6) The order of business for each annual general meeting is as follows:
 - (a) first – the consideration of the accounts and reports of the Board;
 - (b) second – the appointment/endorsement of new Board members;
 - (c) third – review the report of program activities for the prior year and overview of the program for the current year;
 - (d) fourth – any other business requiring consideration by the Association at the meeting.

50. Special resolutions

- (1) A special resolution may be moved at any general meeting of the Association.
- (2) The Executive officer must give all members not less than 21 days' notice of the meeting at which a special resolution is to be proposed.
- (3) The notice must include the resolution to be proposed and the intention to propose the resolution as a special resolution.

51. Urgent meetings

- (1) In case of urgency, a Board meeting can be held with only minimal notice being given, but still enough notice so that it's reasonable for the Board to be able to make it.
- (2) The Board is to decide whether the notice given is appropriate in the circumstances.
- (3) The only business that can be conducted at an urgent Board meeting is the business for which the meeting was convened.

52. Notice of meetings

- (1) The Executive officer must give notice under this Part by:
 - (a) sending it by email to a member; or
 - (b) uploading it onto an online shared forum of which all members are a part.
- (2) Meeting agendas shall be made available in writing or electronically to the Association members at least twenty-four (24) hours prior to the meeting.
- (3) If a notice is sent by email under sub-clause (1)(a), sending of the notice is taken to have been properly effected if the notice is addressed to the member's listed email address and is verified as having been sent by the sender.
- (4) If a notice is sent by online shared forum under sub-clause (1)(b), sending of the notice is taken to have been properly effected on the date the notice is posted on the forum.

53. Meeting minutes

- (1) The Board must ensure that minutes are taken at each meeting and are accurate.
- (2) The minutes must record the following:
 - (a) the names of the members in attendance;
 - (b) the names of the members that are an apology for the meeting and reasons for their absence;
 - (c) the business items to be discussed during the meeting;
 - (d) any resolution that needs to be voted on during the meeting and the result of the vote; and
 - (e) any other matter deemed important by the Board.

54. Quorum at general meetings

At a general meeting, fifty (50) percent of eligible members present at the meeting constitutes a quorum. The ex-officio Treasurer is included in a count of numbers to determine a quorum.

55. Lack of quorum

- (1) If within 30 minutes after the time specified in the notice for the holding of a general meeting a quorum is not present:
 - (a) for an annual general meeting or special general meeting convened under clause 48(1)(a) – the meeting stands adjourned to the same time on the same day in the following week and to the same place;
 - (b) for a meeting convened under clause 48(1)(b) – the meeting lapses.
- (2) If within 30 minutes after the time appointed by sub-clause (1)(a) for the resumption of an adjourned general meeting a quorum is not present, the members who are present in person or by proxy may proceed with the business of that general meeting as if a quorum were present.
- (3) The Chairperson may, with the consent of a general meeting at which a quorum is present, and must, if directed by the members at the meeting, adjourn that general meeting from time to time and from place to place.
- (4) There must not be transacted at an adjourned general meeting any business other than business left unfinished or on the agenda at the time when the general meeting was adjourned.

- (5) If a general meeting is adjourned for a period of 30 days or more, the Executive officer must give notice of the adjourned general meeting as if that general meeting were a fresh general meeting.

56. Voting

- (1) In accordance with clause 18, each geographic region member is entitled to one vote.
- (2) At a general meeting:
 - (a) an ordinary resolution put to the vote is decided by a majority of votes made in person or by proxy; and
 - (b) a special resolution put to the vote is passed if three-quarters of the members who are present in person or by proxy vote in favour of the resolution.
- (3) A poll may be demanded by the Chairperson or by 3 or more members present in person or by proxy.
- (4) If demanded, a poll must be taken immediately and in the manner the Chairperson directs.

57. Proxies

A member may appoint in writing another member to be the proxy of the appointing member to attend and vote on behalf of the appointing member at any general meeting.

58. Observers

Observers that have been allowed to attend a general meeting by the Board may speak when invited to by the Chair, but do not possess voting rights.

PART 7 – FINANCIAL MANAGEMENT

59. Financial year

The financial year of the Association shall be deemed as beginning on the 1st of January, and ending on the 31st of December of each year.

60. Funds and accounts

- (1) The Association must open an account with a financial institution from which all expenditure of the Association is made and into which all of the Association's revenue is deposited.
- (2) Subject to any restrictions imposed by the Association at a general meeting, the Board may approve expenditure on behalf of the Association within the limits of the budget.
- (3) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 Board members, or other identified Association staff as approved by the Board.

- (4) All funds of the Association must be deposited into the financial account of the Association no later than 5 working days after receipt or as soon as practicable after that day.
- (5) With the approval of the Board, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

61. Accounts and audits

The responsibility of the Board under clause 36(2) for ensuring compliance with the Act includes meeting the requirements of Part 5 of the Act and regulations made for that Part relating to:

- (a) the keeping of accounting records;
- (b) the preparation and presentation of the Association's annual statement of accounts; and
- (c) the auditing of the Association's accounts.

PART 8 – GRIEVANCES AND DISPUTES

62. Grievance and disputes procedures

- (2) This clause applies to disputes between:
 - (a) a member and another member; or
 - (b) a member and the Board.
- (3) Within 14 days after the dispute comes to the attention of the parties to the dispute, they must meet and discuss the matter in dispute, and, if possible, resolve the dispute.
- (4) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days after the meeting, hold another meeting in the presence of a mediator.
- (5) The mediator must be:
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement:
 - i. for a dispute between a member and another member – a person appointed by the Board; or
 - ii. for a dispute between a member and the Board – a person who is a mediator appointed or employed by the department administering the Act.
- (6) A member of the Association can be a mediator.
- (7) The mediator cannot be a party to the dispute.
- (8) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (9) The mediator, in conducting the mediation, must:
 - (a) give the parties to the mediation process every opportunity to be heard;
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure natural justice is accorded to the parties to the dispute throughout the mediation process.

- (10) The mediator must not determine the dispute.
- (11) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

PART 9 – MISCELLANEOUS

63. Common seal

- (1) The common seal of the Association must not be used without the express authority of the Board and every use of that common seal must be recorded by the Executive officer.
- (2) The affixing of the common seal of the Association must be witnessed by any 2 of the following:
 - (a) the Chairperson;
 - (b) the Executive officer;
 - (c) the Treasurer.
- (3) The common seal of the Association must be kept in the custody of the Executive officer or another person the Board from time to time decides.

64. Distribution of surplus assets on winding up

- (1) If on the winding up or dissolution of the Association, and after satisfaction of all its debts and liabilities, there remains any assets, the assets must not be distributed to the members or former members.
- (2) The surplus assets must be given or transferred to another association incorporated under the Act that:
 - (a) has similar objects or purposes;
 - (b) is not carried on for profit or gain to its individual members; and
 - (c) is determined by resolution of the members.

65. Dissolution

- (1) School Sport NT may only be dissolved at a special general meeting, provided that:
 - (a) all members have been advised in writing of the proposed dissolution at least twenty-eight (28) days before the meeting; and
 - (b) the proposed dissolution is assented to by at least two thirds of the members present.
- (2) Any remaining funds, property, or other assets shall be transferred as determined by the Chief Executive.