

PENRITH VALLEYSPOUNTS FOUNDATION INCORPORATED

1. TITLE The name of the Organisation shall be the Penrith ValleySports Foundation Incorporated, hereinafter referred to as `the Foundation'.
2. BOUNDARIES The boundaries of the Foundation shall be those of Penrith Local Government Area.
3. OBJECTS The objects of the Foundation shall be:
- a) To support and promote athletes and other sporting activities.
 - b) To receive nominations and make a senior and a junior `Penrith Sportstar of the month award.
 - c) To sponsor an annual sports dinner at which the senior and junior 'Penrith Sportstar' of the year and other awards are announced.
 - d) To provide advice on the establishment, development and maintenance of sporting facilities within the Penrith City boundaries.
 - e) To facilitate the submission of sporting grant applications to State and Federal Governments and any other appropriate bodies.
 - f) To facilitate the development and education of sports officials through sponsored programmes.
 - g) To support a Penrith City Games when held
 - h) To engage in any other activities approved by the Foundation.
4. PATRON The Foundation may from time to time appoint one or more Patrons and may also cancel any such appointment.
5. PARTICIPATION a) Participation in the Foundation applies to members of any sporting organisation that has its `headquarters' and constitutional boundaries located within the boundaries of the Penrith Local Government Area. Where required the Foundation will determine those bodies eligible for participation.
- b) Penrith City Council shall be entitled to nominate two (2) delegates to the Foundation.
 - c) Any school located within the boundaries of the Foundation is eligible for Associate Membership.
 - d) The Foundation may reject any application for participation without assigning any reason therefor.
6. FOUNDATION The Foundation shall consist of Office Bearers who will form the Executive Committee and who will be either elected or appointed and delegates of Penrith City Council.

7. POWERS OF THE FOUNDATION

The Foundation shall have the power to:

- a) Control and manage the affairs of the Foundation.
- b) Make or amend policies not inconsistent with this Constitution.
- c) Fix fees payable where required.
- d) Control the funds of the Foundation and for that purpose to:
 - i) Open and operate banking accounts,
 - ii) Invest funds in any manner authorised by law for the investment of trust funds,
 - iii) Acquire real and personal property of all descriptions and sell or otherwise dispose of it,
 - iv) Borrow money on behalf of the Foundation, and
 - v) Generally, to carry out and attend to all such matters as shall be necessary for the proper management and control of the property of the Foundation.

8. MEETINGS OF THE FOUNDATION.

The Foundation will meet at least monthly on dates to be fixed.

- a) The President shall take the chair at all meetings and in the President's absence the chair shall be taken by the Vice President.
- b) If neither the President nor the Vice President is present within 30 minutes of the time fixed for the commencement of the meeting, the members shall elect a Chairperson.
- c) Not less than seven days' written notice shall be given specifying the time and place of the meeting, and any special business to be dealt with.
- d) The accidental omission to give any member such notice shall not invalidate the meeting nor any of the business of the meeting.
- e) A quorum shall consist of at least one half of the Executive Committee.
- f) If no quorum is present 30 minutes after the time fixed for the commencement of the meeting, it shall be adjourned to such time and place as the Chairperson shall decide.
- g) Each member shall have one vote to be taken in such manner as the Chairperson shall direct, except that a secret ballot shall be taken if any member request it.
- h) In the case of an equality of votes, the Chairperson, shall in addition, have a casting vote.

9. SPECIAL GENERAL MEETINGS

- a) A Special General Meeting may be called by the President and Secretary or at the request of two or more Executive Members.
- b) Not less than 21 days' written notice shall be given to each Office Bearer specifying the time and place of a Special General Meeting.
- c) The accidental omission to give any member such notice shall not invalidate the meeting nor any of the business of the meeting.
- d) The President shall take the chair at all meetings and in the President's absence the chair shall be taken by the Vice President.
- e) If neither the President nor the Vice President is present within 30 minutes of the time fixed for the commencement of the meeting, the members shall elect a Chairperson.
- f) A quorum shall consist of at least one half of the Executive Committee.
- g) If no quorum is present 30 minutes after the time fixed for the commencement of the meeting, it shall be adjourned to such time and place as the Chairperson shall decide.
- h) Each member shall have one vote to be taken in such manner as the Chairperson shall direct, except that a secret ballot shall be taken if any member request it.
- i) In the case of an equality of votes, the Chairperson, shall in addition, have a casting vote.
- j) There shall be no voting by proxy.

10. ANNUAL GENERAL MEETINGS

The Annual General Meeting shall be held in March of each year.

- a) Not less than 21 days' written notice of the date of the Annual General Meeting of the Foundation shall be given to each Office Bearer, and each participating sporting organisation.
- b) Each voting member shall have one vote which shall be taken in such manner as the Chairperson shall direct except that a secret ballot shall be taken if any member requests it.
- c) At the Annual General Meeting of the Foundation at least one half of the Executive Committee shall constitute a quorum.
- d)
 - i) The business of the Annual General Meeting shall be:
 - ii) Confirmation of the minutes of the previous Annual General Meeting,

- iii) The consideration and adoption of the Annual Report and audited Balance Sheet.
 - iv) Appointment of an auditor for the ensuing year.
 - v) Such business as the meeting thinks fit,
 - e) Election of Office Bearers.
 - i) The Executive Committee elected and/or appointed at the Annual General Meeting shall assume office at the conclusion of the Annual General Meeting and shall hold office for the ensuing year.
 - ii) The President shall take the chair at the Annual General Meeting of the Foundation. In the President's absence the Vice President shall chair the meeting.
 - iii) If neither the President nor the Vice President is present within 30 minutes of the time fixed for the commencement of the meeting, the members present shall elect a Chairperson.
 - iv) If no quorum is present 30 minutes after the time fixed for the commencement of the meeting, it shall be adjourned to such time and place as the Chairperson shall decide.

11. EXECUTIVE COMMITTEE

- (a) The ballot for the election of the Executive Committee shall take place at the conclusion of the business of the Annual General Meeting.

The following Office Bearers shall be elected:-

- i. President
- ii. Vice President
- ii. Secretary
- iv. Treasurer
- v. Three Executive Delegates
- vi. One Community Representative
- vii. Two Executive Delegates nominated and appointed by Penrith City Council

Nominations for election, signed by two eligible members over the age of 18 years and with the written consent of the nominee, be lodged with the Secretary at least 21 days prior to the AGM.

12. CASUAL VACANCY OF COMMITTEE MEMBER

Any casual vacancy of an Office Bearer occurring in during an Office Bearer's term of office will be filled by an appointment of an Office Bearer made by the Executive Committee. The term of office in this

instance will be up until the next Annual General meeting when an election will take place for a new term of office.

13. FINANCE

a) Source of funds.

The funds of the Foundation shall be derived from fees and donations, grants and, subject to the approval of the Foundation such other sources as the Executive Committee determines.

b) The banking accounts of the Foundation shall be kept at a bank approved by the Foundation and all payments operating on the accounts shall be signed by any two of the following Executive Committee members: President, Vice President, Secretary or Treasurer.

c) The financial year of the Foundation shall commence on 1 January and end on 31 December of the ensuing year.

14. DISCIPLINE

a) The authority of the Foundation shall extend to, and be recognised by, all affiliated sporting bodies and individual members.

b) The Foundation may delegate its powers to deal with and adjudicate on all questions, and disputes as to the interpretation of the Constitution, and upon any complaint made to it of misconduct detrimental to the policy, interest or welfare of the Foundation by any participating sporting body or member to whom this Constitution applies.

c) The Disputes Committee shall comprise the President or another member of the Executive Committee and a representative from a sporting body not involved in the dispute, or such other persons as the Foundation shall determine from time to time.

d) The Disputes Appeal Committee shall comprise a combination of Executive and participating sporting bodies appointed by the Executive Committee, who were not involved in the Disputes Committee hearing, or such other persons as the Foundation shall determine from time to time.

Approved: Special General Meeting: 13 July 2017