

QPSA Constitution 2023

QUEENSLAND POLICE SPORTING ASSOCIATION INC.

CONSTITUTION

1. NAME

The Association shall be called the 'QUEENSLAND POLICE SPORTING ASSOCIATION INC.'

2. DEFINITIONS

In this constitution, unless the contrary intention appears:

'Annual General Meeting' is the meeting convened under paragraph (b) of rule 15;

'Board' means the Board of the Association constituted in accordance with this constitution; 'Board meeting' means a meeting for elected members of the Association board;

'Board member' means person referred to in paragraph (a) of rule 9;

'By-Laws' means any By-Laws made, adopted or altered by the Board and include policy and procedure;

'Convene' means to call together for a formal meeting;

'Association' means the Queensland Police Sporting Association Inc;

'Financial Year' means the 12 month period commencing 1 January and ending on 31 December;

‘General Meeting’ means a meeting to which all members are invited;

‘Member’ means member of the Association; ‘Poll’ means voting conducted in written form (as opposed to a show of hands);

‘Special General Meeting’ means a general meeting other than the annual general meeting;

‘Sporting body’ as referred to in this Constitution shall be deemed to mean any police sporting body, association or club;

‘Sport’ means an activity that is by its nature competitive, requires physical exertion and/or physical skill in competition and is organised competitively with the objective of achieving a result;

‘Suspension of Membership’ means the membership continues to exist but privileges have been withdrawn”;

‘Termination of Membership’ means the membership no longer exists;

‘The Act’ means the Associations Incorporations Act 1981 as amended;

‘The State’ means the State of Queensland.

3. OBJECT

3.1 The object of the Queensland Police Sporting Association Inc is to foster sport and recreational activities within the Queensland Police Service through membership of the Queensland Police Sporting Association Inc.

3.2 To foster camaraderie, fellowship, sportsmanship and goodwill amongst members of the Queensland Police Service.

3.3 To solely apply the property and income of the Queensland Police Sporting Association Inc towards the promotion of the objects of the Queensland Police Sporting Association Inc and no part of that property or income shall be paid or otherwise distributed, directly or indirectly, to members except in good faith in the promotion of these objects.

3.4 To encourage, support and promote interstate and international sporting activities for Queensland Police Sporting Association Inc members and Queensland Police employees, both sworn and unsworn.

4. POWERS

The powers of the Queensland Police Sporting Association Inc shall be -

(a) to do whatever may be deemed to be necessary to carry out the objectives of the Queensland Police Sporting Association Inc;

(b) to make rules or by-laws for the government of the Queensland Police Sporting Association Inc and the carrying out of its affairs, or to vary or rescind such rules or by-laws in the manner hereinafter provided.

(c) Invest or otherwise deal with the monies of the Queensland Police Sporting Association Inc not immediately required upon such security and in such manner as may from time to time be determined;

5. NON-PROFIT ASSOCIATION

The income and property of the Queensland Police Sporting Association Inc shall be applied solely towards the promotion of the object of the Queensland Police Sporting Association Inc. No portion of the income or property shall be paid, transferred or distributed directly or indirectly to the members of the Queensland Police Sporting Association Inc provided that nothing shall prevent the payment in good faith of remuneration to any officer or employee of the Queensland Police Sporting Association Inc or to any person other than a member, in return for service rendered to the Queensland Police Sporting Association Inc.

6. MEMBERSHIP

(a) Ordinary Members - Ordinary membership of the Queensland Police Sporting Association Inc shall be open to serving and retired members and all employees and superannuates of the Queensland Police Service.

(b) Board Approval - Every person seeking membership of the Queensland Police Sporting Association Inc must submit a written application to the Board for approval.

(c) Life Membership - At any Annual General Meeting or Special General Meeting, and following a motion of which at least 21 days notice has been given, any member may be appointed a life member of the Queensland Police Sporting Association Inc with the approval of three-quarters of those present and eligible to vote.

7. EXPULSION

Where a member's subscriptions are more than twelve months in arrears, the Director of Administration shall forward a notice of intention to terminate membership to the member's last recorded address. If the subscriptions are not paid or there is no response within 30 days from the date of the notice, the Director of Administration shall remove the member's name from the register of members, where upon that member ceases to be a member of the Queensland Police Sporting Association Inc.

Additionally, the Board may consider the termination of a membership whereby the member has displayed inappropriate conduct including serious misconduct and committing a criminal offence. The determination of what constitutes serious misconduct and grounds for removal will be decided at the relevant board meeting.

A notice of cessation of membership shall be sent forth with by the Director of Administration to the member's last recorded address.

Provided that where such action has been taken, the member concerned can appeal to an ordinary general meeting called for the purpose of determining the matter. Such appeal must be lodged in writing with the Director of Administration within 30 days of the date of the notice of cessation of membership.

The Director of Administration shall call a board meeting within 21 days of the date of receiving the appeal for the express purpose of resolving the appeal.

8. SUBSCRIPTIONS

Every member shall pay a subscription fee to be determined from time to time at Annual General Meetings.

9. MANAGEMENT

(a) Board - The management of the Queensland Police Sporting Association Inc shall be vested in a Board consisting of:

- i. President,
- ii. Vice-President,
- iii. Director of Administration,
- iv. Director of Finance,
- v. Up to six (6) other members, named Independent Directors,

of the Board of whom a majority may act and shall, subject to Clause (e), have power to exercise any of the functions of the Board on all urgent matters and shall report their action to the next meeting of the Board. In any decision-making process of this group they may canvas other Board members by any means including electronic mail and voting. Such rationale will be recorded and reported to the next meeting of the Board.

(b) A meeting of the Board may be called at any time by the President or the Director of Administration and in each instance, all members shall be notified of the date of such meeting at least seven days prior to the meeting, and where possible there will be a meeting of the Board in each calendar month.

(c) At meetings of the Board all office bearers shall have one vote, with the exception of the President who shall have a casting vote as well as a deliberative vote. All questions shall be decided upon a show of hands. Absent voting shall not be allowed.

(d) Four members shall constitute the quorum at all Board meetings of the Queensland Police Sporting Association Inc.

(e) In the event of the President not occupying the Chair at meetings, the Vice-President shall occupy the Chair and shall subsequently convey to him/her in writing for information, and where applicable for approval, resolutions adopted at such meetings.

(f) If the President and the Vice-President are absent from a general meeting, the members present shall elect one of their number to preside as chair thereat.

10. REGISTER OF MEMBERS AND MAINTENANCE OF RECORDS

(a) The Director of Administration on behalf of the Queensland Police Sporting Association Inc shall keep and maintain an up-to-date Register of Members at the office of the Queensland Police Sporting Association Inc.

(b) The Director of Administration, on behalf of the Queensland Police Sporting Association Inc, shall also keep minutes of meetings held, annual financial statements, Auditor reports, lease agreements, and other appropriate records at the office of the Queensland Police Sporting Association Inc.

(c) Upon the request of a Member, Chamber of Commerce and Industry Queensland (CCIQ) or the Association's Auditor, the Register of Members and other records of the Association shall be made available for that Member or those officers' inspection but that Member or those officers shall have no right to remove or keep the Register and/or record; however, they may photo-copy any section for which inspection is sought.

11. RESOLVING DISPUTES

11.1 Disputes arising under the Rules

(a) This rule applies to: disputes between Members; and disputes between the Queensland Police Sporting Association Inc and one or more Members.

(b) In this rule Member includes any organisation/person who was a member of the Queensland Police Sporting Association Inc at the time the Dispute occurred, even if they are no longer a Member.

(c) A Member wishing to initiate the procedure under this rule must give written notice to the Director of Administration of the parties to, and the details of, the Dispute.

(d) The Director of Administration must convene a Board Meeting within 28 days after the Queensland Police Sporting Association Office receives notice of the Dispute under rule 11.1(c) for the Board to determine the Dispute.

(e) At the Board Meeting to determine the Dispute, all parties to the Dispute must be given a full and fair opportunity to state their respective cases orally, or in writing, or both.

(f) The Director of Administration must inform the parties to the Dispute of the Board's decision within seven (7) days after the Board Meeting referred to in rule 11.1(d).

(g) If any party to the Dispute is dissatisfied with the Board's decision, they may elect to initiate further Dispute resolution procedures as set out in these Rules.

11.2 Mediation

(a) This rule only applies if a member is dissatisfied with the decision made by the Board under rule 11.1.

(b) A Member wishing to initiate this appeal procedure must give written notice to the Director of Administration of the parties to, and the details of, the Dispute.

(c) The party seeking mediation is to pay the costs of the mediation.

(d) Upon receiving notice under rule 11.2. (b) the Director of Administration must arrange the mediation. The mediator must be: i. a person chosen by agreement between the parties; or ii. in the absence of agreement, a person who is a mediator appointed to, or employed with, a not-for-profit organisation. A Member can be a mediator, but the mediator cannot be a member who is a party to the Dispute.

(e) The parties to the Dispute must, in good faith, attempt to settle the Dispute by mediation.

(f) The parties are to exchange written statements of the issues that are in Dispute between them and supply copies to the mediator at least 5 days before the mediation session.

(g) The mediator, in conducting the mediation, must give the parties to the mediation process every opportunity to be heard;

(h) allow all parties to consider any written statement submitted by any party; and

(i) ensure that natural justice is accorded to the parties to the Dispute throughout the mediation process.

(j) The mediator must not determine the Dispute and the mediation must be confidential and conducted on a without prejudice basis.

11.3 Inability to Resolve Disputes

If a Dispute cannot be resolved under the procedures set out in these Rules, any party to the Dispute may apply to the Queensland Civil and Administrative Tribunal (QCAT) to determine the dispute in accordance with the Act or otherwise at law.

12. POWERS OF BOARD

(a) The administration and management of the affairs of the Queensland Police Sporting Association Inc are vested in the Board which in addition to the powers expressly conferred by this Rule, shall act in accordance with the purpose and powers of the Queensland Police Sporting Association Inc and the policies approved by the Members.

(b) The Board may by Special Resolution make, vary or repeal ByLaws.

(c) Any notice of intent to make, alter or repeal By-Laws must be presented and shall be received at the Board meeting prior to that at which it is intended to make, alter or repeal such by-law.

(d) The Board may appoint Sub-committees and delegate to such Sub-committees such powers as are relevant to their duties and functions.

(e) The Board shall be empowered to do all such things as may be necessary to carry into effect resolutions passed at any Board Meeting of the Queensland Police Sporting Association Inc.

13. FUNDS OF THE FEDERATION

(a) All money received by the Queensland Police Sporting Association Inc shall be appropriately receipted and shall be deposited, within seven (7) days into such account/s at such bank or institution as the Board shall determine from time to time.

(b) All payments shall be made by debit card or electronic funds transfer under the authority of the Board and be signed in such manner and by such members of the Board as the Board shall from time to time determine.

(c) The Board shall cause the keeping of proper Books of Account showing the financial affairs of the Queensland Police Sporting Association Inc, as and when required. The Board shall also cause the preparation of an Annual Statement of Affairs and Balance Sheet which shall, after audit, be made available to Members at the Annual General Meeting.

14. AUDITORS

One or more auditors may be elected at the Annual General Meeting of the Queensland Police Sporting Association Inc.

Once at least in every financial year, the accounts of the Queensland Police Sporting Association Inc shall be examined and the correctness thereof ascertained by the Auditor. The Auditor shall also ascertain the correctness of the statements and balance sheet to be presented by the Director of Finance to the last previous Annual General Meeting and shall certify the correctness or incorrectness thereof in writing to the Board and shall present to the Board a report on the books and the accounts of the Queensland Police Sporting Association Inc for presentation to the Annual General Meeting.

15. ANNUAL GENERAL MEETINGS

(a) The Annual General Meeting of the Queensland Police Sporting Association Inc shall be held within three months of the close of the financial year to receive the Annual Report and Financial Statement for the year ended December 31.

(b) Twenty one days notice of such meeting shall be given to each member of the Queensland Police Sporting Association Inc entitled to be present at such meeting.

(c) The following will be the order of business the Annual General Meeting of the Queensland Police Sporting Association Inc:

i. President's Address.

ii. Reading and confirmation of minutes of the previous Annual General Meeting.

iii. Any reports called for, arising out of the minutes of the previous Annual General Meeting.

iv. Presentation of Financial Statement (an overview of the financial position of the Queensland Police Sporting Association Inc), Balance Sheet and any other reports.

v. Election of office bearers for the ensuing year.

vi. Election of the Auditor

vii. General business.

(d) The Annual General Meeting may transact special business of which at least 21 days notice in writing has been given.

16. SPECIAL GENERAL MEETINGS

(a) The Board or the officers of the Queensland Police Sporting Association Inc may, whenever it thinks fit, convene a Special General Meeting of the Queensland Police Sporting Association Inc.

(b) The Board shall, on the requisition in writing of not less than eight members, convene a special general meeting of the Queensland Police Sporting Association Inc.

c) Only agenda items can be heard at a Special General Meeting.

17. BUSINESS AND QUORUM AT ANNUAL AND SPECIAL GENERAL MEETINGS

(a) No items of business shall be transacted at an Annual General Meeting or Special General Meeting unless a quorum of members entitled under this Constitution to vote is present during the time when the meeting is considering that item.

(b) Five members personally present (being members entitled under this Constitution to vote thereat) shall constitute a quorum for the transaction of the business of an annual or special general meeting.

(c) If within one hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved; and in any other case it shall stand adjourned to the same day in the next week, at the same time and (unless another place is specified by the president at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place, and if at the adjourned meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting shall be dissolved.

(d) The President, or in his/her absence, Vice President, shall preside as chairperson (chair) at every annual or special general meeting of the Queensland Police Sporting Association Inc.

(e) If the President and the Vice President are absent from an Annual or Special General Meeting, the members present shall elect one of their number to preside as chair thereat.

(f) A question arising at an Annual or Special General Meeting of the Queensland Police Sporting Association Inc shall be determined on a show of hands.

(g) Upon any question arising at a general meeting of the Queensland Police Sporting Association Inc;

i. A member has one vote only.

ii. All votes shall be given personally.

iii. The chair of the meeting shall have an additional casting vote which shall be exercised to maintain the status-quo.

18. ELECTION OF OFFICERS

All office bearers shall be elected at the Annual General Meeting and retiring officers shall be eligible for re-election.

19. RESIGNATION, ETC. OF OFFICE BEARERS

The position of an office bearer of the Queensland Police Sporting Association Inc shall be declared vacant should he/she submit their resignation in writing. Should an office bearer fail to attend three consecutive meetings of the Board and not subsequently offer a reasonable explanation for his/her absence, their office may be declared vacant. Board members are considered present if they attend via phone. Should the position of any office bearer be declared vacant, the President shall select another person from the Board to act in that office until the next Annual General Meeting.

In the event that two or more office bearers resign prior to the Annual General Meeting, the Director of Administration may call a special general meeting in order to elect new office bearers to those positions in order to maintain the effective running of the Queensland Police Sporting Association Inc.

20. AMENDMENTS

No amendment shall be made to this Constitution, except at an Annual General Meeting or a Special General Meeting and then only with the approval of three-quarters of those present and eligible to vote. Notice of proposed amendments shall be given in writing to the Director of Administration at least 21 days prior to the Annual General Meeting or Special General Meeting.

22. DISSOLUTION

The Queensland Police Sporting Association Inc may be dissolved or wound up by a Special Resolution and passed by 75% majority of the members present at any general meeting or at a special general meeting called for such purpose. If upon the dissolution or winding up of the Queensland Police Sporting Association Inc there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to, transferred or distributed amongst the members of the Queensland Police Sporting Association Inc. It shall be given to some other association, incorporated under the act having objects similar wholly or in part to the objects of the Association, provided that the association institution or body shall prohibit the distribution of it's income and property among its members, or for charitable purposes, which association, institution, body or object shall be determined by the members of the Queensland Police Sporting Association Inc at or before the time of dissolution or winding up. In default of any such resolution such payment, transfer or distribution shall be determined by a Judge of the District Court.

23. COMMON SEAL

DRAFT