

**WESTERN SUBURBS TOUCH
FOOTBALL ASSOCIATION
INCORPORATED**



CONSTITUTION

JULY 2022

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1.0 CLAUSE 1 – GENERAL

1.1 NAME:

The name of the Association shall be:

Western Suburbs Touch Football Association (Incorporated)

In forming this Association, it is acknowledged by the members that the records and intellectual properties of the Western Suburbs Representative Club and the Western Suburb Touch Referees Association will be transferred to this Association.

1.2 MISSION STATEMENT:

The mission statement of the Association shall be:

"To service and develop the sport of Touch Football for the enjoyment of all participants – the development of the park competition, junior competition, referees, administrators, selectors, judiciary procedures and representative players"

1.3 LOGO:

The logo of the Association shall be:



Luceat Lux Vestra – “Let Your Light Shine”

1.4 COLOURS:

The playing colours of the Association shall be **Black & White** - (a third colour may be introduced upon the approval of the general committee).

1.5 HEADQUARTERS:

The headquarters of the Association shall be determined by the Executive Committee from time to time, or in the event of no such determination, the address of the Western Suburbs Touch Football Association Administrator. The address may be virtual, e.g. an email address.

2.0 CLAUSE 2 – OBJECTIVES

The objectives of the Association shall be:

- 2.1 To promote, encourage, foster, develop, extend, govern and control the sport of Touch Football in the Western Suburbs area and its local communities.
- 2.2 To co-ordinate, encourage, assist, guide and support the activities of our members within the Western Suburbs Touch Football area and its communities and facilitate the co-operation of all.
- 2.3 To promote, organise and conduct competitions, and other events within the Western Suburbs Touch Football area and its communities pertaining to the sport as may from time to time be considered.
- 2.4 In conjunction with the Western Suburbs Touch Football Association General Committee, establish and maintain the touch football playing rules and regulations.
- 2.5 To select, support and/or sponsor any Western Suburbs Touch Football Association representative teams.
- 2.6 To act as the disciplinary and adjudicating body in respect of all matters pertaining to touch football in the Western Suburbs Touch Football Association.
- 2.7 To co-operate with the organisations controlling the game in the promotion and control of the Sport.
- 2.8 To represent the Western suburbs Touch Football Association at the Sydney Mets and New South Wales Touch Association annual general meetings and the like.
- 2.9 To abide by the overriding Constitution, policies and regulations of the Western Suburbs Touch Football Association (Incorporated).

3.0 CLAUSE 3 – AUTHORITY

For the purpose of carrying out the objectives as stated in Clause 2, the Association shall have the authority to:

- 3.1 Provide and assist in the acquisition of playing fields, referees, material, equipment and other facilities for the game.
- 3.2 Join with other Affiliates and the New South Wales Touch Association in the playing of representative games.
- 3.3 Raise money, acquire assets necessary to facilitate participation in representative events and obtain approvals as may be necessary for that purpose.
- 3.4 Raise money, acquire the necessary assets to conduct championships, competitions or other events and to obtain such approvals necessary for that purpose.
- 3.5 Regulate and, if necessary, monitor and control the operations of teams within the Association.

- 3.6 Regulate and control the relationships between members, affiliates, and other organisations within their community. Provide facilities for the settlement of disputes matters of discipline or misconduct and for breach of this Constitution or any other rule or policy hereunder.
- 3.7 Control and invest the funds of the Association in such a manner as shall be decided.
- 3.8 Purchase, transfer, sell, assign, mortgage, lease, hire or exchange: - equipment, plant, furnishings or any other property whatever, and in any manner authorised.
- 3.9 With the approval of the Western Suburbs Touch Football Association general committee, impose, levy and collect subscription fees and other charges upon or from its members.
- 3.10 Enter into agreements/contracts for the benefit of the Association and its members.
- 3.11 Action all things necessary for or incidental to the pursuit of the objectives of the Association.

4.0 CLAUSE 4 – MEMBERSHIP

4.1 CLASSIFICATION:

The membership of the Association shall be:

- 4.1.1 Ordinary members.
- 4.1.2 Life Members.
- 4.1.3 Association Patron(s).

4.2 ORDINARY MEMBER:

To be an Ordinary Member of the Association the following shall apply:

- 4.2.1 Be a registered and financial member of an Affiliated Team, or as an official or referee or coach. This applies to those registered in the most recently commenced Season A and/or Season B as determined by NSWTA.
- 4.2.2 The Western Suburbs Touch Football Association shall determine the method of registration and system of fee payment.
- 4.2.3 Life Members.

All rights, privilege or obligations, which a member has, is not transferable or able to be transmitted to another person.

A Register of Members can be provided as a report generated from the NSWTA registration system.

4.3 LIFE MEMBERSHIP:

To be a Life Member of the Association the individual must be inducted through the following process; or be a Life Member as per the records of the Club Archivist / Historian as at the time of acceptance of this Constitution.

- 4.3.1** Nominations must be forwarded to the Club Archivist / Historian.
- 4.3.2** Nominations are to include reasons supporting the honour to be bestowed.
- 4.3.3** Nominees must have (or have had) an Association with the Western Suburbs Club as a player, administrator, referee, coach or manager. This Association should total a period of ten years or more. Consecutive years of service are not essential.
- 4.3.4** Disputes regarding eligibility will be determined by the Club Archivist / Historian.

5.0 CLAUSE 5 – COMMITTEES

5.1 GENERAL COMMITTEE

The members of the general committee must comply with the membership clause of the Constitution.

The membership of the general committee is comprised of:

- 5.1.1** Executive Committee.
- 5.1.2** Technical Panel.
- 5.1.3** Park Administrator.
- 5.1.4** Club Captain.
- 5.1.5** Representative Administrator.
- 5.1.6** Junior Administrator.
- 5.1.7** Club Archivist / Historian.

All general committee members are to be elected by the Western Suburbs executive committee, except for the Executive Committee who will be elected by the Western Suburbs financial members. The Club Archivist / Historian will be appointed by the Executive Committee. A quorum is stipulated as greater than 50% of the total individuals.

5.2 EXECUTIVE COMMITTEE

The membership of the Executive Committee must comply with the membership clause of the Constitution.

The membership of the executive committee shall be:

- 5.2.1 President.
- 5.2.2 Vice President.
- 5.2.3 Financial Director.
- 5.2.4 Administrator.
- 5.2.5 Technical Director.

A quorum is stipulated as 3 members of the Committee and must include the President and/or the Vice President.

5.3 TECHNICAL PANEL

The members of the technical panel must comply with the membership clause of the Constitution.

The membership of the technical panel shall be:

- 5.3.1 Technical Director.
- 5.3.2 Director of Coaching.
- 5.3.3 Director of Referees.
- 5.3.4 Director of Selectors.
- 5.3.5 Director of Juniors.

All members of the technical panel are to be appointed by the Executive Committee with the exception of the Technical Director, who is elected by financial members of the Western Suburbs Touch Football Association.

5.4 RESPONSIBILITIES – COMMITTEE

The responsibilities of the committees and panels shall be in accordance with the Policies of the Western Suburbs Touch Football Association (incorporated).

5.5 RESPONSIBILITIES – INDIVIDUALS

- 5.5.1 The responsibilities of individuals shall be in accordance with the Policies of the Western Suburbs Touch Football Association.

5.5.2 The President or Vice President (if delegated to do so by the President) shall be an ex-officio member of all committees within the Association.

5.6 **ELIGIBILITY**

For a person to be eligible to be nominated for any committee or panel, the following shall be required:

5.6.1 Compliance with the membership clause of the Constitution.

5.6.2 Compliance with the requirements of the Policies of the Western Suburbs Touch Football Association.

5.7 **ELECTION – APPOINTMENT**

5.7.1 Members of the Executive Committee shall be elected every second year at an annual general meeting, by all financial members of the Western Suburbs Touch Football Association.

5.7.2 Members of the technical panel, with the exception of the technical director, shall be appointed every second year at an annual general committee meeting by the Executive Committee.

5.7.3 All positions are to be advertised no less than twenty-one (21) days prior to the election date. Nominations are to be received by an Executive Committee nominee no less than five (5) days prior to the meeting. If nominations have not been received for a position by that date, then the Executive Committee shall have the power to accept late nominations from the floor. In these cases, the President shall be required to advise members of the actions at the meeting.

5.7.4 Once elected/appointed the Committee Members shall hold the position for a period of two (2) years.

5.7.5 To ensure business continuity, the election of the Executive members will occur on alternate years. All will be elected in Year One. The Vice President, Treasurer and Technical Director will come up for re-election after two years and every subsequent two years. The President and Secretary will serve an initial term of three years and will come up for re-election every subsequent two years.

5.8 **CASUAL VACANCIES**

In the case of casual vacancies, the executive committee shall appoint the replacement. Such appointments are to be reported at the following general committee meeting. Casual vacancies are to be appointed for a period ending with the next scheduled election for that position.

5.9 POWERS

Subject to the provisions of this Constitution together with, the Constitution and policy of the Western Suburbs Touch Football Association the committee shall have the power to:

- 5.9.1** Make recommendations to introduce, vary, repeal or rescind any policy of the Association.
- 5.9.2** Make recommendations to introduce, vary, repeal or rescind any clause of this Constitution.
- 5.9.3** Carry out the approved policy.

5.10 MEETINGS

5.10.1 General Committee.

- 5.10.1.1** A minimum of three (3) General Committee Meetings shall be held per year.
- 5.10.1.2** Where there are special or extenuating circumstances the Executive Committee shall have the power to call a special general committee meeting.
- 5.10.1.3** The Annual General Meeting will be held within six months of the end of the Financial Year.
- 5.10.1.4** Where there are special or extenuating circumstances the General Committee shall have the power to call a Special General Committee Meeting subject to:
 - 5.10.1.4.1** A minimum of three (3) voting members of the general committee requesting in writing for the meeting to be called.
 - 5.10.1.4.2** Such request to be submitted to the President.

5.10.2 Executive Committee.

- 5.10.2.1** A minimum of three (3) Executive Committee Meetings shall be held per year.
- 5.10.2.2** The scheduling of meetings shall be held at the discretion of the majority of Executive members.
- 5.10.2.3** The Annual General Meeting.

The Association shall have the power to admit visitors to, or exclude them from, a meeting and any visitor may, on the invitation of the President and with the consent of the majority of members present, address the meeting, but no visitor will have the right to vote.

All General Meetings other than the Annual General Meeting shall be Special General Meetings and shall be held in accordance with this Constitution.

5.10.3 Special General Meetings.

5.10.3.1 Special General Meetings may be held.

5.10.3.1.1 The Executive Committee may, whenever it thinks fit, convene a Special General Meeting. When, but for this clause, more than fifteen (15) months elapses between Annual General Meetings, the Executive Committee shall convene a Special General Meeting before the expiration of that period.

5.10.3.2 Requisition of Special General Meetings.

5.10.3.2.1 The secretary will convene a Special General Meeting when at least five per cent (5%) of Members entitled to vote submit a requisition in writing. The requisition for a Special General Meeting shall state the object(s) of the meeting, be signed by the Members making the requisition and be sent to the Club. The requisition may consist of several documents in a like form, each signed by one (1) or more of the Members making the requisition. If the Executive Committee does not cause a Special General Meeting to be held one (1) month after the date in which the requisition is sent to the Club, the Members making the requisition, or any of them, may convene a Special General Meeting to be held no later than three (3) months after that date. A Special General Meeting convened by Members under this Constitution shall be convened in the same manner, or as close as possible, as those convened by the Executive Committee.

5.10.4 Notices of Motion.

5.10.4.1 Members entitled to vote may submit notices of motion for inclusion as special business at a general meeting. All notices of motion must be submitted in writing to the Club no less than thirty-five (35) days (excluding receiving date and meeting date) prior to the General Meeting.

5.11 VOTING RIGHTS

5.11.1 At General Committee Meetings the following shall receive one (1) vote per person:

5.11.1.1 Executive Committee.

- 5.11.1.2 Technical Panel.
 - 5.11.1.3 Park Administrator.
 - 5.11.1.4 Club Captain.
 - 5.11.1.5 Representative Administrator.
 - 5.11.1.6 Junior Administrator.
 - 5.11.1.7 Club Archivist / Historian.
- 5.11.2 At other committee meetings all members of the respective committee shall have one (1) vote.
- 5.11.3 All members must comply with the membership clause of the Constitution.
- 5.11.4 In the case of a deadlock the meeting chairperson shall receive a casting vote. The Chairperson shall be the President, or if absent, the Vice-President.
- 5.11.5 Only members in attendance at the meeting are eligible to vote.
- 5.11.6 Mail proxy and telephone votes will not be accepted.
- 5.11.7 Any person with a conflict of interest in the matter to be voted on shall abstain from voting on that matter. A conflict of interest shall be determined by simple majority of the Executive Committee and should be resolved, where possible, prior to the meeting.

5.12 **METHOD OF VOTING**

5.12.1 Elections:

- 5.12.1.1 Immediately preceding the election of office bearers, the President shall declare all elected positions vacant and vacate the chair after appointing an acting Chairman, who shall not be a person nominated for election to the board.
 - 5.12.1.2 Registered nominated delegates and directors shall have one vote each. In the case of a deadlock, the acting chairman shall have one vote to be used as a casting vote only. He shall not have a deliberative vote.
 - 5.12.1.3 Voting on the election of office bearers is by secret ballot.
 - 5.12.1.4 Voting at elections shall be by multiple preferential voting. Such ballot shall be conducted by scrutineers, nominated from the meeting and approved by the chairman of the meeting.
 - 5.12.1.5 Upon being elected to office, each office bearer shall automatically attain voting rights for all subsequent elections at the meeting.
- 5.12.2 On all other matters voting shall be by a simple majority, on a show of hands at the meeting, unless a secret ballot is demanded before the question is put to a vote.

5.12.3 Disclosure of Interests:

5.12.3.1 The nature of the interest of an Executive Member must be declared at the meeting of the Executive Committee at which the relevant matter is first taken into consideration, if the interest then exists. In any other case, the interest should be disclosed to the Executive Committee at the next meeting of the Executive Committee. If an Executive Member becomes interested in a matter after it is made or entered into, the declaration of the interest must be made at the first meeting of the Executive Committee held after the Executive Member interest has arisen. All disclosed interests must also be disclosed at each Annual General Meeting.

5.13 QUORUM

5.13.1 A quorum shall be a minimum of five (5) (not including Executive members present) for Annual General Meetings.

5.13.2 A quorum member shall be a voting member in accordance with the Constitution.

5.14 NO QUOROM

In the event that a minimum quorum is not present thirty (30) minutes after the scheduled commencement time the following shall apply:

5.14.1 President or meeting chairman shall declare the meeting has lapsed and the President or meeting chairman shall determine it be reconvened at a later date subject to the conditions of the Constitution or;

5.14.2 In relation to the general committee the meeting may proceed subject to Unanimous acceptance of those members present.

5.14.3 Any determination pursuant to the circulated agenda shall not be deemed approved until the said determination has been circulated to the members for twenty-one (21) days.

5.14.4 If a minimum of five (5) objections is received from voting general committee members, then the relevant issue shall be deemed to be lost.

5.15 ORDER OF BUSINESS

General Annual and Committee Meetings:

5.15.1 Apologies.

5.15.2 Registration of attendance.

5.15.3 Minutes of previous meeting.

- 5.15.4 Reports (where applicable).
- 5.15.5 Financial statement (where applicable).
- 5.15.6 Election of executive committee (biennial) (where applicable).
- 5.15.7 Appointment of life members (where applicable).
- 5.15.8 Special resolutions (where applicable).
- 5.15.9 Notice of motions (where applicable).
- 5.15.10 General business.

5.16 NOTICE TIME

General Annual and Committee Meetings:

- 5.16.1 Not less than twenty-one (21) days prior to the scheduled date of the said meeting, the date time and venue of the meeting shall be circulated to the members.
- 5.16.2 All meetings' papers shall be circulated to the general committee members not less than ten (10) days prior to the scheduled date of the meeting.
- 5.16.3 In regard to urgent matters that have extenuating circumstances, the general committee members may accept additional meeting papers subject to unanimous acceptance in attendance at the meeting.

6.0 CLAUSE 6 – FINANCIAL

- 6.1 The Western Suburbs Touch Football Association incorporated shall collect fees from members and such affiliation fees will be determined by the Financial Director and as regards the Park competition, by the Park Administrator and the Financial Director.
- 6.2 All fees shall be remitted to the Western Suburbs Touch Football Association Financial Director as advised.
- 6.3 The Western Suburbs Touch Football Association may raise such other funds from members as stated under clause 3 of the Constitution and approved by the general committee.
- 6.4 The Western Suburbs Touch Football Association may operate in its name at any bank or other financial institution, the Financial Director will be responsible for this and advising the Executive. All the funds of the Western Suburbs Touch Football Association shall be paid into such an account, unless approved by the Finance Director otherwise.
- 6.5 The signatories of the accounts of the Western Suburbs Touch Football Association shall be that of the President, Finance Director and Park Administrator with two (2) of the three (3) signatories being required on any withdrawal form.

- 6.6 The financial records of the Western suburbs Touch Football Association shall consist of receipt books, invoice books, journals, general ledger, profit and loss statement, and balance sheet, chequebooks and deposit books to be held by the Finance Director. In addition, any electronic documentation that replaces the aforementioned shall be considered financial records of the Association.
- 6.7 At the close of each financial year (31 March) the Financial Director shall prepare and advertise profit and loss statements and a balance sheet for production at the annual general meeting.
- 6.8 The prepared statement may be required, at the call of the Executive Committee, to be audited by a duly qualified public accountant approved by the Executive Committee.
- 6.9 The assets and bank accounts of the Western Suburbs Touch Football Association incorporated will be wholly controlled by the Western Suburbs Touch Football Association. All financial records must be presented as required by the Executive Committee.
- 6.10 The Finance Director is determined to be the Public Officer to the Department of Fair Trading – Associations, unless other stated by the Executive Committee.

7.0 CLAUSE 7 - DISCIPLINE

- 7.1 On any complaint being made to an executive member, of misconduct or conduct prejudicial to the interests and welfare of the Association, its administration or the game of touch on the part of any member of the Association, the Executive Committee, or other committee delegated by the executive committee, shall have the power to cite or cause to appear before it any such member to deal with such complaint. And in the exercise of the power hereby conferred may disqualify, suspend, fine, place on a bond or otherwise deal with any person or body they find to have been guilty of such conduct.
- 7.2 Every determination of a disciplinary nature by the Association shall operate throughout Western Suburbs Touch Football Association unless an appeal shall have been finally determined and allowed.
- 7.3 A member, while under suspension or disqualification shall not be eligible to hold office with the Association.
- 7.4 The Western Suburbs Touch Football Association general committee shall be the final appellate body in all matters of dispute involving any one or more of the members, except where there is provision to the contrary in this Constitution or as otherwise delegated.
- 7.5 The procedures in respect to disciplinary, misconduct and appeal hearings are to be in accordance with the Western Suburbs Touch Football Association disciplinary policy.

8.0 CLAUSE 8 - CONSTITUTION

- 8.1 Provisions of this Constitution are binding on all members of the Western Suburbs Touch Football Association.
- 8.2 The executive committee shall refer any questions as to the interpretation of this Constitution in writing for determination.
- 8.3 Any alterations to the Constitution must be done so in writing submitted to the annual general meeting and be passed by way of special resolution.
- 8.4 Any alteration or addition to the Constitution approved in accordance with the above sub-clause by the Western Suburbs Touch Football Association, requires to be approved by the Western Suburbs Touch Football Association Executive Committee.

9.0 CLAUSE 9 – NOTICE OF MOTIONS

9.1 SPECIAL RESOLUTIONS

- 9.1.1 Any notice of motion submitted with the intention of amending, adding, varying, rescinding or altering in any way the clauses of this Constitution must be done so by way of special resolution.
- 9.1.2 The special resolution must be submitted.
- 9.1.3 A special resolution must be submitted to the general committee meeting.
- 9.1.4 For a special resolution to be passed a 75% majority is required.

9.2 NOTICE OF MOTION

- 9.2.1 All issues other than as indicated above, must be submitted as an ordinary notice of motion.
- 9.2.2 A notice of motion is to be submitted.
- 9.2.3 For a notice of motion to be successful it must achieve a simple majority of 51%.
- 9.2.4 Depending on the issue a notice of motion may be submitted to the executive committee or the general committee.
- 9.2.5 In cases of emergency, a notice of motion may be submitted and dealt with at a meeting without the requisite notice provided that approval is given by a resolution supported by at least two thirds of those present and eligible to vote and provided that at least 75% of the members of the relevant committee are present at the meeting when the proposal for waiving the requisite notice is put.

- 9.2.6 If such motion is lost, it shall not be resubmitted for consideration at a meeting of the Western Suburbs Touch Football Association until after the expiration of three (3) months from the date of the meeting at which it was last motioned.

10.0 CLAUSE 10 – INDEMNITY

Every Executive Member and employee of the Club will be indemnified out of the property and assets of the Club against any liability incurred by them in their capacity as Executive Member or employee in defending any proceedings, civil or criminal, in which judgement is given in their favour or in which they are acquitted or connected with any application in relation to any such proceedings in which relief is granted by the Court. The Club shall indemnify its Executive Members and employees against all damages and losses (including legal costs) for which any such Executive Member or employee may be or become liable to any third party in consequence of any act or omission, except wilful misconduct: in the case of an Executive Member, performed or made while acting on behalf of and with the authority, express or implied, of the Club; or in the case of an employee, performed or made in the course of, and within the scope of, their employment by the Club.

11.0 CLAUSE 11 – DEFINITIONS

In this Constitution and in any policy made hereunder, unless the contrary intention appears, or the subject matter otherwise indicates or requires:

- 11.1 "**Association**" means the Western Suburbs Touch Football Association Incorporated.
- 11.2 "**Finance Director**" shall be the public officer of the Western Suburbs Touch Football Association.
- 11.3 "**Financial Year**" means the period commencing on the first day of April each calendar year and ending on the thirty-first day of March of the following year.
- 11.4 "**Executive Committee**" means the overall controlling body of the sport within Western Suburbs Touch Football Association incorporated.
- 11.5 "**Misconduct**" means actions or behaviour in breach of the Constitution, policies or decisions of the Association or action by a member that may bring the Association into disrepute, or which is detrimental to the objects of the Association.
- 11.6 "**WSTFA**" means the Western Suburbs Touch Football Association Incorporated.
- 11.7 "**Nomination**" means nomination as per the electronic process (or other methods determined by the Executive Committee), in use by the Association. At the Annual General Meeting, the proposer, seconder and nominee must all be financial members.
- 11.8 "**Regulations**" means the Association Incorporation Regulations, 1985.

- 11.9 "**Western Suburbs Touch Football Association**" is responsible for the overall conduct, development and administration of touch within Western Suburbs Touch area.
- 11.10 "**Special Notice**" means the notice of a meeting of which twenty-one days' notice is given specifying the intention to propose a resolution, the text of which is contained in the notice.
- 11.11 "**Special Resolution**" means the resolution required to be passed by a majority of not less than three-quarters of the executive committee voting in person at a general meeting, annual general meeting or special meetings of which special notice has been given specifying the intention to propose the resolution as a special resolution.
- 11.12 "**The Act**" means the Association Incorporation Act 1984.
- 11.13 "**The Sport**" means the game of touch football.
- 11.14 "**Touch**" means the sport played under the rules as determined by the Touch Football Australia.