



**Pakenham Floorball Club Incorporated**

**MEMBER PROTECTION POLICY**

**VERSION 1**

**August 2017**

**This document is to be read in conjunction with the**

**Pakenham Floorball Club**

**Model Rules for an Incorporated Association 2012**

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# PAKENHAM FLOORBALL CLUB INC. MEMBER PROTECTION POLICY

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## 1. Introduction

The Pakenham Floorball Club Incorporated's (PFC) mission statement is to establish a professional organisation that is a leader within the Floorball community Australia-wide. The PFC aims to facilitate the growth of Floorball within the Pakenham community, and provide an inclusive medium for people of all ages, gender, sporting abilities, religious and cultural backgrounds to engage in Floorball, either as an athlete, coach, official, administrator, support personnel, or spectator, in a safe, welcoming and inclusive environment.

## 2. Purpose of Our Policy

The main objective of the PFC's ("our", "us" or "we") Member Protection Policy ("policy") is to maintain responsible behaviour and the making of informed decisions by members and other participants in this club. It outlines our commitment to a person's right to be treated with respect and dignity, and to be safe and protected from discrimination, harassment and abuse. Our policy informs everyone involved in our club of his or her legal and ethical rights and responsibilities and the standards of behaviour that are expected of them. It also covers the care and protection of children participating in our club's activities.

## 3. Who Our Policy Applies To

This policy applies to everyone involved in the activities of our club whether they are in a paid or unpaid/voluntary capacity and including:

- club committee members, administrators and other club officials;
- coaches and assistant coaches and other personnel participating in events and activities, including camps and training sessions;
- support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers and others;
- referees, umpires and other officials;
- athletes;
- members, including any life members;
- parents; and
- spectators.

## 4. Extent of Our Policy

Our policy covers all matters directly and indirectly related to the PFC and its activities. In particular, the policy governs unfair selection decisions and actions, breaches of our code of behaviour and behaviour that occurs at training sessions, in the club rooms, at social events organised or sanctioned by the club (or our sport), and on away and overnight trips. It also covers private behaviour where that behaviour brings our club or sport into disrepute or there is suspicion of harm towards a child or young person.

## 5. Club Responsibilities

We will:

- adopt, implement and comply with this policy;
- ensure that this policy is enforceable;
- publish, distribute and promote this policy and the consequences of any breaches of this policy;
- promote and model appropriate standards of behaviour at all times;
- deal with any complaints made under this policy in an appropriate manner;
- deal with any breaches of this policy in an appropriate manner;
- recognise and enforce any penalty imposed under this policy;
- ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies;
- review this policy every 12-18 months; and

- seek advice from and refer serious issues to the Victorian Floorball Association (VFA), the Australian Floorball Association (AFA), or government bodies as legally required.

Serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (e.g. physical assault, sexual assault, child abuse) and any other issues that our state or national bodies request to be referred to them.

## **6. Individual Responsibilities**

Everyone associated with our club must:

- make themselves aware of the contents of this policy;
- comply with all relevant provisions of this policy, including the standards of behaviour outlined in this policy;
- consent to the screening requirements set out in this policy, and any state or territory Working with Children checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18, or where otherwise required by law;
- treat other people with respect;
- always place the safety and welfare of children above other considerations;
- be responsible and accountable for their behaviour; and
- follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment, bullying or other inappropriate behaviour; and
- comply with any decisions and/or disciplinary measures imposed under this policy.

## **7. Protection of Children**

### **7.1 Child Protection**

The PFC is committed to the safety and wellbeing of children and young people who participate in our clubs activities or use our services. We support the rights of the child and will act at all times to ensure that a child safe environment is maintained. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure and safe environment for all participants.

The PFC acknowledges the valuable contribution made by our staff, members and volunteers and we encourage their active participating in providing a safe, fair and inclusive environment for all participants.

#### **7.1.1: Identifying and Analysing Risks of Harm**

The PFC will develop and implement a risk management strategy, which includes: a review of our existing child protection practices to determine how child-safe our organisation is; to identify any additional steps we can take to minimise and prevent the risk of harm to children because of the action of an employee, volunteer or another person; making child safety this highest priority within the PFC; and establishing values, behavioural expectations that are consistent with a child-centred, child safe culture.

#### **7.1.2: Developing Codes of Conduct for Adults and Children**

We will develop and promote a code of conduct that specifies standards of conduct and care we expect of adults when they deal and interact with children, particularly those in our care. We will also implement a code of conduct to promote appropriate behaviour between children.

The codes will clearly describe professional boundaries, ethical behaviour and unacceptable behaviour. (See Attachment 2)

#### **7.1.3: Choosing Suitable Employees and Volunteers**

The PFC will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children, especially those in positions that involve regular unsupervised contact with children. This may be achieved using a range of

screening measures. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

The PFC will ensure that Working with Children Checks and criminal history assessments are conducted for employees and volunteers working with children, where an assessment is required by law. If a criminal history report is obtained as part of the screening process, the PFC will ensure that the criminal history information is dealt with confidentially and in accordance with relevant legal requirements.

The PFC will ensure that all employees and volunteers working with children, and who have a valid Working with Children Check, complete the Member Protection Declaration at the time of their appointment and as part of the screening process. (See Attachment 1.1)

#### **7.1.4: Support, Train, Supervise and Enhance Performance**

The PFC will ensure that all our employees and volunteers who work with children have ongoing supervision, support and training. Our goal is to develop their skills and capacity and to enhance their performance so we can maintain a child-safe environment in our club.

#### **7.1.5: Empower and Promote the Participation of Children in Decision-Making and Service Development**

The PFC will promote the involvement and participation of children and young people in developing and maintaining a child-safe environment in our club.

#### **7.1.6: Report and Respond Appropriately to Suspected Abuse and Neglect**

The PFC will ensure that employees and volunteers are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable ground that a child has been, or is being, abused or neglected (See Attachment 4).

In addition to any legal obligations, if any person believes that another person or organisation bound by this policy is acting inappropriately towards a child or is in breach of this policy, they may make an internal complaint. Please refer to our complaints procedure in section 10 of this policy.

Any person who believes a child is in immediate danger or in a life threatening situation, should contact the police immediately.

### **7.2 Supervision of Children**

Children under the age of 18 must be supervised at all times by a responsible adult. We endeavour to provide an appropriate level of supervision at all times. For reasons of courtesy and safety, parents must assume responsibility of their child. If a parent chooses to leave their child at a PFC approved training session, competition game, or any other PFC related event, the parent must arrange for the duty of care to be transferred to another adult.

### **7.3 Transportation**

Parents and/or guardians are responsible for organising the transportation of their children to and from club activities (e.g. training and games). Where we make arrangements for the transportation of children (e.g. for away matches or overnight trips), we will conduct a risk assessment to assist in maintaining the safety of all PFC members involved.

### **7.4 Taking Images of Children**

Images of children can be used inappropriately or illegally. The PFC requires that members obtain permission from a child's parent or guardian before taking an image of a child (that is not their own child), and ensure that the parent or guardian understands how the image will be used. We also require the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers, toilets and pools.

If the PFC uses a photo of a child, we will not name or identify the child or publish personal information, such as residential address, email address or telephone number, without the consent of the child's parent or guardian. We will not provide information about a child's hobbies, interests, school or the like, as this can be used by paedophiles or other persons to "groom" a child.

The PFC will only use images of children that are relevant to our club's activities and we will ensure that they are suitably clothed in a manner that promotes our club. We will seek permission from a child's parent or guardian before using their images.

## **8. Discrimination, Harassment and Bullying**

Our club is committed to providing an environment in which people are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination, harassment and bullying.

We recognise that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against, harassed or bullied.

### **8.1 Discrimination**

Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by State or Federal anti-discrimination laws.

Discrimination includes both direct and indirect discrimination:

- **Direct discrimination** occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic.
- **Indirect discrimination** occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement, condition or practice is not reasonable.

For the purpose of determining discrimination, the offender's awareness and motive are irrelevant.

### **8.2 Harassment**

Harassment is any unwelcome conduct, verbal or physical, that intimidates, offends or humiliates another person and which happens because a person has a certain personal characteristic protected by State or Federal anti-discrimination legislation.

The offensive behaviour does not have to take place a number of times; a single incident can constitute harassment.

Sexual harassment is one type of harassment. Sexual harassment involves unwelcome conduct, remarks or innuendo of a sexual nature. It covers a wide range of behaviours and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex.

Every person is covered by the anti-discrimination laws that apply in their State as well as the Federal anti-discrimination laws.

The following is a list of all the personal characteristics that apply throughout Australia:

- gender;
- race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration;
- national extraction or social origin;
- marital status, relationship status, identity of spouse or domestic partner;
- pregnancy, potential pregnancy, breastfeeding;
- family or carer responsibilities, status as a parent or carer;
- age;
- religion, religious beliefs or activities;
- political beliefs or activities;
- lawful sexual activity;
- sexual orientation and gender identity;

- profession, trade, occupation or calling;
- irrelevant criminal record, spent convictions;
- irrelevant medical record;
- member of association or organisation of employees or employers, industrial activity, trade union activity;
- physical features;
- disability, mental or physical impairment;
- defence service; and
- personal association with someone who has, or is assumed to have, any of these personal characteristics.

Legislation also prohibits:

- racial, religious, homosexual, transgender and HIV/AIDS vilification; and
- victimisation resulting from a complaint.

### **8.3 Bullying**

The PFC is committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and we regard bullying in all forms as unacceptable at our club.

Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or group.

Whilst generally characterised by repeated behaviours, one off instances can amount to bullying.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:

- verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
- excluding or isolating a group or person;
- spreading malicious rumours; or
- psychological harassment such as intimidation.

Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. We will not tolerate abusive, discriminatory, intimidating or offensive statements being made online.

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint. (Refer to Section 10 of this policy.)

## **9. Inclusive practices**

The PFC is welcoming and we will seek to include members from all areas of our community.

The following are examples of some of our inclusive practices.

### **9.1 People with a disability**

The PFC will not discriminate against any person because they have a disability. Where it is necessary and possible, we will make reasonable adjustments to enable participation.

### **9.2 People from diverse cultures**

We will support, respect and encourage people from diverse cultures and religions to participate in our club and where possible we will accommodate requests for flexibility (e.g. modifications to uniforms).

### **9.3 Sexual & Gender Identity**

All people, regardless of their sexuality or gender identity, are welcome at the PFC. We strive to provide a safe environment for participation and will not tolerate any form of discrimination or harassment because of a person's sexuality or gender identity.

### **9.4 Pregnancy**

The PFC is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in our club's activities. We will not tolerate any discrimination or harassment against pregnant women.

The PFC will take reasonable care to ensure the continuing safety, health and wellbeing of pregnant women. We will advise pregnant women that there may be risks involved with their continuing participation in sport, and we will encourage them to obtain medical advice about those risks. Pregnant women should be aware that their own health and wellbeing, and that of their unborn child, is of utmost importance in their decision-making about the extent they choose to participate in our sport.

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our sport. Pregnant women should make these decisions themselves, in consultation with their medical advisers and in discussion with the PFC. We will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

If a pregnant woman believes she is being, or has been, harassed or discriminated against by another person bound by this policy, she may make a complaint (Refer to Section 10 of this policy).

### **9.5 Women/girls playing in mixed competitions**

If there is not a separate sex competition, the PFC will support women/girls playing in mixed competitions.

We note that Federal anti-discrimination laws provide that it is not unlawful to discriminate on grounds of sex by excluding persons from participation in any competitive sporting activity in which the strength, stamina or physique of competitors is relevant.

If required, the PFC will consider each request on an individual basis by considering the nature of our sport and other available opportunities to compete.

## **10. Responding to Complaints**

### **10.1 Complaints**

The PFC takes all complaints about on and off-court behaviour seriously. Our club will handle complaints based on the principles of procedural fairness, and ensure:

- all complaints will be taken seriously;
- the person making the complaint (complainant) will be given full details of what is being alleged against them and have the opportunity to respond to those allegations;
- irrelevant matters will not be taken into account;
- decisions will be unbiased; and
- any penalties imposed will be reasonable.

Complaints that are of a more serious nature may be escalated to the VFA and/or AFA if required.

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then our club may need to report the behaviour to the police and/or relevant government authority.

## **10.2 Complaint Handling Process**

When a written complaint is received by our club via the Secretary, the PFC will:

- listen carefully and ask questions to understand the nature and extent of the concern;
- ask the complainant how they would like their concern to be resolved and if they need any support;
- explain the different options available to help resolve the complainant's concern;
- inform the relevant government authorities and/or police, if required by law to do so; and
- where possible and appropriate, maintain confidentiality but not necessarily anonymity.

Only complaints in writing will be addressed by the Committee of Management (COM). Once the COM has received the complaint in writing, the COM may, as part of their investigation:

- bring all the people involved in the complaint together to talk objectively through the problem (this could include external mediation);
- gather more information (e.g. from other people that may have seen the behaviour);
- seek advice from our district, regional, state and/or national body or from an external agency (e.g. State Department of Sport or anti-discrimination agency);
- refer the complaint to the VFA and/or the AFA; and/or
- refer the complainant to an external agency such as a community mediation centre, police or anti-discrimination agency.

The COM will aim to resolve the complaint in the manner that we see appropriate, in accordance with the Member Protection Policy and the PFC Constitution. This does not remove any laws that require the PFC to refer the complaint to government bodies.

In situations where a complaint is referred to the VFA and/or the AFA, and an investigation is conducted, the club will:

- co-operate fully with the investigation;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on the VFA and/or AFA's recommendations.

At any stage of the process, a person can seek advice from an anti-discrimination commission or other external agency and, if the matter is within their jurisdiction, may lodge a complaint with the anti-discrimination commission or other external agency.

## **10.3 Improper Complaints and Victimisation**

The PFC aims for our complaints procedure to have integrity and be free of unfair repercussions or victimisation against the person making the complaint. If at any point in the complaints process the COM considers that a complainant has knowingly made an untrue complaint or the complaint is malicious or intended to cause distress to the person complained of, the matter may be referred to the Discipline Sub-Committee for appropriate action, which may include disciplinary action against the complainant.

The PFC will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures can be imposed on anyone who harasses or victimises another person for making a complaint.

## **10.4 Mediation**

The PFC aims to resolve complaints with a minimum of fuss. Complaints may be resolved by agreement between the people involved with no need for disciplinary action. Mediation allows those involved to be heard and to come up with mutually agreed solutions. Mediation may occur before or after the investigation of a complaint. If a complainant wishes to resolve the complaint with the help of a mediator, the PFC COM will, in consultation with the complainant, arrange for a neutral third party mediator where possible. Lawyers are not able to negotiate on behalf of the complainant and/or the respondent.

### **10.5 Disciplinary Sanctions**

Our club may take disciplinary action against anyone found to have breached our policy or made false and malicious allegations. Any disciplinary measure imposed under our policy must:

- be applied consistent with any contractual and employment rules and requirements;
- be fair and reasonable;
- be based on the evidence and information presented and the seriousness of the breach; and
- be determined by our constituent documents, by Laws and the rules of the game.

Possible sanctions that may be taken include, but are not limited to:

- a direction that the individual make verbal and/or written apology;
- counselling of the individual to address behaviour;
- withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by our club;
- suspension or termination of membership, participation or engagement in a role or activity;
- de-registration of accreditation for a period of time or permanently; or
- any other form of discipline that our club considers reasonable and appropriate.

### **10.6 Tribunal**

The PFC may convene a Tribunal Hearing to hear a formal complaint referred to it by the COM or Discipline Sub-Committee. A complaint may be referred to Tribunal because of the serious nature of the complaint.

Our Tribunal procedure is outlined in Attachment 4 (See Attachment 4.3). A respondent may lodge an appeal only to the Appeal Tribunal in respect of a Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved. Our appeals process is outlined in Attachment 4 (See Attachment 4.4). The PFC, as bound by this policy, will recognise and enforce any decision of a Tribunal or Appeal Tribunal under this policy.

### **10.7 Appeals**

The complainant or respondent may be entitled to lodge one appeal against a decision made in relation to a complaint (including a decision where disciplinary sanctions are imposed by our club) to the PFC. If the complainant decides to appeal the decision, notice must be given in writing to the Disciplinary Sub-Committee immediately after a vote to expel or suspend the person.

Alternatively, notice may be given in writing by the complainant to the PFC Secretary not later than 48 hours after the vote has taken place.

Should an Appeals Hearing be conducted, there is to be no voting by proxy, the meeting can only discuss the question of the appeal, the Committee states the grounds for suspension or expulsion, and the complainant must then be given an opportunity to be heard. Voting is conducted by secret ballot. After voting, the decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

The complainant may also appeal disciplinary sanctions imposed by the PFC to the VFA and/or AFA. Appeals must be based on any right of appeal provided for in the relevant constituent documents, rules, regulations or by laws.

## **11. What is a Breach of this policy?**

It is a breach of this policy for any person or organisation to which this policy applies, to do anything contrary to this policy, including but not limited to:

- Breaching the Codes of Behaviour (Attachment 2);
- Bringing the PFC and/or the sport of Floorball into disrepute, or acting in a manner likely to bring the sport and/or the PFC into disrepute;
- Failing to follow PFC policies (including this policy) and procedures for the protection, safety and welfare of children;
- Discriminating against, harassing or bullying (including cyber bullying) any person;
- Victimising another person for reporting a complaint;
- Engaging in a sexually inappropriate relationship with a person that they supervise, or have influence, authority or power over;
- Verbally or physically assaulting another person, intimidating another person or creating a

- hostile environment within the sport;
- Disclosing to any unauthorised person or organisation any PFC information that is of a private, confidential or privileged nature;
- Making a complaint they knew to be untrue, vexatious, malicious or improper;
- Failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; or
- Failing to comply with a direction given to the individual or organisation during the discipline process.

## **12. Additional Information**

In reference to Clause 13.1(e) and Clauses 75.1.a, 75.1.b, and 75.1.c of the Model Rules for an Incorporated Association (2012), Clause 75.2 applies, as explained below.

Although financial members may request access to the minutes of general meetings and other documents of the PFC (Clause 13.1.e), access to the register of members (Clause 75.1.a), access to the minutes of general meetings (Clause 75.1.b), and access to the financial records, books, securities and any other relevant document of the Association, including minutes of Committee meetings (Clause 75.1.c), the PFC reserves the right to refuse access to records that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association (Clause 75.2).

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**Attachment 1.1: MEMBER PROTECTION DECLARATION**

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The PFC has a duty of care to all those associated with our club and to the individuals and organisations to whom this policy applies. As a requirement of our Member Protection Policy, we must enquire into the background of those who undertake any work, coaching or regular unsupervised contact with people under the age of 18 years.

I ..... (name) of .....

..... (address) born ...../...../.....

sincerely declare:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children or acts of violence, or drug-related offences.
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence, or drug-related offences.
4. To my knowledge, there is no other matter that the club may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
5. I will notify the President of the club immediately upon becoming aware that any of the matters set out in clauses 1 to 4 above has changed.

Declared in the State of Victoria on ...../...../.....(date)

Signature .....

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**Parent/Guardian Consent (in respect of a person under the age of 18 years)**

I have read and understood the declaration provided by my child. I confirm and warrant that the contents of the declaration provided by my child are true and correct in every particular.

Name:.....

Signature:.....

Date: .....

## **Attachment 1.2: WORKING WITH CHILDREN CHECK REQUIREMENTS**

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Working with Children Checks aim to create a child-safe environment and to protect children and young people involved in our sport from physical and sexual harm.

They assess the suitability of people to work with children and young people and can involve:

- criminal history checks;
- signed declarations;
- referee checks; and
- other relevant background checks to assess a person's suitability to work with children and young people.

Working with Children Check requirements vary across Australia. [Fact Sheets](#) for each state and territory are available on the Play by the Rules website: [www.playbytherules.net](http://www.playbytherules.net)

Detailed information, including the forms required to complete a Working with Children Check, are available from:

### **Victoria**

Contact the Department of Justice

Website: [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)

Phone: 1300 652 879

### **Travelling to other states or territories**

It is important to remember that when travelling to other states or territories, representatives of sporting organisations must comply with the legislative requirements of that particular state or territory.

In certain jurisdictions, temporary, time limited exemptions from Working with Children Checks may be available for interstate visitors with a Working with Children Check in their home state.

The laws providing interstate exemptions are not consistent across Australia.

If an employee or volunteer for your club is travelling interstate to do work that would normally require a Working with Children Check, you will need to check the relevant requirements of that state or territory.

## **Attachment 2: CODES OF BEHAVIOUR**

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### **2.1: CODE OF CONDUCT – ADMINISTRATION v1 2017**

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The Pakenham Floorball Club's (PFC) Code of Conduct – Administrators is designed to ensure that the high standard of sportsmanship, fairness, honesty and honour involved in floorball continues to prevail. This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

The PFC regards any breach of the Code of Conduct – Administrators as a serious matter and may take disciplinary action against a participant in breach.

The PFC condemns any form of violent behaviour (physical and/or verbal) outside the rules of the sport whether before, during or after the event or competition.

The PFC is committed to:

- Providing sporting activities in settings that participants can reasonably expect to be free of violence;
- Having responsive protocols that provide for appropriate management if a violent incident occurs;
- Ensuring that participants' play within the rules of the sport/activity and exhibit fair play at all times;
- Extending these expectations of fair play and non-violent behaviour to officials, administrators, coaches, parents and spectators.

This code of conduct should be read in conjunction with the PFC Code of Conduct – General.

### **CODE OF CONDUCT**

In addition to the PFC's Code of Conduct - General, you must meet the following requirements in regard to your conduct during any activity held by or under the auspices of the PFC, VFA, AFA or an affiliated club and in your role as an administrator of the PFC, VFA, AFA or an affiliated club:

- Respect the rights, dignity and worth of all people involved in the game regardless of their gender, ability or cultural background.
- Resolve conflicts fairly and promptly through established procedures.
- Maintain strict impartiality.
- Be aware of your legal responsibilities
- Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance will exist) with people under the age of 18 years.
- Complete any and all training and education programs, whether they be legal, internal or external to the PFC, under specific timeframes, in an introductory and ongoing manner, as expressed, identified and required by the PFC.

## **2.2: CODE OF CONDUCT – ALCOHOL POLICY v1 2017**

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### **Purpose**

The purpose of this policy is to outline the Pakenham Floorball Club's (PFC) position on alcohol consumption for players and coaches representing our teams, whether they be at the local level or at interstate tournaments.

### **PFC Code of Conduct - Alcohol Policy**

- 1 - Alcoholic drinks do not help athletes in their performance or recovery.
  - 2 - Alcohol is never to be consumed while wearing the PFC Squishees uniform.
  - 3 – Alcohol is never to be consumed while in competition.
  - 4 - Players under 18 are not allowed to drink any alcohol regardless of whether parental permission is gained.
  - 6 - Any individuals caught supplying alcohol to under 18's will undergo disciplinary proceeding as outlined in the PFC Member Protection Policy.
  - 7 - Consuming of alcohol is allowed at special team dinners/parties, with the permission of the coach/team manager. Every team member is responsible for their own good behaviour and should remember they are representing themselves and the PFC.
  - 8 - Every player and coach must attend training sessions/games without symptoms of alcohol consumption as he/she could harm him/her self as well as other game/training participants.
  - 9 - Anyone who infringes these rules will undergo disciplinary proceedings as outlined in the PFC Member Protection Policy.
  - 10 – Possible sanctions may include game(s) ban, removal from the tournament/competition, and non-selection in future tournaments.
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## **2.3: CODE OF CONDUCT – COACHING STAFF v1 2017**

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This Pakenham Floorball Association (PFC) Code of Conduct – Coaching Staff is designed to ensure that the high standard of sportsmanship, fairness, honesty and honour involved in floorball continues to prevail. This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

The PFC regards any breach of the Code of Conduct – Coaching Staff as a serious matter and may take disciplinary action against a participant in breach.

The PFC condemns any form of violent behaviour (physical and/or verbal) outside the rules of the sport whether before, during or after the event or competition.

The PFC is committed to:

- Providing sporting activities in settings that participants can reasonably expect to be free of violence;
- Having responsive protocols that provide for appropriate management if a violent incident occurs;
- Ensuring that participants' play within the rules of the sport/activity and exhibit fair play at all times;
- Extending these expectations of fair play and non-violent behaviour to officials, administrators, coaches, parents and spectators. This code of conduct should be read in conjunction with the PFC Code of Conduct – General.

### **CODE OF CONDUCT**

In addition to the PFC's Code of Conduct - General, you must meet the following requirements in regard to your conduct during any activity held by or under the auspices of the PFC, VFA, AFA or an affiliated club and in your role as a coach with the PFC, VFA, AFA or an affiliated club:

- Place the safety and welfare of the athletes above all else.
- Respect the rights, dignity and worth of all people involved in the game, regardless of their gender, ability or cultural background
- Help each person reach their potential - respect the talent, developmental stage and goals of each person and compliment and encourage with positive and supportive feedback.
- Promote adherence to anti-doping policies.
- Be reasonable with demands on players' time, energy and enthusiasm
- Operate within the rules and spirit of the game and teach players to do the same
- Ensure that equipment and facilities meet safety standards and are appropriate to the age and ability of all players
- Display control, respect and professionalism to all involved with the sport including opponents, referees, coaches, officials, administrators, the media, parents and spectators. Encourage players to do the same.
- Show concern and caution toward sick and injured players and follow the advice of a physician when determining whether an injured player is ready to recommence training or competition
- Obtain appropriate qualifications and keep up to date with the latest coaching practices and the principles of growth and development of young players/adults
- Ensure that any physical contact with a person is appropriate to the situation and necessary for the person's skill development.
- Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance will exist) with people under the age of 18 years.
- Complete any and all training and education programs, whether they be legal, internal or external to the PFC, under specific timeframes, in an introductory and ongoing manner, as expressed, identified and required by the PFC.

## **2.4: CODE OF CONDUCT – GENERAL v1 2017**

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This Pakenham Floorball Club (PFC) Code of Conduct – General is designed to ensure that the high standard of sportsmanship, fairness, honesty and honour involved in floorball continues to prevail. This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

The PFC regards any breach of the Code of Conduct – General as a serious matter and may take disciplinary action against a participant in breach.

The PFC condemns any form of violent behaviour (physical and/or verbal) outside the rules of the sport whether before, during or after the event or competition.

The PFC is committed to:

- Providing sporting activities in settings that participants can reasonably expect to be free of violence;
- Having responsive protocols that provide for appropriate management if a violent incident occurs;
- Ensuring that participants' play within the rules of the sport/activity and exhibit fair play at all times;
- Extending these expectations of fair play and non-violent behaviour to officials, administrators, coaches, parents and spectators.

This code of conduct should be read in conjunction with other specific codes of conduct i.e. players, coaches, officials and administrators.

### **CODE OF CONDUCT**

As a member of the Pakenham Floorball Club (PFC), you must meet the following requirements in regard to your conduct during any activity held or sanctioned by the PFC, VFA or AFA, or an affiliated club, and in any role you hold within the PFC, VFA, or AFA, or an affiliated club:

- Respect the rights, dignity and worth of others.
- Be fair, considerate and honest in all dealing with others.
- Be professional in, and accept responsibility for, your actions.
- Make a commitment to providing quality service.
- Be aware of, and maintain an uncompromising adherence to the PFC's standards, rules, regulations and policies.
- Operate within the rules of the sport including national and international guidelines which govern floorball, the member associations and the affiliated clubs.
- Do not use your involvement with the PFC to promote your own beliefs, behaviours or practices where these are inconsistent with those of the PFC.
- Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age, as your words and actions are an example.
- Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible.
- Refrain from any form of harassment of others.
- Refrain from any behaviour that may bring floorball, the PFC into disrepute.
- Provide a safe environment for the conduct of the activity.
- Show concern and caution towards others who may be sick or injured.
- Be a positive role model.
- Understand the repercussions if you breach, or are aware of any breaches of, this code of behaviour.

## **2.5: CODE OF CONDUCT – OFFICIALS v1 2017**

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The Pakenham Floorball Club (PFC) Code of Conduct – Officials is designed to ensure that the high standard of sportsmanship, fairness, honesty and honour involved in floorball continues to prevail. This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

The PFC regards any breach of this Code of Conduct as a serious matter and may take disciplinary action against a participant in breach.

The PFC condemns any form of violent behaviour (physical and/or verbal) outside the rules of the sport whether before, during or after the event or competition.

The PFC is committed to:

- Providing sporting activities in settings that participants can reasonably expect to be free of violence;
- Having responsive protocols that provide for appropriate management if a violent incident occurs;
- Ensuring that participants' play within the rules of the sport/activity and exhibit fair play at all times;
- Extending these expectations of fair play and non-violent behaviour to officials, administrators, coaches, parents and spectators. This code of conduct should be read in conjunction with the PFC Code of Conduct – General.

### **CODE OF CONDUCT**

In addition to the PFC's General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by the PFC, VFA, AFA or an affiliated club and in your role as an official appointed by the PFC, VFA, AFA or an affiliated club:

- Place the safety and welfare of the players/participants above all else.
- Accept responsibility for all actions taken.
- Be impartial, consistent, objective and courteous when making decisions.
- Avoid any situation which may lead to a conflict of interest.
- Respect the rights, dignity and worth of all people involved in the game regardless of their gender, ability or cultural background.
- Be a positive role model and ensure comments are positive and supportive.
- Value the individual in sport.
- Condemn any unsporting behaviour and promote respect for the individuality of players.
- Keep up to date with the rules of the game and the application of same.
- Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance will exist) with people under the age of 18 years.
- Complete any and all training and education programs, whether they be legal, internal or external to the PFC, under specific timeframes, in an introductory and ongoing manner, as expressed, identified and required by the PFC.

## **2.6: CODE OF CONDUCT – PARENTS AND GUARDIANS v1 2017**

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This Pakenham Floorball Association (PFC) Code of Conduct – Parents and Guardians is designed to ensure that the high standard of sportsmanship, fairness, honesty and honour involved in floorball continues to prevail. This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

The PFC regards any breach of this Code of Conduct as a serious matter and may take disciplinary action against a participant in breach.

The PFC condemns any form of violent behaviour (physical and/or verbal) outside the rules of the sport whether before, during or after the event or competition.

The PFC is committed to:

- Providing sporting activities in settings that participants can reasonably expect to be free of violence;
- Having responsive protocols that provide for appropriate management if a violent incident occurs;
- Ensuring that participants' play within the rules of the sport/activity and exhibit fair play at all times;
- Extending these expectations of fair play and non-violent behaviour to officials, administrators, coaches, parents and spectators.

### **CODE OF CONDUCT**

The PFC has set down this Code of Conduct – Parents and Guardians as a minimum requirement for parents and guardians in regard to conduct during any activity held or sanctioned by the PFC, VFA, AFA or an affiliated club.

Parents and guardians are expected to:

- Respect the rights, dignity and worth of all people involved in the game regardless of their gender, ability or cultural background.
- Reject the use of violence in any form, whether it is by spectators, officials, coaches, athletes or parents.
- Condemn any unsporting behaviour and promote respect for the individuality of players.
- Encourage children to participate and have fun
- Focus on children's efforts and performance rather than on winning or losing.
- Never ridicule or yell at a child for making a mistake or losing a game or competition.

Parents/Guardians who are found to have been in violation of this policy may be asked to sign a copy of the policy prior to being allowed to attend games if this is deemed necessary by the governing state association or the club concerned.

Parents/Guardians who are found to be in violation of this policy may be asked to complete various training and education programs, whether they be legal, internal or external to the PFC, under specific timeframes, in an introductory and ongoing manner, as expressed, identified and required by the PFC, prior to being allowed to attend games, if this is deemed necessary by the PFC and/or the VFA if appropriate.

## **2.7: CODE OF CONDUCT – PLAYERS v1 2017**

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This Pakenham Floorball Club (PFC) Code of Conduct is designed to ensure that the high standard of sportsmanship, fairness, honesty and honour involved in Floorball continues to prevail. This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

The PFC regards any breach of this Code of Conduct as a serious matter and may take disciplinary action against a participant in breach.

The PFC condemns any form of violent behaviour (physical and/or verbal) outside the rules of the sport whether before, during or after the event or competition.

The PFC is committed to:

- Providing sporting activities in settings that participants can reasonably expect to be free of violence;
- Having responsive protocols that provide for appropriate management if a violent incident occurs;
- Ensuring that participants' play within the rules of the sport/activity and exhibit fair play at all times;
- Extending these expectations of fair play and non-violent behaviour to officials, administrators, coaches, parents and spectators.

This code of conduct should be read in conjunction with the PFC Code of Conduct – General.

### **CODE OF CONDUCT**

In addition to the PFC's Code of Conduct - General, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by the PFC in your role as a player/participant in any activity held by or under the auspices of the PFC, VFA or AFA:

- Respect the rights, dignity and worth of fellow players, coaches, officials and spectators regardless of their gender, ability or cultural background.
- Do not tolerate acts of aggression, either verbal or physical, before during or after an event.
- Control your temper at all times and understand that verbal abuse of officials, sledging of other players and deliberately distracting or provoking an opponent are not acceptable or permitted behaviours in any sport.
- Respect the talent, potential and development of fellow players and competitors.
- Care for and respect the equipment used during the games.
- Abide by the rules and respect the decision of the official, making all appeals through the formal process and respecting the final decision. Never argue with an official.
- Be honest in your attitude and work equally hard for yourself and your team.
- Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance will exist) with people under the age of 18 years.
- Complete any and all training and education programs, whether they be legal, internal or external to the PFC, under specific timeframes, in an introductory and ongoing manner, as expressed, identified and required by the PFC.

## **2.8: CODE OF CONDUCT – SPECTATORS v1 2017**

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This Pakenham Floorball Association (PFC) Code of Conduct – Spectators is designed to ensure that the high standard of sportsmanship, fairness, honesty and honour involved in floorball continues to prevail. This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

The PFC regards any breach of this Code of Conduct as a serious matter and may take disciplinary action against a participant in breach.

The PFC condemns any form of violent behaviour (physical and/or verbal) outside the rules of the sport whether before, during or after the event or competition.

The PFC is committed to:

- Providing sporting activities in settings that participants can reasonably expect to be free of violence;
- Having responsive protocols that provide for appropriate management if a violent incident occurs;
- Ensuring that participants' play within the rules of the sport/activity and exhibit fair play at all times;
- Extending these expectations of fair play and non-violent behaviour to officials, administrators, coaches, parents and spectators.

### **CODE OF CONDUCT**

The PFC has set down this Code of Conduct – Spectators as a minimum requirement for spectators in regard to conduct during any activity held or sanctioned by the PFC, VFA, AFA or an affiliated club.

Spectators are expected to:

- Respect the rights, dignity and worth of all people involved in the game regardless of their gender, ability or cultural background.
- Respect the performances and efforts of all people.
- Reject the use of violence in any form, whether it is by spectators, officials, coaches, athletes or parents.
- Complete any and all training and education programs, whether they be legal, internal or external to the PFC, under specific timeframes, in an introductory and ongoing manner, as expressed, identified and required by the PFC.

## **2.9: CHILD SAFE POLICY v1 2017**

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### **Purpose of this Policy**

The Pakenham Floorball Club (PFC) is committed to ensuring that children and young people who participate in its activities have a safe and happy experience. The PFC supports and respects children, young people, staff, volunteers and participants.

The aim of the PFC's Child Safe Policy (the Policy) is to protect the safety of children in our care and prevent abuse from occurring, and in the event that allegations are raised in relation to child abuse, to ensure that the allegations are properly addressed. All complaints will be treated seriously and fully investigated and handled with maximum confidentiality and discretion.

### **1. WHO THIS POLICY APPLIES TO**

This policy applies to all PFC members, where a member is under 18yrs of age, their parent/guardian.

### **2. POLICY STATEMENT**

2.1. The PFC is committed to providing the highest level of membership service. This includes protecting members' privacy, promoting positive behaviours and attitudes, protecting the health safety and wellbeing of members, particularly children and delivering the PFC's activities while acting in the best interests of children in the sport.

2.2. Specifically, the PFC considers that the health, safety and well-being of children take priority over all other competing considerations. The PFC considers that this is necessary to ensure the health, safety and welfare of all members and protect the image and reputation of the sport, the PFC and its affiliate members.

2.3. The PFC has a zero tolerance approach to child abuse and is committed to promoting and protecting children from abuse and neglect to the greatest extent possible. All children have equal rights to protection from child abuse, regardless of their sex, religion, disability or sexual orientation etc.

2.4. Child protection is a shared responsibility between the PFC, its employees, workers, contractors, associates, parents/guardians, coaches, spectators, volunteers and members of the PFC community. Everyone that participates in the PFC's activities is responsible for the care and protection of children, and reporting information about child abuse.

2.5. The PFC supports the active participation of all children. It listens to their views, respects their views and involves them when making decisions, where appropriate, especially about matters that will directly affect them (including their safety).

2.6. The PFC is also committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.

2.7. The PFC promotes fairness and consideration for all staff, volunteers and participants. For further details please refer to the Floorball Australia Member Protection Policy.

### **3. SCOPE**

3.1. This Policy applies to participants, volunteers, parents, spectators, contractors, officials, coaches, judges and staff throughout all PFC events and activities.

3.2. This Policy will continue to apply retrospectively to a person or Member following the cessation of their association or employment with the PFC.

#### **4. RELATED DOCUMENTS & LEGISLATIVE REQUIREMENTS**

4.1. This Policy must be read in conjunction with:

4.1.1. the law of the Commonwealth and Victoria including but not limited to:

4.1.1.1. Children, Youth and Families Act 2005 (Vic)

4.1.1.2. Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (Vic)

4.1.1.3. Crimes Act 1958 (Vic); and

4.1.1.4. Working with Children Act 2005 (Vic)

4.1.2. All PFC and Floorball Australia (FA) policies and procedures

#### **5. DEFINITIONS**

5.1. Child means a person involved in the activities of the PFC (including athletes) and under the age of 18 years unless otherwise stated under the law applicable to the child.

5.2. Child protection means any responsibility, measure or activity undertaken to safeguard children from harm.

5.3. Sexual offence means a criminal offence involving sexual activity or actions of indecency or any act which exposes a child to, or involves a child in, sexual activity or matters beyond his or her understanding or contrary to accepted community standards. Sexually offence behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which includes actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child (or the child's carer, family or supervisor) to lower the child's inhibitions and prepare them for engagement in a sexual offence.

5.4. Mandatory reporter means a person who is legally required to make a report to the Department of Human Services or the Police if they form a belief on reasonable grounds that a child is in need of protection. It includes teachers, principals, registered psychologists, nurses, doctors and midwives.

#### **6. RECOGNISING AND REPORTING CHILD ABUSE**

6.1. A person may, in the course of participating in the sport or other activities of the PFC or carrying out their work, form a belief on reasonable grounds that a child is in need of protection from child abuse.

6.2. If a person is concerned about an immediate risk to a child's safety, the person must phone "000" as soon as practicable.

6.3. Child abuse can be divided into four categories:

6.3.1. Physical abuse: occurs when a child has suffered, or is likely to suffer, significant harm as a result of a physical injury, such as a non-accidental physical injury.

6.3.2. Sexual abuse: occurs when a child has suffered, or is likely to suffer, significant harm as a result of sexual abuse, such as when a child is exploited, or used by another for his or her sexual gratification or sexual arousal, or for that of others.

6.3.3. Emotional and psychological abuse: occurs when a child has suffered, or is likely to suffer, emotional or psychological harm of such a kind that the child's emotional or intellectual development is or is likely to be significantly damaged; and

6.3.4. Neglect: occurs when a child's physical development or health has been, or is likely to be significantly damaged. It refers to an omission, such as depriving a child of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, or medical care.

6.4. Child abuse includes any actions that results in actual or potential harm to a child, in circumstances where the child's parents have not protected, or are unlikely to protect, the child.

## 6.5. Mandatory Reporters

6.5.1. Select classes of people in the community (including teachers, nurses and doctors) are required by law to report to the Child Protection Unit of the Department of Health and Human Services (DHHS) where they have formed a belief, on reasonable grounds, that a child is in need of protection because they have suffered (or are likely to suffer) significant harm due to physical or sexual abuse.

6.5.2. This report must be made as soon as practicable, and after each occasion where he or she becomes aware of a further reasonable grounds for the belief.

## 6.6. Reasonable grounds for belief

6.6.1. A reasonable belief is formed if a reasonable person believes that:

6.6.1.1. the child is in need of protection;

6.6.1.2. the child has suffered or is likely to suffer significant harm as a result of physical or sexual injury; and

6.6.1.3. the child's parents are unable or unwilling to protect the child.

6.6.2. To form a reasonable belief, you should consider and objectively assess all the relevant facts, such as the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there is any other related matters known regarding the alleged perpetrator.

6.6.3. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour or speculation.

6.6.4. You will have reasonable grounds to notify if:

6.6.4.1. a child states that they have been physically or sexually abused;

6.6.4.2. a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);

6.6.4.3. someone who knows a child states that the child has been physically or sexually abused;

6.6.4.4. professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; or

6.6.4.5. signs of abuse lead to a belief that the child has been physically or sexually abused.

## 6.7. Voluntary Reporters

6.7.1. In addition to the mandatory reporting obligations above, any person who believes on reasonable grounds that a child is in need of protection from any form of child abuse, may disclose that information to the Police or DHHS.

## 6.8. Reporting Child Sexual Abuse

6.8.1. If a person receives information that leads them to form a reasonable belief that a sexual offence has been committed in Victoria against a child (under the age of 16 years) by another person (of or over the age of 18 years), the person has a legal obligation to disclose that information to the Police as soon as it is practicable. Individuals who fail to comply with this obligation under the Crimes Act 1958 (Vic) may be subject to a penalty of 3 years imprisonment.

## 6.9. PFC's Approach to Reports of Abuse

6.9.1. The PFC supports and encourages a person to make a report to the Police or DHHS if they form a belief on reasonable grounds that a child is in need of protection, or they are concerned about the safety, health or wellbeing of a child.

6.9.2. Any person that makes a report in good faith in accordance with their reporting obligations (whether mandatory or discretionary) will be supported by the PFC, and will not be penalised by the PFC for making the report.

6.9.3. If a person is uncertain as to whether they should make a report to an external authority in relation to the safety of a child, they may speak to the PFC President or the PFC MPIO for guidance and information. If in doubt, ask for assistance.

6.9.4. If an allegation is made against a member of staff or volunteer, the PFC will follow the reporting procedure outlined in the Pakenham Floorball Club's Member Protection Policy V1 2017, and take all steps to ensure that the safety of the child is paramount. An initial step will involve the withdrawal of the accused person from active duty, which could entail standing down, reassignment to a role without direct contact with children, working under closer supervision during an investigation, or any other measures deemed appropriate depending on the seriousness of the allegation.

6.9.5. The PFC will investigate allegations of inappropriate conduct against a child in accordance with procedural fairness and will handle the allegations in a confidential manner to the greatest extent possible.

6.9.6. The PFC will cooperate with the directions of the Police and/or DHHS in relation to any investigation conducted by these authorities.

6.9.7. The PFC will keep a register of any allegations regarding inappropriate conduct.

## **7. ROLES AND RESPONSIBILITIES OF PERSONNEL PROTECTING CHILDREN**

7.1. Personnel involved in protecting children include the board, management, staff and volunteers within the Organisation. Those people have responsibilities in relation to protection of children and are expected to:

7.1.1. understand the rights of children, as appropriate to their role;

7.1.2. respect the cultural and religious practices of families who access the PFC's services, programs or events;

7.1.3. understand and appropriately respond to the needs of children with developmental delays or disabilities;

7.1.4. appropriately act on any concerns raised by children;

7.1.5. understand the definitions, indicators and impact of child abuse:

7.1.6. know and follow regulations in relation to the care of children;

7.1.7. co-operate with police and/or other formal investigations to the best of their ability; and

7.1.8. not harm or exploit children who access the PFC's services.

## **8. CHILD SAFE AND CHILD FRIENDLY GUIDELINES TO PREVENT AND MANAGE RISKS OF CHILD ABUSE**

### **8.1. Change Rooms**

8.1.1. Adult officials, regardless of gender, should only enter change rooms if accompanied by another adult. Prior to entering change rooms, officials should notify the people in the change room of their intended entrance. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

### **8.2. Hotel rooms and other accommodation**

8.2.1. No official should be alone in the room of an athlete without the presence of another adult. The doors should always be open. Should it be necessary for an official to be alone in the room of an athlete, the Team Manager or other responsible official must be informed. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

### **8.3. Travel - General**

8.3.1. All team members over 18 years of age retain an overriding responsibility for the welfare of all athletes they accompany during team travel activities. They have a 'duty of care' for athletes and they

must meet that duty and avoid unaccompanied and unobserved activities with persons less than 18 years of age wherever possible. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

#### 8.4. Sexual Relationships while on tour.

8.4.1. During all team travel activities officials must not, under any circumstances engage in conduct of a sexual nature with an athlete. Improper conduct of a sexual nature by an official towards an athlete includes any form of child sexual abuse (defined within the FA Member Protection Policy) as well as but not limited to the following:

- 8.4.1.1. inappropriate conversations of a sexual nature;
- 8.4.1.2. obscene language of a sexual nature;
- 8.4.1.3. suggestive remarks or actions;
- 8.4.1.4. jokes of a sexual nature;
- 8.4.1.5. obscene gestures;
- 8.4.1.6. unwarranted and inappropriate touching;
- 8.4.1.7. sexual exhibitionism;
- 8.4.1.8. use of any device to show/watch offensive material; and
- 8.4.1.9. any other action that could lead to an athlete being physically, emotionally or psychologically harmed.

#### 8.5. Adults under investigation

8.5.1. Adults under investigation in relation to a matter involving child abuse, or any matter which has the potential to jeopardise their Working With Children Check (WWCC) (or if based in another State the equivalent requirement) status may be prohibited, by the PFC Committee of Management, from participating in PFC activities.

#### 8.6. Coach Assistance

8.6.1. All coaches must ensure that all physical contact with athletes which occurs when coaching is appropriate for the situation and necessary for the athlete's safety. It is strongly recommended that:

- 8.6.1.1. coaches ensure that there are other adults present whenever coaching;
- 8.6.1.2. coaches take care to explain the procedure to the child prior to beginning any physical contact; and
- 8.6.1.3. coaches obtain consent from the athlete prior to beginning any physical contact.

### **9. ENGAGING NEW PERSONNEL**

9.1. The minimum standard for background checks of employees and volunteers of the PFC and its members is the law as it applies in Victoria.

9.2. The PFC undertakes a comprehensive recruitment and screening process for all staff and volunteers which aims to:

- 9.2.1. promote and protect the safety of all children who participate in the activities of the PFC;
- 9.2.2. identify and recruit the safest and most suitable candidates who share the PFC's values and commitment to protect children; and
- 9.2.3. prevent a person from working at the PFC if they pose an unacceptable risk to children.

9.3. The PFC requires staff and volunteers to pass the recruitment and screening process prior to commencing their engagement with the PFC.

9.4. As part of the screening and recruitment process, an applicant must provide appropriate evidence (e.g. WWCC or other state equivalent and/or Police check) to show that they are suitable to work with children and young people in a recreational setting.

9.4.1. all PFC staff, volunteers and Committee of Management members require a WWCC; and

9.4.2. the following key event personnel must have a valid WWCC:

9.4.2.1. those paid by the PFC for their services (excluding bump in and bump out);

9.4.2.2. volunteers;

9.4.2.3. relevant contractors who may have unsupervised access to children; and

9.4.2.4. anyone else who the PFC Committee of Management feel requires a WWCC due to the nature of the work that they are undertaking for the PFC.

9.5. The type of evidence that an applicant is required to provide to the PFC will vary depending on the type of position that they are applying for. However, an applicant will not be offered a position until they provide the required evidence to the PFC.

9.6. The PFC will exercise discretion and may require applicants to provide a Police check in accordance with the law and as appropriate, before they commence their engagement and during their time with the PFC in regular intervals.

9.7. The PFC will undertake thorough reference checks prior to engaging any personnel.

9.8. Once engaged, the PFC will provide staff and volunteers with access to this policy and staff and volunteers must review and acknowledge their understanding of this policy.

9.9. The PFC requires that affiliated clubs ensure all staff and volunteers (including coaches and any officials) likely to have contact with athletes (and other children) have a current WWCC, which needs to be signed off annually as part of the affiliation process. Clubs which do not comply with their legal obligations will be found to have not complied with the PFC's affiliation requirements and will be disaffiliated.

9.10. The PFC requires all affiliated club personnel including owners, Committee Members, Volunteers, Coaches and Judges and anyone else who has contact with children to possess a valid working with children check. Any costs associated with gaining a valid WWCC will be dealt with in a manner determined by that club.

## **10. RISK MANAGEMENT APPROACH**

10.1. Child safety is a part of the PFC's overall risk management approach.

## **11. POLICY BREACHES**

11.1. It is a breach of this policy for any person or organisation to which this policy applies, to have been found to have done anything contrary to this policy. Any person who may breach this policy is subject to the Tribunal Process.

## **12. POLICY PROMOTION**

12.1. This policy will be made available to all members via the PFC Website.

12.2. This policy will be communicated to all staff, Board, and Committee members via the PFC Website.

12.3. References to this policy will be included in documentation provided to all team officials that represent the PFC.

## **13. REVIEW PROCESS**

13.1. This policy will be reviewed by the PFC Committee of Management on an annual basis.

## 2.10: SOCIAL MEDIA POLICY v1 2017

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### Introduction

Social Media sites such as (but not limited to) Facebook, Instagram, Twitter, Flickr, LinkedIn, YouTube, as well as Forums and Blogs are exciting new avenues expressing creativity, and sharing interests and knowledge. Participation in these online communities is therefore supported. However, over a number of years there have been repeated incidents where online discussions and posting of online content have caused distress to individuals or groups of members and has detracted from our community's overall enjoyment of Floorball.

### Purpose of this Policy

The purpose of this '**Social Media Policy V1**' is to provide the correct guidelines for everyone at the Pakenham Floorball Club to follow when using Social Media mediums.

### Who this Policy Applies To

This policy applies to all members and members parents of the Pakenham Floorball Club.

The Pakenham Floorball Club (PFC) Social Media Policy V1 is guided by the key principles of the PFC and Floorball Australia (FA) Codes of Conduct alongside the PFC and FA Social Media Policy of 25<sup>th</sup> February 2012:

- The PFC wishes to operate in an environment where people show respect for others and their property. Respect is defined as consideration for another's physical and emotional well being and possessions, to ensure no damage or deprivation is caused to either.
- The PFC wishes to operate in an environment that is free from harassment. Harassment is defined as any action directed at an individual or group that creates a hostile, intimidating or offensive environment. (Refer to Australian Sports Commission Guidelines for Harassment-Free Sport).
- The PFC wishes to operate in a non-discriminatory environment. Respect the right, dignity and worth of every human being - within the context of the activity; treat everyone equally regardless of gender, ethnic origin or religion.

The PFC promotes responsible use of social media and requires its members and members parents, when posting about the Club and its members or Club endorsed, promoted or conducted events or activities, to observe the following guidelines for responsible social media use.

1. The PFC requires members and members parents to take responsibility for their own words and for the comments allowed on their sites or forums. PFC members and members parents will not post unacceptable content, and will delete comments that contain it.

Unacceptable content is defined as anything included or linked to that:

- is being used to discriminate, abuse, harass, stalk or threaten others
- is libelous, knowingly false, or misrepresents another person,
- infringes upon a copyright or trademark
- violates an obligation of confidentiality
- violates the privacy of others

2. PFC members and members parents don't post anything online that they wouldn't say in person.

3. PFC members and members parents connect privately before they respond publicly. When members encounter conflicts and misrepresentation in social networking sites, they make every effort to talk privately and directly to the person(s) involved—or find an intermediary who can do so—before publishing any posts or comments about the issue.

4. The PFC strongly discourages personal attacks. When someone who is publishing comments that are offensive, members will tell them so (privately, if possible—see 3 above).

5. Anonymous comments are discouraged. All content posters should be required to supply a valid email address before they can post, authorized posters may identify themselves with an alias, rather than their real name.

The PFC encourages all members to “think before posting”. Members and members parents should recognize that even if posting to a private section of a social networking site comments can appear in public areas through a variety of means and can easily be found. Members and members parents should avoid posting something they will regret now or later.

Please be advised that the PFC are trialling a few different Club/Team communication Apps to replace the Facebook ‘chats’ that teams are currently using.

## **2.11: GOVERNANCE POLICY v1 2017**

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### **Introduction**

The Pakenham Floorball Club (referred to in this document as the PFC) is committed to developing good governance practices in line with the Australian Sports Commission's Principles of Best Practice Guidelines. Governance is concerned with the systems and processes that ensure the overall direction, effectiveness, supervision and accountability of an organisation. Committee of Management (COM) members take ultimate responsibility for the governance of their organisations. However, governance is not a role for committee members alone. Governance is also concerned with the way committees work with chief executives and staff (where appointed), volunteers, service users, members and other stakeholders to ensure their organisation is effectively and properly run and meets the needs for which the organisation was set up. This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

### **Purpose**

The Governance Policy is intended to clarify the content of the PFC's constitution by making explicit the underlying principles of governance approved by the organisation. This policy does not cover legal or ethical issues concerning the role of the PFC COM or its members.

### **Policy**

1. The COM of the PFC is an elective, representative, and collective body.

a. It is elective, in that the determination of Board members is the prerogative of members through the election process.

b. It is representative in that no member can be mandated by the PFC to adopt a particular position if they do not believe it to be in the best interests of the organisation. Whatever the background of any member, all members are committed to acting selflessly and making decisions and voting on governance decisions solely in the best interests of the organisation.

c. It is collective, in that while each member should put the point of view of the PFC first, each member has the right to argue for their own point of view and to vote for that position, once a collective decision has been taken Board members are required to support that decision.

2. The function of the PFC COM is to collectively ensure the delivery of its objectives, to set its strategic direction, and to uphold its values. The COM should collectively be responsible and accountable for ensuring and monitoring that the organisation is performing well, is solvent, and is complying with all its legal, financial, and ethical obligations. The responsibilities of the COM that cannot be delegated to any other person or body include:

a. Compliance monitoring – ensuring compliance with the objects, purposes and values of the PFC, and with its constitution;

b. Organisational governance – setting or approving policies, plans and budgets to achieve those objectives, and monitoring performance against them;

c. Strategic planning – reviewing and approving strategic direction and initiatives;

d. Regulatory monitoring – ensuring that the PFC complies with all relevant laws, regulations and regulatory requirements;

e. Financial monitoring – reviewing the PFC's budget, monitoring management and financial performance to ensure the solvency, financial strength and good performance of the PFC;

f. Financial reporting – considering and approving annual financial statements and required reports to government;

g. Organisational structure – setting and maintaining a framework of delegation and internal control;

h. Leadership selection – selecting, evaluating the performance of, and if necessary dismissing the PFC's leadership team;

i. Succession planning – planning for Board and executive succession;

j. Risk management – reviewing and monitoring the effectiveness of risk management and compliance in the PFC; agreeing or ratifying all policies and decisions on matters which might create significant risk to the PFC, financial or otherwise;

k. Dispute management – dealing with and managing conflicts that may arise within the PFC, including conflicts arising between Board members, members, volunteers, or service users;

l. Social responsibility – considering the social, ethical and environmental impact of all activities and operations and ensuring that these are acceptable;

m. Board performance and composition – evaluating and improving the performance of the COM.

### **Procedures:**

#### 1. Internal controls:

The PFC COM should set and maintain standing orders, policies and procedures, and systems of financial control, internal control, and performance reporting. The COM should ensure that there is a system for the regular review of the effectiveness of its financial control, internal control, performance reporting, and policies and procedures.

#### 2. Managing risk:

The COM should undertake a full risk assessment (either periodically or on a rolling basis) and take appropriate steps to manage the PFC's exposure to significant risks. The COM must regularly review the risks to which the PFC is subject, and take action to mitigate risks identified.

#### 3. Committee of Management Review:

The COM should ensure that there is a system for the regular review of its own effectiveness in meeting its responsibilities.

### **Responsibilities:**

1. It shall be the responsibility of the PFC COM to establish and maintain standing orders, policies and procedures, and systems of financial control, internal control, and performance reporting.

2. It shall be the responsibility of the PFC COM to clearly demarcate and delegate the functions of sub-committees, officers, and other staff and agents.

3. It shall be the responsibility of the PFC COM in total and any approved subcommittee to address key management and operational issues within the direction and the policies laid down by the COM, including:

a. Developing and implementing strategies and making recommendations to the COM on significant strategic initiatives;

b. Making recommendations for the appointment of volunteers, determining terms of appointment, evaluating performance, and developing and maintaining succession plans for volunteers;

c. Developing the annual budget and managing day-to-day operations within the budget;

d. Maintaining an effective risk management framework;

e. Keeping the COM and regulators informed about any developments with a material impact on the PFC's performance; and

f. Managing day-to-day operations in accordance with agreed standards for social, ethical and environmental practices.

## **2.12: MEMBER REGISTRATION POLICY v1 2017**

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### **Introduction**

This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

The Committee of Management (COM) of the Pakenham Floorball Club (PFC) is committed to ensuring the protection of its members through the provision of appropriate insurance coverage for all registered members. Registration also enables the PFC, the Victorian Floorball Association (VFA) and the Australian Floorball Association (AFA) to keep accurate records of member numbers and track player movements within PFC, VFA and AFA sanctioned competitions. Registration with the PFC will also include registration with the VFA and the AFA, as the governing bodies of Floorball. This means that players are playing in sanctioned competitions run in accordance with best practice rules and under ASC guidelines.

### **Purpose**

- To provide a framework for ensuring that all members are registered in accordance with PFC, VFA and AFA rules to protect both themselves and others by being adequately insured in the event of a serious injury being incurred.
- To provide the AFA with accurate information to enable reporting to the Australian Sports Commission in accordance with their requirements.

### **Policy**

Any person involved in a PFC, VFA or AFA organised event must be registered as a Senior or Junior player. Coaches, Officials, Team Managers or Referees who are non-playing may wish to register as an Associate member. International players must be registered with the AFA once their official IFF transfers from their home clubs have been completed if they wish to play in any Elite series competitions. The AFA requires that the VFA adopt this policy as a minimum standard and enforce the policy with clubs under their responsibility.

### **Procedure**

Registration is due on 1st of July in any year. Members must log in and register via the links provided on the AFA website [www.floorballaustralia.org.au](http://www.floorballaustralia.org.au). Unregistered players cannot play or train and are ineligible to apply for selection to national teams, as outlined in the AFA Member Registration Policy.

### **Penalties**

To ensure this policy is strictly enforced the following will apply;

- If the PFC becomes aware of any unregistered players, coaches, officials, team managers or referees, they will be asked to leave the court immediately and not return till proof of membership payment is received.
- If the PFC becomes aware of any unregistered players, coaches, officials, team managers or referees acting as such and not being a member, the PFC may fine the relevant person for the first offence. The fine amount for the first offence will be \$100.
- Ongoing offences may incur additional sanctions at the discretion of the PFC Disciplinary Sub-Committee. The additional sanctions available to be imposed may include, but are not limited to:
  1. Players being restricted from entering PFC sanctioned events such as Elite Series, AFO etc;
  2. Players, coaches and officials being excluded from training camps and selection for Australian teams;
- The VFA may impose their own additional penalties against clubs or players as they see fit, and in accordance with their relevant policy. The VFA may take into consideration, when imposing penalties, any penalties already imposed by the PFC.
- The VFA may impose their own additional penalties against clubs or players as they see fit, and in accordance with their relevant policy. The AFA may take into consideration, when imposing penalties, any penalties already imposed by the PFC.

## **2.13: PRIVACY POLICY v1 2017**

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### **Introduction**

This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012). The Committee of Management (COM) of the Pakenham Floorball Club, Inc (known in this document as the PFC) is committed to protecting the privacy of personal information which the organisation collects, holds and administers. Personal information is information which directly or indirectly identifies a person.

### **Purpose**

The purpose of this document is to provide a framework for the PFC in dealing with privacy considerations.

### **Policy**

The PFC collects and administers a range of personal information for the purposes of maintaining an accurate register of members. The PFC is committed to protecting the privacy of personal information it collects, holds and administers. The PFC recognises the essential right of individuals to have their information administered in ways which they would reasonably expect – protected on one hand, and made accessible to them on the other. These privacy values are reflected in and supported by our core values and philosophies. The PFC refers to the 1988 Privacy Act (Cth) (as amended by the private sector provisions which came into effect on 21 December 2001) (the "Privacy Act") as well as the Health Records and Information Privacy Act 2002 (NSW) which impose specific obligations when it comes to handling information. The organisation has adopted the respective Privacy Principles contained in Acts as minimum standards in relation to handling personal information.

In broad terms this means that we:

- Collect only information which the PFC requires for its primary function;
- Ensure that stakeholders are informed as to why we collect the information and how we administer the information gathered;
- Use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person's consent;
- Store personal information securely, protecting it from unauthorised access; and
- Provide stakeholders with access to their own information, and the right to seek its correction.

### **Procedures**

#### **Collection**

The PFC will:

- Only collect information that is necessary for the performance and primary function of the PFC;
- Notify members about why we collect the information and how it is administered;
- Notify members that this information is accessible to them.

#### **Use and Disclosure**

The PFC will:

- Only use or disclose information for the primary purpose for which it was collected or a directly related secondary purpose;
- For other uses the PFC will obtain consent from the affected person.

#### **Data Quality**

The PFC will:

- Take reasonable steps to ensure the information we collect is accurate, complete, up-to-date, and relevant to the functions we perform, as much as possible.

### **Data Security and Retention**

The PFC will:

- Safeguard the information we collect and store against misuse, loss, unauthorised access and modification.
- Ensure that records no longer required will be destroyed in a manner which protects members' privacy.

### **Openness**

The PFC will:

- Ensure members & affiliates are aware of PFC's Privacy Policy and its purposes;
- Make this information freely available in relevant publications and on the organisation's website.

### **Access and Correction**

The PFC will:

- Ensure individuals have a right to seek access to information held about them and to correct it if it is inaccurate, incomplete, misleading or not up-to-date.

### **Anonymity**

The PFC will:

- Give members the option of not identifying themselves when completing evaluation forms or opinion surveys.

### **Making information available to other service providers**

The PFC:

- Can only release personal information about a person with that person's expressed permission. For personal information to be released, the person concerned must sign a release form;
- Can release information to third parties where it is requested by the person concerned.

### **Responsibility**

The Committee of Management of the PFC is responsible for adopting & implementing this policy.

In reference to Clause 13.1(e) and Clauses 75.1.a, 75.1.b, and 75.1.c of the Model Rules for an Incorporated Association (2012), Clause 75.2 applies, as explained below.

Although financial members may request access to the minutes of general meetings and other documents of the PFC (Clause 13.1.e), access to the register of members (Clause 75.1.a), access to the minutes of general meetings (Clause 75.1.b), and access to the financial records, books, securities and any other relevant document of the Association, including minutes of Committee meetings (Clause 75.1.c), the PFC reserves the right to refuse access to records that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association (Clause 75.2).

## **2.14: TRANSPARENCY AND ACCOUNTABILITY POLICY v1 2017**

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### **Introduction**

The Pakenham Floorball Club (PFC) wishes to be proactively concerned with its relationship with its members, its stakeholders, and its affiliated associations. The PFC realises the importance of transparency in its operations, and wishes to withhold from public scrutiny as little of its operations as is possible. This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

### **Purpose**

The purpose of this policy is to:

- Indicate which documents and materials produced by the organisation are presumptively open to members and/or the public;
- Indicate which documents and materials produced by the organisation are presumptively closed to members and/or the public;
- Specify the procedures whereby the open/closed status of documents and materials can be altered.

### **Policy**

#### **1. Committee of Management**

1. All committee deliberations shall be open to the members except where the committee passes a motion to make any specific portion confidential.
2. All board minutes shall be open to the members and affiliates once accepted by the committee, except where the committee passes a motion to make any specific portion confidential.
3. All papers and materials considered by the committee shall be open to members following the meeting at which they are considered, except where the committee passes a motion to make any specific paper or material confidential.

#### **2. Member Records**

1. All member records shall be available for consultation by the member concerned or by their legal representatives.
2. Subject to provision 2.1, no member records shall be made available to any other person outside the organisation unless previous permission is obtained.
3. Within the organisation, member records shall be made available only to those persons with responsibilities for that member, except that
4. Member records shall be made available to the committee of management when requested.

#### **3. Administrative records**

1. All records and materials not falling into the categories above may be released to members and affiliated associations at the discretion of the Committee of Management, who shall take into consideration:
  - a. a general presumption in favour of transparency;
  - b. the relevant provisions of the Associations Incorporation Act regarding information to be made available to members;
  - c. the marketing, commercial, legal, and administrative interests, priorities, and resources of the organisation, including:
    - \* commercial confidentiality;
    - \* copyright issues

## **Procedures**

### **Requests for access**

1. Any request for access to records or materials shall be made in the first instance to the Committee of Management via the Secretary.
2. Where requests are made for member files by any person who is not the member, the Committee of Management (via the Secretary) shall inform the member and allow them to make any submissions they wish.

### **Procedures and charges for access**

1. For all requests, the Committee of Management shall allow access to approved organisation records and materials under such conditions and according to such arrangements as they see fit.
2. Where the request for information is on such a scale or of such difficulty that it would impose an unreasonable burden on the PFC's resources, the Committee of Management shall impose such charges as they see fit. This is in accordance of the Model Rules for an Incorporated Association (2012) Clause 72.4.

### **Record keeping**

1. The Secretary shall report to every meeting of the board on the number, nature and outcome of requests for records or materials since the previous meeting.
2. The Secretary shall ensure that membership applicants and prospective members are aware of and consent to the PFC's Privacy Policy.

### **Responsibilities**

1. The Secretary of the Committee of Management shall be responsible for ensuring that proper procedure for the classification and release of information is adhered to.

## **2.15: WAIVER ACKNOWLEDGEMENT v1 2017**

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For the purpose of this declaration means and includes its subsidiaries, its members (including Clubs) and their respective directors, officers, members, servants or agents. This includes all aspects within the Pakenham Floorball Club (PFC), the Victorian Floorball Association (VFA) and the Australian Floorball Association (AFA). This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

### **WARNING:**

Floorball activities, as with other sporting activities, can involve a level of danger and accidents which may result in me being injured. By registering with the PFC, VFA and AFA, I declare that I have voluntarily read and understand this warning, and accept and assume the inherent risks in Floorball activities.

### **EXCLUSION OF LIABILITY:**

Except to the extent that the Trade Practices Act 1974(Cth) or other legislation applies, and cannot by contract be excluded, I agree that as a term of my membership that I absolve the PFC, VFA and AFA from all liability however arising from injury or damage however caused (whether fatal or otherwise) arising out of my membership and/or participation in any PFC, VFA and/or AFA authorized recognized activity in any way due to any negligent act, breach of duty, default and/or omission one on the part of the PFC, VFA and/or AFA.

### **RELEASE AND INDEMNITY:**

In consideration of the PFC, VFA and AFA accepting my application for membership, I:

1. Release and forever discharge them from all actions, suits, proceedings, claims, demands, losses, damages, penalties, costs and expenses however arising that I may have or may have had but for this release arising from or in connection with my membership and /or participation in any PFC, VFA and/or AFA authorized or recognized activity; and

2. Indemnify the PFC, VFA and/or AFA to the extent permitted under, whether caused or contributed to, directly or indirectly, by any act or omission (including negligence) on the part of the PFC, VFA and/or AFA, Trade Practices ACT 1974 (Cth) or otherwise by law in respect of any actions, suits, proceedings, claims, demands, losses, damages, costs, expenses, penalties and fines arising as a result of or in connection with my membership and/or participation in any PFC, VFA and/or AFA authorized or recognized activity whether caused or contributed to, directly or indirectly, by any act or omission (including negligence) on the part of PFC, VFA and/or AFA.

## **2.16: BLOOD RULES POLICY v1 2017**

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### **Introduction**

The Committee of Management (COM) of the Pakenham Floorball Club (PFC) is committed to protecting our members where possible from infection due to blood exposure. While the risk of infection during sport is relatively low, we are also aware of our responsibility to educate and inform members of this issue. This policy applies to the Committee, casual, permanent and contract staff, members and volunteers. This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

### **Purpose**

The purpose of this document is to identify the PFC's position on blood exposure rules and to document the standards expected.

### **Policy**

- A player who is bleeding or has blood on their clothing must immediately leave the playing field or court and seek medical attention.
- The bleeding must be stopped, the wound dressed and blood on the player's body or clothing cleaned off before they return to the game.
- Play must cease until all blood on the ground or equipment is cleaned up.

### **Additional Information for players & others**

All blood and body fluids should be treated as though they are potentially infectious. When spills of blood or other body fluids happen:

- avoid direct contact with blood or body fluids;
- cover any cuts on your hands with a Band Aid;
- wear gloves.

If blood or other body fluids spill onto you or someone else or if contact has been made with an open wound, broken skin or mucous membranes (mouth, eyes, genitals) the following precautions are recommended:

- wash the area of contact thoroughly with soap and warm water;
- if the blood contacted your mouth or eyes, rinse well with water;
- see your own doctor as soon as possible.

Once the bleeding has stopped and you've cleaned up any blood or body fluids which found their way onto you or others, it's important to disinfect the area where the spill occurred. When doing this:

- wear gloves;
- place a paper towel over the spill and carefully mop it up;
- clean the surface with warm water and detergent or soap;
- disinfect the area by wiping with bleach and dry with a clean paper towel;
- when finished, remove gloves and put them along with the used paper towels in a sealed plastic bag and place in rubbish bin.
- Further detailed information on Infections, Transmission, Prevention, Risk and Discrimination are available in the Blood Rules OK booklet, produced by Sports Medicine Australia & available on the internet at [http://www.sma.org.au/pdfdocuments/Blood\\_book.pdf](http://www.sma.org.au/pdfdocuments/Blood_book.pdf)

### **Responsibility**

The PFC COM is responsible for the implementation and review of this policy. All Committee members, casual, permanent and contract staff, members and volunteers are responsible for adhering to this policy.

## **2.17: CODE OF ETHICS v1 2017**

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### **Introduction**

The Committee of Management (COM) of the Pakenham Floorball Club (PFC) is committed to ethical conduct in providing the best possible service to our sport, our members and the community surrounding us. This policy has been developed to provide an ethical framework for all COM members and volunteers at the PFC, and it applies to them all equally. This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

### **Purpose**

The purpose of this document is to identify the PFC's position on ethics and proper practice, and to document the standards expected in providing a service to our members and the floorball community.

### **Policy**

The PFC COM has a legal and moral responsibility to manage the PFC in the best interests of the community it serves. The COM and volunteers will demonstrate professional and ethical behaviour at all times – in their responsibilities to the organisation, in their professional relationships with each other, and in their professional service to the community – and will be required to adhere to this code of ethics.

### **The Committee of Management shall:**

- Be diligent, attend committee meetings and devote sufficient time to preparation for meetings to allow for full and appropriate participation in the COM's decision-making.
- Observe confidentiality relating to non-public information acquired by them in their role as Committee Members and not disclose such information to any other person, unless they are lawfully required to do so.
- Meet regularly to monitor the performance of management and the PFC as a whole. To do this the COM will ensure that appropriate monitoring and reporting systems are in place and that these are maintained and utilised to provide accurate and timely information to the COM.
- Ensure there is an appropriate separation of duties and responsibilities between itself and senior management and that no individual has unfettered powers of decision-making.
- Ensure that the independent views of COM members are given due consideration and weight.
- Ensure that stakeholders are provided with an accurate and balanced view of the PFC's performance, including both financial and service provision.
- Regularly review its own performance as the basis for its own development and quality assurance. Individual Committee Members should also review their own performance with a view to ensuring a suitable contribution to committee deliberations and decision-making and, if found lacking, should either pursue training or assistance to improve their performance, or resign.
- Carry out its meetings in such a manner as to ensure fair and full participation of all committee members.
- Ensure that the PFC's assets are protected via a suitable risk management strategy.
- Ensure that personal and financial interests do not conflict with the duty to the organisation.

### **Committee of Management members shall:**

- Publicly and privately support the organisation and each other, acknowledging the strengths and weaknesses of others and acting with courtesy and respect.
- Act honestly and in good faith at all times in the interests of the organisation and objects, ensuring that all stakeholders are treated fairly according to their rights.
- Perform their duties as best they can, taking into account their skills, experience, qualifications and position. They shall act in a safe, responsible and effective manner.
- Comply with the prescribed terms and conditions of their engagement.
- Record their attendance for duty in the manner prescribed.
- Notify the PFC of any inability to attend duty as early as possible so as not to inconvenience others or delay the work of the PFC.
- Carry out their duties in a lawful manner and ensure the PFC carries out its business in accordance with the law, and recognise both legal and moral duties of their role.

- Respect and safeguard the property of the PFC, the public and colleagues; and observe safe work practices so as not to endanger themselves or others.
- Maintain confidentiality regarding any information gained through their work and not divulge personal information or the address or phone numbers of Committee or members without prior consent.
- Ensure that all transactions, agreements and records that flow from relationships with PFC's stakeholders will be accurately and openly recorded in the PFC's books and records, and no entries will be made which obscure the true nature of a transaction.
- Ensure that the PFC will market its services with integrity and accuracy.
- Ensure that personal and financial interests do not conflict with the duty to the organisation.
- Undertake no personal or business activities for personal gain while at the organisation or while conducting business of the organisation.
- Work within the PFC's policies and principles.
- Discuss issues where appropriate with other COM members to determine whether or not a contemplated action is ethical.

### **Responsibility**

All COM members, sub-committee members, casual, permanent and contract staff and volunteers are responsible for adhering to all applicable clauses.

## **2.18: CONFLICT OF INTEREST POLICY v1 2017**

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### **Introduction**

The Committee of Management (COM) of the Pakenham Floorball Club (PFC) is committed to high standards of ethical conduct and accordingly places great importance on making clear any existing or potential conflict of interest. This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

### **Purpose**

This policy has been developed to provide a framework for all COM members in declaring conflicts of interest.

### **Policy**

The PFC COM places great importance on making clear any existing or potential conflicts of interest. All such conflicts of interest shall be declared by the member concerned and documented in records by the Secretary. A COM member who believes another COM member has an undeclared conflict of interest should specify in writing the basis of this potential conflict.

### **Procedure**

1. Members shall declare any conflicts of interest either at the start of the COM meeting concerned or when a relevant issue arises. The nature of this conflict of interest should be entered into the meeting minutes.
2. Where a conflict of interest or potential conflict of interest is identified and/or registered, the member concerned shall leave the room as soon as that item comes up for discussion. The concerned COM member shall not vote on that issue, nor initiate or take part in any COM discussion on that topic (either in the meeting or with other COM members before or after the COM meetings), unless expressly invited to do so by unanimous agreement by all other members present.
3. If a person declares themselves to have existing or potential conflict of interest confidentiality will be respected. If a person alleges that another person has a conflict of interest, whether existing or potential, and if the COM cannot resolve this allegation to the satisfaction of both parties the matter shall be referred to an Ethics Sub-Committee which may be convened for this purpose. This Sub-Committee will make a recommendation to the COM as to what action shall be taken.

Examples of conflict of interest could be (but are not limited to):

- When a COM member or his/her immediate family or business interests stands to gain financially from any business dealings, programs or services of the organisation.
- When a COM member him or herself offers a professional service to the organisation.
- When a COM member stands to gain personally or professionally from any insider knowledge if that knowledge is used to personal advantage.
- Where a COM member or the ex/officio member of the COM has a role on the governing body of another organisation, where the activities of that other body may be in direct conflict or competition with the activities of the PFC.

**2.19: TRANSFER POLICY v1 2017**

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To be advised.

## **2.20: UNIFORM POLICY v2**

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### **Introduction**

This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

Wearing a uniform is one of the simplest ways to effectively increase the confidence of athletes, improve your team's moral and psychologically enhance athletic performance. Most athletes would tell you they play their best when they feel good about themselves.

Wearing a uniform doesn't just boost your individual players' self-esteem, but the moral of your team as a whole. Your players won't just look good; they'll become more cohesive as a unit. The unifying power of wearing a shared colour and logo helps to develop a strong identity and build camaraderie between teammates.

Wearing a uniform goes a long way to helping players feel like they are a part of something bigger -- a group, a collective, a family, a team. This sense of pride reminds them that they play for more than the name on the back of their uniform, but for the others wearing the same uniform around them.

### **Purpose of this Policy**

The purpose of this '**Uniform Policy**' is to provide the correct guidelines for everyone at the Pakenham Floorball Club to use when ordering new uniforms.

### **Who this Policy Applies To**

This policy applies to all players at the Pakenham Floorball Club.

### **League (U19's, Men's and Women's)**

Team uniforms shall consist of a player top, black shorts and knee high socks.

Teams can organise their own team uniforms, but cannot change the current sublimated player top design for the following 3 teams, Eagles, Penguins and Royals, as these designs are now set in concrete.

The Stars are in the process of having a sublimated player top designed as they currently do not have one. This design will be adopted by all Stars teams over time, as player tops need to be replaced/ordered. All Stars player tops must be replaced by the Winter Season 2017.

The Women's Penguin Team must replace their current tops with the approved sublimated player top, as new player tops need to be replaced/ordered over time. All player tops must be replaced by the Winter Season 2017.

Team Captains/Team Managers can shop around to get the best price for their sublimated player tops as long as they use the correct artwork which will be issued by the PFC.

All player tops must be numbered front and back. Surnames or nicknames are optional on the back. The player top shall be numbered with different whole numbers in clearly visible Arabic figures on the back and on the chest. The back figures shall be at least 200 mm in height and the chest figures at least 70 mm. The player top may carry any number up to 99, but 1 is not allowed for field players.

All goalkeepers shall wear a player top (or similar), differing from those of the field players in the same team, and long trousers.

All player tops ordered from today will not have the PFC or the Squishees logo on them.

Any proposed Sponsor (to go on back of top) is to be approved by the Committee of Management.

All Teams must wear the official league player top. Newer players must wear a player top of the same colour (yellow, black, blue, red) and must tape a player number to the back of their top.

All Teams must wear black shorts. No leggings, 3/4 pants, full length skins or track suit pants are to be worn without approval from the Committee of Management.

Over the next 6 months we will phase in the following shorts program:

Sublimated Black Shorts with the PFC logo, available in 3 different styles (short, mid-thigh and knee length), are to be purchased through the Club and are the only shorts to be worn on the court.

All Teams must wear the same colour and same height socks within their team, either calf high socks or knee high socks. Ankle socks are prohibited.

Over the next 6 months we will phase in the following socks program:

Sublimated Knee High Socks with the PFC logo in the following colours:

- Eagles – Yellow
- Penguins – White
- Royals - Blue
- Stars – Red

Yellow, white, blue and red knee high socks with the PFC logo are to be purchased through the Club and are the only socks to be worn on the court.

All players shall wear sports shoes appropriate for the court we play on.

The Team Captain must wear an armband. The armband shall be worn on the left arm and be clearly visible. Tape is not allowed as an armband.

All players shall not wear personal equipment which may cause injury, including jewellery, watches, earrings or face piercings. Earrings and face piercings can be taped.

Players on trial (2 weeks for males, 4 weeks for females) should try to match the Team uniform colours as best they can and must tape a player number to the back of their top. Players on trial cannot receive an incorrect uniform penalty.

The penalty for not complying with these rules will be a two minute penalty for incorrect uniform. Your team will only receive one penalty per game regardless of how many uniform offences.

### **League (U15's)**

Team uniforms shall consist of a player top, black shorts and knee high socks.

The following Teams, Blizzards, Eagles, Flames, Penguins, Royals and Stars are on the PFC Uniform Rental Program. These player tops are not the expensive sublimated tops. They are the individual league colour with a logo transfer printed on the front to keep the costs down and are the property of the PFC.

All player tops must be numbered, but not named, as they belong to the PFC and not the player.

All goalkeepers shall wear a player top (or similar), differing from those of the field players in the same team, and long trousers.

Any proposed Sponsor (to go on back of top) is to be approved by the Committee of Management.

All Teams must wear the official league player top. Newer players must wear a player top of the same colour (yellow, black, blue, red, orange, green) and must tape a player number to the back of their top.

All players must wear black shorts. No leggings, 3/4 pants, full length skins or track suit pants are to be worn without approval from the Committee.

Over the next 6 months we will phase in the following shorts program:

Sublimated Black Shorts with the PFC logo, available in 3 different styles (short, mid-thigh and knee length), are to be purchased through the Club and are the only shorts to be worn on the court.

All Teams must wear the same colour and same height socks within their team, either calf high socks or knee high socks. Ankle socks are prohibited.

Over the next 6 months we will phase in the following socks program:

Sublimated Knee High Socks with the PFC logo in the following colours:

- Eagles – Yellow
- Penguins – White
- Royals - Blue
- Stars – Red
- Flames – Orange
- Blizzards - Green

Yellow, white, blue, red, orange and green knee high socks with the PFC logo are to be purchased through the Club and are the only socks to be worn on the court.

All players shall wear sports shoes appropriate for the court we play on.

The Team Captain must wear an armband. The armband shall be worn on the left arm and be clearly visible. Tape is not allowed as an armband.

All players shall not wear personal equipment which may cause injury, including jewellery, watches, earrings or face piercings. Earrings and face piercings can be taped.

Players on the 2 week trial period should try to match the Team uniform as best they can and must tape a player number to the back of their top. Players on trial cannot receive an incorrect uniform penalty.

The penalty for not complying with these rules will be a two minute penalty for incorrect uniform. Your team will only receive one penalty per game regardless of how many uniform offences.

## **Social**

Team uniforms shall consist of a player top, shorts and knee high socks.

Teams can organise their own team uniforms, being mindful of colour clashes with other teams. The colour grey cannot be used as this colour is reserved for the referees.

All player tops must be numbered front and back. Surnames or nicknames are optional on the back. The player top shall be numbered with different whole numbers in clearly visible Arabic figures on the back and on the chest. The back figures shall be at least 200 mm in height and the chest figures at least 70 mm. The player top may carry any number up to 99, but 1 is not allowed for field players.

All goalkeepers shall wear a player top (or similar), differing from those of the field players in the same team, and long trousers.

All player tops ordered from today will not have the PFC or the Squishees logo on them.

Any proposed Sponsor (to go on back of top) is to be approved by the Committee of Management.

All Teams wear their own player top. Newer players must wear a player top of the same colour and must tape a player number to the back of their top.

All shorts must be the same colour throughout the team.

All socks must be the same colour throughout the team and be knee high socks.

Shorts and socks can be any colour as long as the whole team wears the same.

The Team Captain must wear an armband. The armband shall be worn on the left arm and be clearly visible. Tape is not allowed as an armband.

All players shall not wear personal equipment which may cause injury, including jewellery, watches, earrings or face piercings. Earrings and face piercings can be taped.

Players on trial (2 weeks for males, 4 weeks for females) should try to match the Team uniform colours as best they can and must tape a player number to the back of their top. Players on trial cannot receive an incorrect uniform penalty.

The penalty for not complying with these rules will be a two minute penalty for incorrect uniform. Your team will only receive one penalty per game regardless of how many uniform offences.

## **2.21: NO PAY NO PLAY POLICY v3**

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### **Introduction**

This policy is to be read in conjunction with the PFC Member Protection Policy (2017) and the Model Rules for an Incorporated Association (2012).

In order to play Floorball at the Pakenham Floorball Club (PFC), you must be a current financial member of the PFC. Players will be asked to leave the court if they are un-financial. The Committee of Management reserves the right to enforce the PFC Member Registration Policy V1 2017, from the PFC Member Protection Policy V1 2017 which states:

#### **Penalties**

To ensure this policy is strictly enforced the following will apply;

- If the PFC becomes aware of any unregistered players, coaches, officials, team managers or referees, they will be asked to leave the court immediately and not return till proof of membership payment is received.
- If the PFC becomes aware of any unregistered players, coaches, officials, team managers or referees acting as such and not being a member, the PFC will fine the relevant person for the first offence. The fine amount for the first offence will be \$100.
- Ongoing offences will incur additional sanctions at the discretion of the PFC Disciplinary Sub-Committee.

It costs over \$60,000 each year to run our various competitions at the Cardinia Life Stadium and thousands of hours of work, provided free of charge, by our many volunteers and parents. Paying for your proportion of the Weekly Team Sheet, in advance or on the day, is a small way for you to show your respect to the PFC, your team mates and to those volunteers (Parents, Team Managers, Captains) whose efforts allow you to play Floorball each week.

Our new 'No Pay, No Play Policy' has been designed to ensure all players are members of the PFC and to make the payment of your Weekly Team Sheet easier for your Team Manager/Captain to pay.

It is the responsibility of the Team Manager/Captain to ensure that each player is a member of the PFC and that all game fees are paid in advance. Any player who is not a PFC member (after the New Player Probation Period) will not be allowed to play till their membership is paid. Any player with an outstanding payment from the previous week's game, will not be allowed to play until full restitution is made.

### **Purpose of this Policy**

The purpose of this 'No Pay, No Play Policy' is to provide guidelines to everyone at the PFC to ensure memberships are current and for the payment of your teams Weekly Team Sheet.

### **Who this Policy Applies To**

This policy applies to all players at the Pakenham Floorball Club.

### **Team Sheet Fees**

At the beginning of the season, it is the responsibility of the Team Manager/Captain to divide the number of players in the team by the amount owing for the Team Registration payment which currently is \$70 for all teams. Each player must pay their proportion of this cost on or before the first game of the season.

At the beginning of the season, it is the responsibility of the Team Manager/Captain to divide the number of players in the team by the amount owing for the Weekly Team Sheet payment which currently is \$72 for Senior and Social Teams and \$64 for U15's and U19's Teams.

The Weekly Team Sheet cost is the same amount each week regardless of how many players turn up to play on the day. So to keep things fair and simple, when you commit to the team for the season, you all split the cost equally regardless of whether you play or not (divided by the number of games in the 'round season', not including the 'finals series').

It is no longer acceptable that other players cover your game costs if you are unable to play due to work commitments, school commitments, holidays or sickness etc. If you miss a game, upon your return the following week, you must pay for the game that you missed along with the current week's game.

It is at the discretion of the Team Manager/Captain to decide whether they will be asking for the Weekly Team Sheet payments by one of the following instalments:

- Weekly Payments
- Quarterly (4 instalments, each paid in advance)
- Half Season (2 instalments, each paid in advance)

#### New Player Probation Period

New players joining the Team through the season are allowed:

Senior Female: 4 free games before joining the PFC

Senior Male: 2 free games before joining the PFC

Junior U15's and U19's: 2 free games before joining the PFC

Once these players become PFC members, they are to pay the exact same Weekly Team Sheet payment as the rest of the Team. At the end of the season, the Team Manager/Captain can decide to put this surplus amount towards any finals game costs or reimburse it evenly back to the players.

#### **Outstanding Debt**

Any player with an outstanding Weekly Team Sheet payment will be considered to be an un-financial member of the club. Players in this predicament cannot play in any floorball team, regardless of the grade or game within the season, or be selected for any of the major national events such as AFO, CFO, NBO or Wellington Open. Team Managers/Captains cannot carry over outstanding payments from the current season into the next season as this may impact on other teams.

#### **Finals Eligibility**

All un-financial players will be deemed as ineligible for the finals series and unable to participate.

#### **Committee of Management Assistance**

Team Managers/Captains can approach the Committee of Management (COM) to enforce this Policy with non-paying players, at any time during the current playing season. To enforce this policy, Team Managers/Captains must notify the COM prior to the second last round of the season (excluding finals).

**Attachment 3: DUTY STATEMENTS**

See information provided in Attachment 2: Codes of Conduct

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<p>Nature of complaint (category/basis/grounds)</p> <p>Can tick more than one box</p>	<p><input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination</p> <p><input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods</p> <p><input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse</p> <p><input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse</p> <p><input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation</p> <p><input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision</p> <p><input type="checkbox"/> Other .....</p>
<p>What they want to happen to fix issue</p>	
<p>Information provided to them</p>	
<p>Resolution and/or action taken</p>	
<p>Follow-up action</p>	

## 4.2 PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

**If you believe a child is in immediate danger or a life-threatening situation, contact the Police immediately on 000.**

Fact sheets on reporting allegations of child abuse in different states and territories are available at [www.playbytherules.net.au](http://www.playbytherules.net.au)

We will treat any allegation of child abuse or neglect promptly, seriously and with a high degree of sensitivity.

All people working with the PFC in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

### Step 1: Receive the allegation

If a child or young person raises with you an allegation of child abuse or neglect that relates to them or to another child, it is important that you listen, stay calm and be supportive.

Do	Don't
Make sure you are clear about what the child has told you	Do not challenge or undermine the child
Reassure the child that what has occurred is not his or her fault	Do not seek detailed information, ask leading questions or offer an opinion.
Explain that other people may need to be told in order to stop what is happening.	Do not discuss the details with any person other than those detailed in these procedures.
Promptly and accurately record the discussion in writing.	Do not contact the alleged offender.

### Step 2: Report the allegation

- Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then also report the allegation to the President of the PFC so that he or she can manage the situation.

### Step 3: Protect the child and manage the situation

- The President of the PFC will assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing/suspending him or her until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is an employee of the PFC.
- The President of the PFC will consider what services may be most appropriate to support the child and his or her parent/s.
- The President of the PFC will consider what support services may be appropriate for the alleged offender.
- The President of the PFC will seek to put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

### Step 4: Take internal action

- At least three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:

- a criminal investigation (conducted by the police)
- a child protection investigation (conducted by the relevant child protection agency)
- a disciplinary or misconduct inquiry/investigation (conducted by the President of the PFC).
- The PFC will assess the allegations and determine what action should be taken in the circumstances. Depending on the situation, action may include considering whether the alleged offender should return to his or her position, be dismissed, banned or suspended or face other disciplinary action.
- If disciplinary action is undertaken, we will follow the procedures set out in Section 10.5 of our Member Protection Policy.
- Where required we will provide the relevant government agency with a report of any disciplinary action we take.
- **Contact details for advice or to report an allegation of child abuse**

<b>Australian Capital Territory</b>	
ACT Police Non-urgent police assistance Ph: 131 444 <a href="http://www.afp.gov.au">www.afp.gov.au</a>	Office for Children, Youth and Family Services <a href="http://www.communityservices.act.gov.au/ocyfs/reporting-child-abuse-and-neglect">http://www.communityservices.act.gov.au/ocyfs/reporting-child-abuse-and-neglect</a> Ph: 1300 556 729
<b>New South Wales</b>	
New South Wales Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.nsw.gov.au">www.police.nsw.gov.au</a>	Department of Family and Community Services <a href="http://www.community.nsw.gov.au">www.community.nsw.gov.au</a> Ph: 132 111
<b>Northern Territory</b>	
Northern Territory Police Non-urgent police assistance Ph: 131 444 <a href="http://www.pfes.nt.gov.au">www.pfes.nt.gov.au</a>	Department of Children and Families <a href="http://www.childrenandfamilies.nt.gov.au">www.childrenandfamilies.nt.gov.au</a> Ph: 1800 700 250
<b>Queensland</b>	
Queensland Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.qld.gov.au">www.police.qld.gov.au</a>	Department of Communities, Child Safety and Disability Services <a href="http://www.communities.qld.gov.au/childsafety">www.communities.qld.gov.au/childsafety</a> Ph: 1800 811 810
<b>South Australia</b>	
South Australia Police Non-urgent police assistance Ph: 131 444 <a href="http://www.sapolice.sa.gov.au">www.sapolice.sa.gov.au</a>	Department for Education and Child Development <a href="http://www.families.sa.gov.au/childsafes">www.families.sa.gov.au/childsafes</a> Ph: 131 478
<b>Tasmania</b>	
Tasmania Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.tas.gov.au">www.police.tas.gov.au</a>	Department of Health and Human Services <a href="http://www.dhhs.tas.gov.au/children">www.dhhs.tas.gov.au/children</a> Ph: 1300 737 639
<b>Victoria</b>	
Victoria Police Non-urgent police assistance Ph: (03) 9247 6666 <a href="http://www.police.vic.gov.au">www.police.vic.gov.au</a>	Department of Human Services <a href="http://www.dhs.vic.gov.au">www.dhs.vic.gov.au</a> Ph: 131 278
<b>Western Australia</b>	
Western Australia Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.wa.gov.au">www.police.wa.gov.au</a>	Department for Child Protection and Family Support <a href="http://www.dcp.wa.gov.au">www.dcp.wa.gov.au</a> Ph: (08) 9222 2555 or 1800 622 258

**4.3 CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION**

Before completing, ensure the procedures outlined in *Procedure for Handling Allegations of Child Abuse* have been followed and advice has been sought from the relevant government agency and/or police.

Complainant's Name (if other than the child)		Date Formal Complaint Received: / /
Role/status in sport		
Child's name		Age:
Child's address		
Person's reason for suspecting abuse (e.g. observation, injury, disclosure)		
Name of person complained about		
Role/status in sport	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other .....
Witnesses (if more than 3 witnesses, attach details to this form)	Name (1): Contact details: Name (2): Contact details: Name (3): Contact details:	
Interim action (if any) taken (to ensure child's safety and/or to support needs of person complained about)		
Police contacted	Who: When: Advice provided:	

Government agency contacted	Who: When: Advice provided:
President and/or MPIO contacted	Who: When:
Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: Signature: / /
Signed by	Complainant (if not a child)

This record and any notes must be kept in a confidential and safe place and provided to the relevant authorities (police and government) should they require them.

**4.4 TRIBUNAL PROCESS** – Currently in review and further development. Refer to the Model Rules for an Incorporated Association till further notice.

**4.5 TRIBUNAL APPEALS PROCESS** – Currently in review and further development. Refer to the Model Rules for an Incorporated Association till further notice.

**Attachment 5: MODEL RULES**

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**5.1 CONSUMER AFFAIRS VICTORIA ASSOCIATIONS INCORPORATED  
REFORM ACT 2012 MODEL RULES FOR AN INCORPORATED  
ASSOCIATION**

**CONSUMER AFFAIRS VICTORIA  
Associations Incorporation Reform Act 2012**

**MODEL RULES  
For an  
INCORPORATED  
ASSOCIATION**

**Associations Incorporation Reform Regulations 2012  
Part 3**

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## Model Rules for an Incorporated Association

### Note

The persons who from time to time are members of the Association are an incorporated association by the name given in rule 1 of these Rules.

Under section 46 of the **Associations Incorporation Reform Act 2012**, these Rules are taken to constitute the terms of a contract between the Association and its members.

### PART 1—PRELIMINARY

#### 1 Name

The name of the incorporated association is "[*insert name*] Incorporated".

##### Note

Under section 23 of the Act, the name of the association and its registration number must appear on all its business documents.

#### 2 Purposes

The purposes of the association are—[*insert purposes*].

#### 3 Financial year

The financial year of the Association is each period of 12 months ending on [*insert last day of financial year, e.g. "30 June"*].

#### 4 Definitions

In these Rules—

- 1. *absolute majority***, of the Committee, means a majority of the committee members currently holding office and entitled to vote at the time (as distinct from a majority of committee members present at a committee meeting);
- 2. *associate member*** means a member referred to in rule 14(1);
- 3. *Chairperson***, of a general meeting or committee meeting, means the person chairing the meeting as required under rule 46;
- 4. *Committee*** means the Committee having management of the business of the Association;
- 5. *committee meeting*** means a meeting of the Committee held in accordance with these Rules;
- 6. *committee member*** means a member of the Committee elected or appointed under Division 3 of Part 5;
- 7. *disciplinary appeal meeting*** means a meeting of the members of the Association convened under rule 23(3);
- 8. *disciplinary meeting*** means a meeting of the Committee convened for the purposes of rule 22;

**9. *disciplinary subcommittee*** means the subcommittee appointed under rule 20;

**10. *financial year*** means the 12 month period specified in rule 3;

**11. *general meeting*** means a general meeting of the members of the Association convened in accordance with Part 4 and includes an annual general meeting, a special general meeting and a disciplinary appeal meeting;

**12. *member*** means a member of the Association;

**13. *member entitled to vote*** means a member who under rule 13(2) is entitled to vote at a general meeting;

**14. *special resolution*** means a resolution that requires not less than three-quarters of the members voting at a general meeting, whether in person or by proxy, to vote in favour of the resolution;

**15. *the Act*** means the **Associations Incorporation Reform Act 2012** and includes any regulations made under that Act;

**16. *the Registrar*** means the Registrar of Incorporated Associations.

## **PART 2—POWERS OF ASSOCIATION**

### **5 Powers of Association**

- (1) Subject to the Act, the Association has power to do all things incidental or conducive to achieve its purposes.
- (2) Without limiting subrule (1), the Association 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 any terms and in any manner as it thinks fit;
  - (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;
  - (g) enter into any other contract it considers necessary or desirable.
- (3) The Association may only exercise its powers and use its income and assets (including any surplus) for its purposes.

### **6 Not for profit organisation**

- (1) The Association must not distribute any surplus, income or assets directly or indirectly to its members.
- (2) Subrule (1) does not prevent the Association from paying a member—
  - (a) reimbursement for expenses properly incurred by the member; or
  - (b) for goods or services provided by the member—

if this is done in good faith on terms no more favourable than if the member was not a member.

**Note**

Section 33 of the Act provides that an incorporated association must not secure pecuniary profit for its members. Section 4 of the Act sets out in more detail the circumstances under which an incorporated association is not taken to secure pecuniary profit for its members.

**PART 3—MEMBERS, DISCIPLINARY PROCEDURES AND GRIEVANCES**

**Division 1—Membership**

**7 Minimum number of members**

The Association must have at least 5 members.

**8 Who is eligible to be a member**

Any person who supports the purposes of the Association is eligible for membership.

**9 Application for membership**

- (1) To apply to become a member of the Association, a person must submit a written application to a committee member stating that the person—
  - (a) wishes to become a member of the Association; and
  - (b) supports the purposes of the Association; and
  - (c) agrees to comply with these Rules.
- (2) The application—
  - (a) must be signed by the applicant; and
  - (b) may be accompanied by the joining fee.

**Note**

The joining fee is the fee (if any) determined by the Association under rule 12(3).

**10 Consideration of application**

- (1) As soon as practicable after an application for membership is received, the Committee must decide by resolution whether to accept or reject the application.
- (2) The Committee must notify the applicant in writing of its decision as soon as practicable after the decision is made.
- (3) If the Committee rejects the application, it must return any money accompanying the application to the applicant.
- (4) No reason need be given for the rejection of an application.

**11 New membership**

- (1) If an application for membership is approved by the Committee—
  - (a) the resolution to accept the membership must be recorded in the minutes of the committee meeting; and
  - (b) the Secretary must, as soon as practicable, enter the name and address of the new member, and the date of becoming a member, in the register of members.

- (2) A person becomes a member of the Association and, subject to rule 13(2), is entitled to exercise his or her rights of membership from the date, whichever is the later, on which—
  - (a) the Committee approves the person's membership; or
  - (b) the person pays the joining fee.

## **12 Annual subscription and fee on joining**

- (1) At each annual general meeting, the Association must determine—
  - (a) the amount of the annual subscription (if any) for the following financial year; and
  - (b) the date for payment of the annual subscription.
- (2) The Association may determine that a lower annual subscription is payable by associate members.
- (3) The Association may determine that any new member who joins after the start of a financial year must, for that financial year, pay a fee equal to—
  - (a) the full annual subscription; or
  - (b) a pro rata annual subscription based on the remaining part of the financial year; or
  - (c) a fixed amount determined from time to time by the Association.
- (4) The rights of a member (including the right to vote) who has not paid the annual subscription by the due date are suspended until the subscription is paid.

## **13 General rights of members**

- (1) A member of the Association who is entitled to vote has the right—
  - (a) to receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules; and
  - (b) to submit items of business for consideration at a general meeting; and
  - (c) to attend and be heard at general meetings; and
  - (d) to vote at a general meeting; and
  - (e) to have access to the minutes of general meetings and other documents of the Association as provided under rule 75; and
  - (f) to inspect the register of members.
- (2) A member is entitled to vote if—
  - (a) the member is a member other than an associate member; and
  - (b) more than 10 business days have passed since he or she became a member of the Association; and
  - (c) the member's membership rights are not suspended for any reason.

## **14 Associate members**

- (1) Associate members of the Association include—
  - (a) any members under the age of 15 years; and
  - (b) any other category of member as determined by special resolution at a general meeting.

- (2) An associate member must not vote but may have other rights as determined by the Committee or by resolution at a general meeting.

### **15 Rights not transferable**

The rights of a member are not transferable and end when membership ceases.

### **16 Ceasing membership**

- (1) The membership of a person ceases on resignation, expulsion or death.
- (2) If a person ceases to be a member of the Association, the Secretary must, as soon as practicable, enter the date the person ceased to be a member in the register of members.

### **17 Resigning as a member**

- (1) A member may resign by notice in writing given to the Association.

#### **Note**

Rule 74(3) sets out how notice may be given to the association. It includes by post or by handing the notice to a member of the committee.

- (2) A member is taken to have resigned if—
  - (a) the member's annual subscription is more than 12 months in arrears; or
  - (b) where no annual subscription is payable—
    - (i) the Secretary has made a written request to the member to confirm that he or she wishes to remain a member; and
    - (ii) the member has not, within 3 months after receiving that request, confirmed in writing that he or she wishes to remain a member.

### **18 Register of members**

- (1) The Secretary must keep and maintain a register of members that includes—
  - (a) for each current member—
    - (i) the member's name;
    - (ii) the address for notice last given by the member;
    - (iii) the date of becoming a member;
    - (iv) if the member is an associate member, a note to that effect;
    - (v) any other information determined by the Committee; and
  - (b) for each former member, the date of ceasing to be a member.
- (2) Any member may, at a reasonable time and free of charge, inspect the register of members.

#### **Note**

Under section 59 of the Act, access to the personal information of a person recorded in the register of members may be restricted in certain circumstances. Section 58 of the Act provides that it is an offence to make improper use of information about a person obtained from the Register of Members.

## **Division 2—Disciplinary action**

### **19 Grounds for taking disciplinary action**

The Association may take disciplinary action against a member in accordance with this Division if it is determined that the member—

- (a) has failed to comply with these Rules; or
- (b) refuses to support the purposes of the Association; or
- (c) has engaged in conduct prejudicial to the Association.

### **20 Disciplinary subcommittee**

- (1) If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.
- (2) The members of the disciplinary subcommittee—
  - (a) may be Committee members, members of the Association or anyone else; but
  - (b) must not be biased against, or in favour of, the member concerned.

### **21 Notice to member**

- (1) Before disciplinary action is taken against a member, the Secretary must give written notice to the member—
  - (a) stating that the Association proposes to take disciplinary action against the member; and
  - (b) stating the grounds for the proposed disciplinary action; and
  - (c) specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the *disciplinary meeting*); and
  - (d) advising the member that he or she may do one or both of the following—
    - (i) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
    - (ii) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
  - (e) setting out the member's appeal rights under rule 23.
- (2) The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

### **22 Decision of subcommittee**

- (1) At the disciplinary meeting, the disciplinary subcommittee must—
  - (a) give the member an opportunity to be heard; and
  - (b) consider any written statement submitted by the member.
- (2) After complying with subrule (1), the disciplinary subcommittee may—
  - (a) take no further action against the member; or
  - (b) subject to subrule (3)—

- (i) reprimand the member; or
  - (ii) suspend the membership rights of the member for a specified period;  
or
  - (iii) expel the member from the Association.
- (3) The disciplinary subcommittee may not fine the member.
- (4) The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

### **23 Appeal rights**

- (1) A person whose membership rights have been suspended or who has been expelled from the Association under rule 22 may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.
- (2) The notice must be in writing and given—
- (a) to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
  - (b) to the Secretary not later than 48 hours after the vote.
- (3) If a person has given notice under subrule (2), a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 21 days, after the notice is received.
- (4) Notice of the disciplinary appeal meeting must be given to each member of the Association who is entitled to vote as soon as practicable and must—
- (a) specify the date, time and place of the meeting; and
  - (b) state—
    - (i) the name of the person against whom the disciplinary action has been taken; and
    - (ii) the grounds for taking that action; and
    - (iii) that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

### **24 Conduct of disciplinary appeal meeting**

- (1) At a disciplinary appeal meeting—
- (a) no business other than the question of the appeal may be conducted; and
  - (b) the Committee must state the grounds for suspending or expelling the member and the reasons for taking that action; and
  - (c) the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
- (2) After complying with subrule (1), the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
- (3) A member may not vote by proxy at the meeting.

- (4) The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

### **Division 3—Grievance procedure**

#### **25 Application**

- (1) The grievance procedure set out in this Division applies to disputes under these Rules between—
  - (a) a member and another member;
  - (b) a member and the Committee;
  - (c) a member and the Association.
- (2) A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

#### **26 Parties must attempt to resolve the dispute**

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

#### **27 Appointment of mediator**

- (1) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 26, the parties must within 10 days—
  - (a) notify the Committee of the dispute; and
  - (b) agree to or request the appointment of a mediator; and
  - (c) attempt in good faith to settle the dispute by mediation.
- (2) The mediator must be—
  - (a) a person chosen by agreement between the parties; or
  - (b) in the absence of agreement—
    - (i) if the dispute is between a member and another member—a person appointed by the Committee; or
    - (ii) if the dispute is between a member and the Committee or the Association—a person appointed or employed by the Dispute Settlement Centre of Victoria.
- (3) A mediator appointed by the Committee may be a member or former member of the Association but in any case must not be a person who—
  - (a) has a personal interest in the dispute; or
  - (b) is biased in favour of or against any party.

#### **28 Mediation process**

- (1) The mediator to the dispute, in conducting the mediation, must—
  - (a) give each party every opportunity to be heard; and
  - (b) allow due consideration by all parties of any written statement submitted by any party; and

- (c) ensure that natural justice is accorded to the parties throughout the mediation process.
- (2) The mediator must not determine the dispute.

## **29 Failure to resolve dispute by mediation**

If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

### **PART 4—GENERAL MEETINGS OF THE ASSOCIATION**

## **30 Annual general meetings**

- (1) The Committee must convene an annual general meeting of the Association to be held within 5 months after the end of each financial year.
- (2) Despite subrule (1), the Association may hold its first annual general meeting at any time within 18 months after its incorporation.
- (3) The Committee may determine the date, time and place of the annual general meeting.
- (4) The ordinary business of the annual general meeting is as follows—
  - (a) to confirm the minutes of the previous annual general meeting and of any special general meeting held since then;
  - (b) to receive and consider—
    - (i) the annual report of the Committee on the activities of the Association during the preceding financial year; and
    - (ii) the financial statements of the Association for the preceding financial year submitted by the Committee in accordance with Part 7 of the Act;
  - (c) to elect the members of the Committee;
  - (d) to confirm or vary the amounts (if any) of the annual subscription and joining fee.
- (5) The annual general meeting may also conduct any other business of which notice has been given in accordance with these Rules.

## **31 Special general meetings**

- (1) Any general meeting of the Association, other than an annual general meeting or a disciplinary appeal meeting, is a special general meeting.
- (2) The Committee may convene a special general meeting whenever it thinks fit.
- (3) No business other than that set out in the notice under rule 33 may be conducted at the meeting.

### **Note**

General business may be considered at the meeting if it is included as an item for consideration in the notice under rule 33 and the majority of members at the meeting agree.

## **32 Special general meeting held at request of members**

- (1) The Committee must convene a special general meeting if a request to do so is made in accordance with subrule (2) by at least 10% of the total number of members.

- (2) A request for a special general meeting must—
  - (a) be in writing; and
  - (b) state the business to be considered at the meeting and any resolutions to be proposed; and
  - (c) include the names and signatures of the members requesting the meeting; and
  - (d) be given to the Secretary.
- (3) If the Committee does not convene a special general meeting within one month after the date on which the request is made, the members making the request (or any of them) may convene the special general meeting.
- (4) A special general meeting convened by members under subrule (3)—
  - (a) must be held within 3 months after the date on which the original request was made; and
  - (b) may only consider the business stated in that request.
- (5) The Association must reimburse all reasonable expenses incurred by the members convening a special general meeting under subrule (3).

### **33 Notice of general meetings**

- (1) The Secretary (or, in the case of a special general meeting convened under rule 32(3), the members convening the meeting) must give to each member of the Association—
  - (a) at least 21 days' notice of a general meeting if a special resolution is to be proposed at the meeting; or
  - (b) at least 14 days' notice of a general meeting in any other case.
- (2) The notice must—
  - (a) specify the date, time and place of the meeting; and
  - (b) indicate the general nature of each item of business to be considered at the meeting; and
  - (c) if a special resolution is to be proposed—
    - (i) state in full the proposed resolution; and
    - (ii) state the intention to propose the resolution as a special resolution; and
  - (d) comply with rule 34(5).
- (3) This rule does not apply to a disciplinary appeal meeting.

#### **Note**

Rule 23(4) sets out the requirements for notice of a disciplinary appeal meeting.

### **34 Proxies**

- (1) A member may appoint another member as his or her proxy to vote and speak on his or her behalf at a general meeting other than at a disciplinary appeal meeting.
- (2) The appointment of a proxy must be in writing and signed by the member making the appointment.

- (3) The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise the proxy may vote on behalf of the member in any matter as he or she sees fit.
- (4) If the Committee has approved a form for the appointment of a proxy, the member may use any other form that clearly identifies the person appointed as the member's proxy and that has been signed by the member.
- (5) Notice of a general meeting given to a member under rule 33 must—
  - (a) state that the member may appoint another member as a proxy for the meeting; and
  - (b) include a copy of any form that the Committee has approved for the appointment of a proxy.
- (6) A form appointing a proxy must be given to the Chairperson of the meeting before or at the commencement of the meeting.
- (7) A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Association no later than 24 hours before the commencement of the meeting.

### **35 Use of technology**

- (1) A member not physically present at a general meeting may be permitted to participate in the meeting by the use of technology that allows that member and the members present at the meeting to clearly and simultaneously communicate with each other.
- (2) For the purposes of this Part, a member participating in a general meeting as permitted under subrule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

### **36 Quorum at general meetings**

- (1) No business may be conducted at a general meeting unless a quorum of members is present.
- (2) The quorum for a general meeting is the presence (physically, by proxy or as allowed under rule 35) of 10% of the members entitled to vote.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of a general meeting—
  - (a) in the case of a meeting convened by, or at the request of, members under rule 32—the meeting must be dissolved;

#### **Note**

If a meeting convened by, or at the request of, members is dissolved under this subrule, the business that was to have been considered at the meeting is taken to have been dealt with. If members wish to have the business reconsidered at another special meeting, the members must make a new request under rule 32.

- (b) in any other case—
  - (i) the meeting must be adjourned to a date not more than 21 days after the adjournment; and
  - (ii) notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all members as soon as practicable after the meeting.

- (4) If a quorum is not present within 30 minutes after the time to which a general meeting has been adjourned under subrule (3)(b), the members present at the meeting (if not fewer than 3) may proceed with the business of the meeting as if a quorum were present.

### **37 Adjournment of general meeting**

- (1) The Chairperson of a general meeting at which a quorum is present may, with the consent of a majority of members present at the meeting, adjourn the meeting to another time at the same place or at another place.
- (2) Without limiting subrule (1), a meeting may be adjourned—
  - (a) if there is insufficient time to deal with the business at hand; or
  - (b) to give the members more time to consider an item of business.

#### **Example**

The members may wish to have more time to examine the financial statements submitted by the Committee at an annual general meeting.

- (3) No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.
- (4) Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with rule 33.

### **38 Voting at general meeting**

- (1) On any question arising at a general meeting—
  - (a) subject to subrule (3), each member who is entitled to vote has one vote; and
  - (b) members may vote personally or by proxy; and
  - (c) except in the case of a special resolution, the question must be decided on a majority of votes.
- (2) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.
- (3) If the question is whether or not to confirm the minutes of a previous meeting, only members who were present at that meeting may vote.
- (4) This rule does not apply to a vote at a disciplinary appeal meeting conducted under rule 24.

### **39 Special resolutions**

A special resolution is passed if not less than three quarters of the members voting at a general meeting (whether in person or by proxy) vote in favour of the resolution.

#### **Note**

In addition to certain matters specified in the Act, a special resolution is required—

- (a) to remove a committee member from office ;
- (b) to alter these Rules, including changing the name or any of the purposes of the Association.

#### **40 Determining whether resolution carried**

- (1) Subject to subsection (2), the Chairperson of a general meeting may, on the basis of a show of hands, declare that a resolution has been—
  - (a) carried; or
  - (b) carried unanimously; or
  - (c) carried by a particular majority; or
  - (d) lost—and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.
- (2) If a poll (where votes are cast in writing) is demanded by three or more members on any question—
  - (a) the poll must be taken at the meeting in the manner determined by the Chairperson of the meeting; and
  - (b) the Chairperson must declare the result of the resolution on the basis of the poll.
- (3) A poll demanded on the election of the Chairperson or on a question of an adjournment must be taken immediately.
- (4) A poll demanded on any other question must be taken before the close of the meeting at a time determined by the Chairperson.

#### **41 Minutes of general meeting**

- (1) The Committee must ensure that minutes are taken and kept of each general meeting.
- (2) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- (3) In addition, the minutes of each annual general meeting must include—
  - (a) the names of the members attending the meeting; and
  - (b) proxy forms given to the Chairperson of the meeting under rule 34(6); and
  - (c) the financial statements submitted to the members in accordance with rule 30(4)(b)(ii); and
  - (d) the certificate signed by two committee members certifying that the financial statements give a true and fair view of the financial position and performance of the Association; and
  - (e) any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

### **PART 5—COMMITTEE**

#### **Division 1—Powers of Committee**

#### **42 Role and powers**

- (1) The business of the Association must be managed by or under the direction of a Committee.

- (2) The Committee may exercise all the powers of the Association except those powers that these Rules or the Act require to be exercised by general meetings of the members of the Association.
- (3) The Committee may—
  - (a) appoint and remove staff;
  - (b) establish subcommittees consisting of members with terms of reference it considers appropriate.

#### **43 Delegation**

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

#### **Division 2—Composition of Committee and duties of members**

#### **44 Composition of Committee**

The Committee consists of—

- (a) a President; and
- (b) a Vice-President; and
- (c) a Secretary; and
- (d) a Treasurer; and
- (e) ordinary members (if any) elected under rule 53.

#### **45 General Duties**

- (1) As soon as practicable after being elected or appointed to the Committee, each committee member must become familiar with these Rules and the Act.
- (2) The Committee is collectively responsible for ensuring that the Association complies with the Act and that individual members of the Committee comply with these Rules.
- (3) Committee members must exercise their powers and discharge their duties with reasonable care and diligence.
- (4) Committee members must exercise their powers and discharge their duties—
  - (a) in good faith in the best interests of the Association; and
  - (b) for a proper purpose.
- (5) Committee members and former committee members must not make improper use of—
  - (a) their position; or
  - (b) information acquired by virtue of holding their position—

so as to gain an advantage for themselves or any other person or to cause detriment to the Association.

**Note**

See also Division 3 of Part 6 of the Act which sets out the general duties of the office holders of an incorporated association.

- (6) In addition to any duties imposed by these Rules, a committee member must perform any other duties imposed from time to time by resolution at a general meeting.

**46 President and Vice-President**

- (1) Subject to subrule (2), the President or, in the President's absence, the Vice-President is the Chairperson for any general meetings and for any committee meetings.
- (2) If the President and the Vice-President are both absent, or are unable to preside, the Chairperson of the meeting must be—
  - (a) in the case of a general meeting—a member elected by the other members present; or
  - (b) in the case of a committee meeting—a committee member elected by the other committee members present.

**47 Secretary**

- (1) The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.

**Example**

Under the Act, the secretary of an incorporated association is responsible for lodging documents of the association with the Registrar.

- (2) The Secretary must—
  - (a) maintain the register of members in accordance with rule 18; and
  - (b) keep custody of the common seal (if any) of the Association and, except for the financial records referred to in rule 70(3), all books, documents and securities of the Association in accordance with rules 72 and 75; and
  - (c) subject to the Act and these Rules, provide members with access to the register of members, the minutes of general meetings and other books and documents; and
  - (d) perform any other duty or function imposed on the Secretary by these Rules.
- (3) The Secretary must give to the Registrar notice of his or her appointment within 14 days after the appointment.

**48 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; and
  - (b) ensure that all moneys received are paid into the account of the Association within 5 working days after receipt; and
  - (c) make any payments authorised by the Committee or by a general meeting of the Association from the Association's funds; and

- (d) ensure cheques are signed by at least 2 committee members.
- (2) The Treasurer must—
  - (a) ensure that the financial records of the Association are kept in accordance with the Act; and
  - (b) coordinate the preparation of the financial statements of the Association and their certification by the Committee prior to their submission to the annual general meeting of the Association.
- (3) The Treasurer must ensure that at least one other committee member has access to the accounts and financial records of the Association.

### **Division 3—Election of Committee members and tenure of office**

#### **49 Who is eligible to be a Committee member**

A member is eligible to be elected or appointed as a committee member if the member—

- (a) is 18 years or over; and
- (b) is entitled to vote at a general meeting.

#### **50 Positions to be declared vacant**

- (1) This rule applies to—
  - (a) the first annual general meeting of the Association after its incorporation; or
  - (b) any subsequent annual general meeting of the Association, after the annual report and financial statements of the Association have been received.
- (2) The Chairperson of the meeting must declare all positions on the Committee vacant and hold elections for those positions in accordance with rules 51 to 54.

#### **51 Nominations**

- (1) Prior to the election of each position, the Chairperson of the meeting must call for nominations to fill that position.
- (2) An eligible member of the Association may—
  - (a) nominate himself or herself; or
  - (b) with the member's consent, be nominated by another member.
- (3) A member who is nominated for a position and fails to be elected to that position may be nominated for any other position for which an election is yet to be held.

#### **52 Election of President etc.**

- (1) At the annual general meeting, separate elections must be held for each of the following positions—
  - (a) President;
  - (b) Vice-President;
  - (c) Secretary;
  - (d) Treasurer.
- (2) If only one member is nominated for the position, the Chairperson of the meeting must declare the member elected to the position.

- (3) If more than one member is nominated, a ballot must be held in accordance with rule 54.
- (4) On his or her election, the new President may take over as Chairperson of the meeting.

### **53 Election of ordinary members**

- (1) The annual general meeting must by resolution decide the number of ordinary members of the Committee (if any) it wishes to hold office for the next year.
- (2) A single election may be held to fill all of those positions.
- (3) If the number of members nominated for the position of ordinary committee member is less than or equal to the number to be elected, the Chairperson of the meeting must declare each of those members to be elected to the position.
- (4) If the number of members nominated exceeds the number to be elected, a ballot must be held in accordance with rule 54.

### **54 Ballot**

- (1) If a ballot is required for the election for a position, the Chairperson of the meeting must appoint a member to act as returning officer to conduct the ballot.
- (2) The returning officer must not be a member nominated for the position.
- (3) Before the ballot is taken, each candidate may make a short speech in support of his or her election.
- (4) The election must be by secret ballot.
- (5) The returning officer must give a blank piece of paper to—
  - (a) each member present in person; and
  - (b) each proxy appointed by a member.

#### **Example**

If a member has been appointed the proxy of 5 other members, the member must be given 6 ballot papers—one for the member and one each for the other members.

- (6) If the ballot is for a single position, the voter must write on the ballot paper the name of the candidate for whom they wish to vote.
- (7) If the ballot is for more than one position—
  - (a) the voter must write on the ballot paper the name of each candidate for whom they wish to vote;
  - (b) the voter must not write the names of more candidates than the number to be elected.
- (8) Ballot papers that do not comply with subrule (7)(b) are not to be counted.
- (9) Each ballot paper on which the name of a candidate has been written counts as one vote for that candidate.
- (10) The returning officer must declare elected the candidate or, in the case of an election for more than one position, the candidates who received the most votes.
- (11) If the returning officer is unable to declare the result of an election under subrule (10) because 2 or more candidates received the same number of votes, the returning officer must—

- (a) conduct a further election for the position in accordance with subrules (4) to (10) to decide which of those candidates is to be elected; or
- (b) with the agreement of those candidates, decide by lot which of them is to be elected.

**Examples**

The choice of candidate may be decided by the toss of a coin, drawing straws or drawing a name out of a hat.

**55 Term of office**

- (1) Subject to subrule (3) and rule 56, a committee member holds office until the positions of the Committee are declared vacant at the next annual general meeting.
- (2) A committee member may be re-elected.
- (3) A general meeting of the Association may—
  - (a) by special resolution remove a committee member from office; and
  - (b) elect an eligible member of the Association to fill the vacant position in accordance with this Division.
- (4) A member who is the subject of a proposed special resolution under subrule (3)(a) may make representations in writing to the Secretary or President of the Association (not exceeding a reasonable length) and may request that the representations be provided to the members of the Association.
- (5) The Secretary or the President may give a copy of the representations to each member of the Association or, if they are not so given, the member may require that they be read out at the meeting at which the special resolution is to be proposed.

**56 Vacation of office**

- (1) A committee member may resign from the Committee by written notice addressed to the Committee.
- (2) A person ceases to be a committee member if he or she—
  - (a) ceases to be a member of the Association; or
  - (b) fails to attend 3 consecutive committee meetings (other than special or urgent committee meetings) without leave of absence under rule 67; or
  - (c) otherwise ceases to be a committee member by operation of section 78 of the Act.

**Note**

A Committee member may not hold the office of secretary if they do not reside in Australia.

**57 Filling casual vacancies**

- (1) The Committee may appoint an eligible member of the Association to fill a position on the Committee that—
  - (a) has become vacant under rule 56; or
  - (b) was not filled by election at the last annual general meeting.
- (2) If the position of Secretary becomes vacant, the Committee must appoint a member to the position within 14 days after the vacancy arises.

- (3) Rule 55 applies to any committee member appointed by the Committee under subrule (1) or (2).
- (4) The Committee may continue to act despite any vacancy in its membership.

#### **Division 4—Meetings of Committee**

##### **58 Meetings of Committee**

- (1) The Committee must meet at least 4 times in each year at the dates, times and places determined by the Committee.
- (2) The date, time and place of the first committee meeting must be determined by the members of the Committee as soon as practicable after the annual general meeting of the Association at which the members of the Committee were elected.
- (3) Special committee meetings may be convened by the President or by any 4 members of the Committee.

##### **59 Notice of meetings**

- (1) Notice of each committee meeting must be given to each committee member no later than 7 days before the date of the meeting.
- (2) Notice may be given of more than one committee meeting at the same time.
- (3) The notice must state the date, time and place of the meeting.
- (4) If a special committee meeting is convened, the notice must include the general nature of the business to be conducted.
- (5) The only business that may be conducted at the meeting is the business for which the meeting is convened.

##### **60 Urgent meetings**

- (1) In cases of urgency, a meeting can be held without notice being given in accordance with rule 59 provided that as much notice as practicable is given to each committee member by the quickest means practicable.
- (2) Any resolution made at the meeting must be passed by an absolute majority of the Committee.
- (3) The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

##### **61 Procedure and order of business**

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

##### **62 Use of technology**

- (1) A committee member who is not physically present at a committee meeting may participate in the meeting by the use of technology that allows that committee member and the committee members present at the meeting to clearly and simultaneously communicate with each other.
- (2) For the purposes of this Part, a committee member participating in a committee meeting as permitted under subrule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

### **63 Quorum**

- (1) No business may be conducted at a Committee meeting unless a quorum is present.
- (2) The quorum for a committee meeting is the presence (in person or as allowed under rule 62) of a majority of the committee members holding office.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of a committee meeting—
  - (a) in the case of a special meeting—the meeting lapses;
  - (b) in any other case—the meeting must be adjourned to a date no later than 14 days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with rule 59.

### **64 Voting**

- (1) On any question arising at a committee meeting, each committee member present at the meeting has one vote.
- (2) A motion is carried if a majority of committee members present at the meeting vote in favour of the motion.
- (3) Subrule (2) does not apply to any motion or question which is required by these Rules to be passed by an absolute majority of the Committee.
- (4) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.
- (5) Voting by proxy is not permitted.

### **65 Conflict of interest**

- (1) A committee member who has a material personal interest in a matter being considered at a committee meeting must disclose the nature and extent of that interest to the Committee.
- (2) The member—
  - (a) must not be present while the matter is being considered at the meeting; and
  - (b) must not vote on the matter.

#### **Note**

Under section 81(3) of the Act, if there are insufficient committee members to form a quorum because a member who has a material personal interest is disqualified from voting on a matter, a general meeting may be called to deal with the matter.

- (3) This rule does not apply to a material personal interest—
  - (a) that exists only because the member belongs to a class of persons for whose benefit the Association is established; or
  - (b) that the member has in common with all, or a substantial proportion of, the members of the Association.

### **66 Minutes of meeting**

- (1) The Committee must ensure that minutes are taken and kept of each committee meeting.
- (2) The minutes must record the following—
  - (a) the names of the members in attendance at the meeting;

- (b) the business considered at the meeting;
- (c) any resolution on which a vote is taken and the result of the vote;
- (d) any material personal interest disclosed under rule 65.

#### **67 Leave of absence**

- (1) The Committee may grant a committee member leave of absence from committee meetings for a period not exceeding 3 months.
- (2) The Committee must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the committee member to seek the leave in advance.

### **PART 6—FINANCIAL MATTERS**

#### **68 Source of funds**

The funds of the Association may be derived from joining fees, annual subscriptions, donations, fund-raising activities, grants, interest and any other sources approved by the Committee.

#### **69 Management of funds**

- (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 a general meeting of the Association, the Committee may approve expenditure on behalf of the Association.
- (3) The Committee may authorise the Treasurer to expend funds on behalf of the Association (including by electronic funds transfer) up to a specified limit without requiring approval from the Committee for each item on which the funds are expended.
- (4) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 committee members.
- (5) All funds of the Association must be deposited into the financial account of the Association no later than 5 working days after receipt.
- (6) With the approval of the Committee, 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.

#### **70 Financial records**

- (1) The Association must keep financial records that—
  - (a) correctly record and explain its transactions, financial position and performance; and
  - (b) enable financial statements to be prepared as required by the Act.
- (2) The Association must retain the financial records for 7 years after the transactions covered by the records are completed.
- (3) The Treasurer must keep in his or her custody, or under his or her control—
  - (a) the financial records for the current financial year; and

- (b) any other financial records as authorised by the Committee.

## **71 Financial statements**

- (1) For each financial year, the Committee must ensure that the requirements under the Act relating to the financial statements of the Association are met.
- (2) Without limiting subrule (1), those requirements include—
  - (a) the preparation of the financial statements;
  - (b) if required, the review or auditing of the financial statements;
  - (c) the certification of the financial statements by the Committee;
  - (d) the submission of the financial statements to the annual general meeting of the Association;
  - (e) the lodgement with the Registrar of the financial statements and accompanying reports, certificates, statements and fee.

## **PART 7—GENERAL MATTERS**

### **72 Common seal**

- (1) The Association may have a common seal.
- (2) If the Association has a common seal—
  - (a) the name of the Association must appear in legible characters on the common seal;
  - (b) a document may only be sealed with the common seal by the authority of the Committee and the sealing must be witnessed by the signatures of two committee members;
  - (c) the common seal must be kept in the custody of the Secretary.

### **73 Registered address**

The registered address of the Association is—

- (a) the address determined from time to time by resolution of the Committee; or
- (b) if the Committee has not determined an address to be the registered address—the postal address of the Secretary.

### **74 Notice requirements**

- (1) Any notice required to be given to a member or a committee member under these Rules may be given—
  - (a) by handing the notice to the member personally; or
  - (b) by sending it by post to the member at the address recorded for the member on the register of members; or
  - (c) by email or facsimile transmission.
- (2) Subrule (1) does not apply to notice given under rule 60.
- (3) Any notice required to be given to the Association or the Committee may be given—
  - (a) by handing the notice to a member of the Committee; or
  - (b) by sending the notice by post to the registered address; or

- (c) by leaving the notice at the registered address; or
- (d) if the Committee determines that it is appropriate in the circumstances—
  - (i) by email to the email address of the Association or the Secretary; or
  - (ii) by facsimile transmission to the facsimile number of the Association.

## **75 Custody and inspection of books and records**

- (1) Members may on request inspect free of charge—
  - (a) the register of members;
  - (b) the minutes of general meetings;
  - (c) subject to subrule (2), the financial records, books, securities and any other relevant document of the Association, including minutes of Committee meetings.

### **Note**

See note following rule 18 for details of access to the register of members.

- (2) The Committee may refuse to permit a member to inspect records of the Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.
- (3) The Committee must on request make copies of these rules available to members and applicants for membership free of charge.
- (4) Subject to subrule (2), a member may make a copy of any of the other records of the Association referred to in this rule and the Association may charge a reasonable fee for provision of a copy of such a record.
- (5) For purposes of this rule—

**17. *relevant documents*** means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Association and includes the following—

- (a) its membership records;
- (b) its financial statements;
- (c) its financial records;
- (d) records and documents relating to transactions, dealings, business or property of the Association.

## **76 Winding up and cancellation**

- (1) The Association may be wound up voluntarily by special resolution.
- (2) In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of the Association must not be distributed to any members or former members of the Association.
- (3) Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body that has similar purposes to the Association and which is not carried on for the profit or gain of its individual members.
- (4) The body to which the surplus assets are to be given must be decided by special resolution.

## **77 Alteration of Rules**

These Rules may only be altered by special resolution of a general meeting of the Association.

### **Note**

An alteration of these Rules does not take effect unless or until it is approved by the Registrar. If these Rules (other than rule 1, 2 or 3) are altered, the Association is taken to have adopted its own rules, not the model rules.

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