

HAWTHORN ROWING CLUB Inc.

CONSTITUTION & RULES and BY-LAWS

As revised 24th February 2008

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HAWTHORN ROWING CLUB CONSTITUTION	
Note: The Constitution & Rules and By-Laws of Hawthorn Rowing Club which follow should be read in conjunction with the "Model Rules for an Incorporated Association" as specified in Schedule 5 of the Associations Incorporation Regulations 1998.	
1	NAME
1.1	The Name of the Club is HAWTHORN ROWING CLUB Inc.
2	CLUB COLOURS
2.1	The colours of the Club shall be Navy Blue and White. The Club racing uniform shall be blue and white hoops (broad) as approved by the State Association.
3	DEFINITIONS
3.1	In these Rules, unless the contrary intention appears:
a	"The Club" means Hawthorn Rowing Club Inc.
b	"Act" means the Associations Incorporation Act 1981
c	"The Rules" means the Constitution and Rules of the Club in force for the time being.
d	"The Committee" means the committee of management of the Club.
e	"Financial Year" means the year ending on 31st May.
f	"State Association" or "R.V." means the Victorian State Rowing Association, Rowing Victoria
g	"Member" means a member of the Club.
3.2	In these Rules, a reference to the Secretary of a Club is a reference -
a	if a person holds office under these Rules as Secretary of the Club - to that person; and
b	in any other case, to the public officer of the Club.
4	STATEMENT OF PURPOSES / OBJECTS
4.1	The object of the Club is to provide broad access and amenity for fitness, health & social community based around rowing on the Yarra River as an integral part of the City of Boroondara lifestyle & heritage.
4.2	Since 1877 the Club has been a community based rowing facility. Our aim is to nurture & develop this rich history and tradition, developing the healthy rowing lifestyle and mindset amongst the broad based community.
4.3	Club activity involves competitive rowing & fitness development, teaching, developing & promoting rowing at all levels across broad age & demography.
4.4	Key club principles are to stand independent of private interests and elitist groups ensuring our amenity remains available to all and that rowing is at the core of our activity and the club's.
5	ALTERATION OF THE RULES
5.1	These Rules and the statement of purposes of the Club must not be altered except in accordance with the Act.
6	MEMBER CATEGORIES
6.1	The Club shall consist of the following 7 categories of members:
6.2	Full Members shall include all subscribing active rowers and coaches and persons who have retired from active rowing or coaching with this Club or any other rowing club or any other persons and all shall be entitled to hold office and to have the full rights and obligations as members of the Club.
6.3	Student Members shall include any student attending full-time at any school, college or place of learning up to the age of eighteen (18) years. Student Members are not entitled to vote on any matters.
6.4	Life Members shall apply to any member who has rendered outstanding service to the Club and has received the unanimous recommendations of the Committee, and may be elected a Life Member at a General Meeting, provided that such election is approved by "Special Resolution" of members present who are entitled to vote. Such Life Members shall have the rights of full members including full voting

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	rights, without payment of any subscriptions.
6.5	Honorary Members shall include any person whom the Committee may at its discretion elect for the purpose of being a coach or a coxswain, or any person who has contributed outstanding service to the Club and its members. Such membership shall be subject to renewal by the Committee at its first meeting following the Annual General Meeting each year. Honorary Members are not entitled to vote on any matters.
6.6	Temporary Members shall include those members who are participants in the Club Beginner's Program, or any other short-term club-sanctioned rowing program. Temporary Members are not entitled to vote on any matters.
	They shall be required to sign a "Temporary Membership" form which shall bind such persons to the Constitution & Rules and By-Laws of The Hawthorn Rowing Club Inc., and which shall apply for a period of no longer than (12) months unless (Full) membership is approved earlier.
6.7	Restricted Members shall be Surf Life Savings Club members, or others at the discretion of the Committee, who are permitted the use of HRC facilities on one day of the week, including gymnasium equipment, ergometers, and boat usage as authorized by the Captain or their deputy. Restricted Members are not entitled to vote on any matters.
	If members admitted as "Restricted Members" wish to row in a Rowing Victoria or National regatta, they will be required to upgrade to Full Membership. Current or former Club Members cannot become "Restricted Members".
	The fee for "Restricted Membership" shall be half (50%) of the full membership plus GST.
6.8	Suspended Members shall be Club members who have been granted permission by the Committee to suspend payment of their Club membership during periods of absence from the Club, for such matters as interstate or international travel or relocation.
	It is only available to current financial members. Paid subscriptions cannot be carried forward. Suspended Members shall be entitled to resume their Club Membership automatically upon payment of subscription for a later season.
	Suspended Members may continue to receive Club emails and correspondence but will not be entitled to use any club facilities or equipment including gymnasium equipment, ergometers and /or boats. Suspended Members are not entitled to vote on any matters.
7	APPLICATION FOR MEMBERSHIP
7.1	Membership is open to all persons eligible as defined by RV, and whose membership is approved by the Committee.
7.2	Applications for Membership of the Club shall be on the form as prescribed by the Committee from time to time. Each application must be proposed and seconded by financial members of the Club. The application must be signed by the nominee, proposed and seconded and submitted to the Committee together with the prescribed nomination fee and a copy of proof of date of birth for approval by the Committee.
7.3	A newly elected member's payment of their initial subscription and/or use of the Club's property shall imply their acquiescence to the Rules of the Club.
8	SUBSCRIPTIONS
8.1	The Committee shall review the subscription rates in November each year and make recommendation of the rates to apply for the next season, for approval by members at the January General Meeting.
8.2	The subscription shall be approved by a simple majority of members present at such meeting. The rate of subscription may be advised to members by presentation of an account for the annual subscription, or by any other method approved by Committee.
8.3	Rates of Subscription shall apply to: Full Members, Student Members, Restricted Members and Temporary Members.
8.4	Honorary Members, Life Members and Suspended Members are not required to pay a subscription fee.
8.5	A Coxswain joining the Club as a rowing member shall be entitled to one year's rowing free of subscription in recognition of their past services to the Club.

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8.6	Where a new member is admitted after 1st December in any year, their yearly subscription for the current year shall be 50% of the rate applicable for their class of membership.
8.7	The Committee may reduce or waive or defer the time for payment of the subscription of an individual member if in the opinion of the Committee circumstances are such that the member should not pay all or part of their subscription. Such member shall be deemed to be a financial member.
8.8	A member shall be deemed unfinancial if subject to the above they have not paid one half of their subscription by August 31st and the balance by October 31st.
8.9	A member shall be deemed to have resigned their membership subject to the above if their subscription has not been paid by 31st December.
9	REGISTER OF MEMBERS
9.1	The Secretary shall keep and maintain a register of members in which shall be entered the full name, address and class of membership of each member and the register shall be available for inspection by members on request.
10	CEASING MEMBERSHIP
10.1	A member of the Club who has paid all moneys due and payable by a member to the Club may resign from the Club by giving one month's notice in writing to the Secretary of their intention to resign.
10.2	After the expiry of the period referred to in sub-rule (1) -
a	the member ceases to be a member; and
b	the Secretary must record in the register of members the date on which the member ceased to be a member.
11	DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS
11.1	Subject to these Rules, if the committee is of the opinion that a member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of the Club the committee may by resolution -
a	fine that member an amount not exceeding \$500; or
b	suspend that member from membership of the Club for a specified period; or
c	expel that member from the Club.
11.2	A resolution of the committee under sub-rule (1) does not take effect unless -
a	at a meeting held in accordance with sub-rule (3), the committee confirms the resolution; and
b	if the member exercises a right of appeal to the Club under this rule, the Club confirms the resolution in accordance with this rule.
11.3	A meeting of the committee to confirm or revoke a resolution passed under sub-rule (1) must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the member in accordance with sub-rule (4).
11.4	For the purposes of giving notice in accordance with sub-rule (3), the Secretary must, as soon as practicable, cause to be given to the member a written notice -
a	setting out the resolution of the committee and the grounds on which it is based; and
b	stating that the member, or their representative, may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to that member; and
c	stating the date, place and time of that meeting; and
d	informing the member that he or she may do one or both of the following- i attend that meeting; ii give to the committee before the date of that meeting a written statement seeking the revocation of the resolution;
e	informing the member that, if at that meeting, the committee confirms the resolution, he or she

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	may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Club in general meeting against the resolution.
11.5	At a meeting of the committee to confirm or revoke a resolution passed under sub-rule (1), the committee must-
a	give the member, or their representative, an opportunity to be heard; and
b	give due consideration to any written statement submitted by the member; and
c	determine by resolution whether to confirm or to revoke the resolution.
11.6	If at the meeting of the committee, the committee confirms the resolution, the member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Club in general meeting against the resolution.
11.7	If the Secretary receives a notice under sub-rule (6), he or she must notify the committee and the committee must convene a general meeting of the Club to be held within 21 days after the date on which the Secretary received the notice.
11.8	At a general meeting of the Club convened under sub-rule (7)-
a	no business other than the question of the appeal may be conducted; and
b	the committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
c	the member, or their representative, must be given an opportunity to be heard; and
d	the members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
11.9	A resolution is confirmed if, at the general meeting, not less than two-thirds of the members vote in person, or by proxy, in favour of the resolution. In any other case, the resolution is revoked.
12	DISPUTES AND MEDIATION
12.1	The grievance procedure set out in this rule applies to disputes under this Constitution & Rules between –
a	a member and another member; or
b	a member and the Club.
12.2	The parties to the dispute must meet and discuss the matter in dispute, and if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
12.3	If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days hold a meeting in the presence of a mediator.
12.4	The mediator must be –
a	a person chosen by agreement between the parties; or
b	in the absence of agreement –
	i in the case of a dispute between a member and another member, a person appointed by the committee of the Club; or
	ii in the case of a dispute between a member and the Club, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice.)
12.5	A member of the Club can be a mediator.
12.6	The mediator cannot be a member who is a party to the dispute.
12.7	The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
12.8	The mediator, in conducting the mediation, must –
a	give the parties to the mediation process every opportunity to be heard; and
b	allow due consideration by all parties of any written statement submitted by any party; and

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c	ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
12.9	The mediator must not determine the dispute.
12.10	If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act, otherwise at law.
13	DAMAGE TO PROPERTY
13.1	Any damage to boats and oars must be immediately reported to the Captain or Vice Captain.
13.2	Any member who, in the opinion of the Committee, through carelessness or negligence, damages or loses any of the Club's property, shall be held liable for such damage or loss which shall be made good at their expense.
13.3	If unavoidable, the damage or loss may be wholly or partly borne by the Club as decided upon by the Committee.
13.4	Any member or members damaging the Club's property and failing to report the same to an Office holder of the Club within 48 hours, may be held responsible for the entire amount of such damage.
13.5	The Committee's decision as to the amount of damage or loss shall be final and conclusive.
14	ANNUAL GENERAL MEETINGS
14.1	The Annual General Meeting shall be held in July each year on a date, time and place of the as prescribed by the Committee or at the President's discretion.
14.2	The notice convening the annual general meeting must specify that the meeting is an annual general meeting.
14.3	The ordinary business of the annual general meeting shall be-
a	to confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting; and
b	to receive from the committee reports upon the transactions of the Club during the last preceding financial year; and
c	to elect officers of the Club and the ordinary members of the committee; and
d	to receive and consider the statement submitted by the Club in accordance with section 30(3) of the Act; and
e	to elect an Auditor. Such auditor shall not be a member of the Committee of Management of the Club.
14.4	The annual general meeting may conduct any special business of which notice has been given in accordance with these Rules.
15	SPECIAL GENERAL MEETINGS
15.1	In addition to the annual general meeting, any other general meetings may be held in the same year.
15.2	All general meetings other than the annual general meeting are special general meetings.
15.3	A Half Yearly General Meeting shall be held in January each year on a date, time and place of the as prescribed by the Committee or at the President's discretion.
15.4	The committee may, whenever it thinks fit, convene a special general meeting of the Club.
15.5	If, but for this sub-rule, more than 15 months would elapse between annual general meetings, the committee must convene a special general meeting before the expiration of that period.
15.6	The committee must convene a special general meeting of the Club on the request in writing of members representing not less than 10 financial members or five percent of the financial membership, whichever is the smaller.
15.7	The request for a special general meeting must -
a	state the objects of the meeting; and

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b	be signed by the members requesting the meeting; and
c	be sent to the address of the Secretary.
15.8	If the committee does not cause a special general meeting to be held within one month after the date on which the request is sent to the address of the Secretary, the members making the request, or any of them, may convene a special general meeting to be held not later than 3 months after that date.
15.9	If a special general meeting is convened by members in accordance with this rule, it must be convened in the same manner so far as possible as a meeting convened by the committee and all reasonable expenses incurred in convening the special general meeting must be refunded by the Club to the persons incurring the expenses.
16	SPECIAL BUSINESS / NOTICES OF MOTION
16.1	All business that is conducted at a special general meeting and all business that is conducted at the annual general meeting, except for business conducted under the rules as ordinary business of the annual general meeting, is deemed to be special business.
16.2	Any Notice of Motion which needs determination by a Special Resolution of the voting members of the Club, such as an alteration of, or addition to the Rules, and/or to the By-Laws, election of Life Members, dissolution of the Club, must be given in the following manner:
16.3	The Motion must be legibly written or typed on paper and include the motion in full and be signed by the mover and seconder.
16.4	This shall be handed to the President or Secretary not less than twenty-eight (28) days prior to the date of the proposed General Meeting or Special General Meeting, to enable the required twenty-one (21) days written notice to be given to voting members of the Club. A copy of the Notice of Motion shall be placed on the Notice Board at least fourteen (14) days before the date of the relevant General Meeting.
16.5	The President may give or cause to be given any subsequent notice of the proposed motion in any way he thinks fit.
16.6	As required by the Associations Incorporation Act, Part V Section 29, "Special Resolutions" shall be passed by a majority of not less than three quarters of members at a General Meeting.
16.7	All motions other than Special Resolutions shall be passed by simple majority except if it is otherwise prescribed in these Rules.
17	NOTICE OF GENERAL MEETINGS
17.1	The Secretary of the Club, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a general meeting of the Club, must cause to be sent to each member of the Club, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
17.2	Notice may be sent -
a	by prepaid post to the address appearing in the register of members; or
b	if the member requests, by facsimile transmission or electronic transmission.
17.3	No business other than that set out in the notice convening the meeting may be conducted at the meeting.
17.4	A member intending to bring any business before a meeting may notify in writing, or by electronic transmission, the Secretary of that business, who must include that business in the notice calling the next general meeting.
18	QUORUM AT GENERAL MEETINGS
18.1	No item of business may be conducted at a general meeting unless a quorum of members entitled under these Rules to vote is present at the time when the meeting is considering that item.
18.2	The quorum at general meetings shall be fifteen financial members or fifteen percent of the financial membership, whichever is the smaller (being members entitled under these Rules to vote at a general meeting).
18.3	If, within half an hour after the appointed time for the commencement of a general meeting, a quorum

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	is not present -
a	in the case of a meeting convened upon the request of members--the meeting must be dissolved; and
b	in any other case--the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place.
18.4	If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members personally present (being not less than 10, or ten percent, whichever is the smaller) shall be a quorum.
19	PRESIDING AT GENERAL MEETINGS
19.1	The President, or in the President's absence, the Vice-President, shall preside as Chairperson at each general meeting of the Club.
19.2	If the President and the Vice-President are absent from a general meeting, or are unable to preside, the members present must select one of their number to preside as Chairperson.
20	ADJOURNMENT OF MEETINGS
20.1	The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
20.2	No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
20.3	If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with rule 17.
20.4	Except as provided in sub-rule (3), it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.
21	VOTING AT GENERAL MEETINGS
21.1	Upon any question arising at a general meeting of the Club, a member has one vote only.
21.2	All votes must be given personally or by proxy.
21.3	In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
21.4	A member is not entitled to vote at a general meeting unless all moneys due and payable by the member to the Club have been paid, other than the amount of the annual subscription payable in respect of the current financial year.
21.5	Any member who is under the age of sixteen (16) years, or who is a coxswain or coach elected as a member for the purpose of being a coxswain or a coach only, shall not be entitled to vote on any motion.
22	POLL AT GENERAL MEETINGS
22.1	If at a meeting a poll on any question is demanded by not less than 3 members, it must be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
22.2	A poll that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.
23	MANNER OF DETERMINING WHETHER RESOLUTION CARRIED
23.1	If a question arising at a general meeting of the Club is determined on a show of hands -
a	a declaration by the Chairperson that a resolution has been -
i	carried; or
ii	carried unanimously; or

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	<ul style="list-style-type: none"> iii carried by a particular majority; or iv lost; and <p>b an entry to that effect in the minute book of the Club -</p> <p>is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution. Resolutions shall be passed by a majority in accordance with Rule 16.6.</p>
24	PROXIES
24.1	Each member is entitled to appoint another member as a proxy by notice given to the Secretary no later than 48 hours before the time of the meeting in respect of which the proxy is appointed.
24.2	The notice appointing the proxy must be in the form set out in Appendix 3.
24.3	for a meeting of the Club convened under rule 11.7 in the form set out in Appendix 2; or
24.4	Proxy Votes shall be permitted only from members who were financial at the close of the previous financial year, and for the purposes of voting these votes shall be counted as members present.
25	COMMITTEE OF MANAGEMENT
25.1	The affairs of the Club shall be managed by the committee of management.
25.2	The committee -
	<ul style="list-style-type: none"> a shall control and manage the business and affairs of the Club; and b may, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Club other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the Club; and c subject to these Rules, the Act and the Regulations, has power to perform all such acts and things as appear to the committee to be essential for the proper management of the business and affairs of the Club.
25.3	Subject to section 23 of the Act, the committee shall consist of –
	<ul style="list-style-type: none"> a the officers of the Club; and b three ordinary members - <p>each of whom shall be elected at the annual general meeting of the Club in each year.</p>
25.4	The Executive, consisting of the President, Secretary, Treasurer and Captain, shall be empowered to act on behalf of the Committee in the period between committee meetings.
25.5	The Committee shall appoint at the first committee meeting after taking office:
	<ul style="list-style-type: none"> a Sub Committees and a chair for each. b Delegates to the State Association. c A Secretary of the Sub-Committee to organise the "Head of the Yarra" regatta. d A Public Officer as required in the terms of the Associations Incorporation Act, Part 5.
25.6	Only members of the Club who were financial at the close of the previous financial year, viz: 31st May, shall be eligible for election as Office-Bearers or members of Committee.
26	OFFICE HOLDERS
26.1	The Officers of the Club shall be:
	<ul style="list-style-type: none"> a President b Vice President c Captain d Vice Captain e Secretary f Assistant Secretary

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g	Treasurer
	The Immediate Past President is ex-officio a member of the Committee for the year after completing term as President.
26.2	Only a member who is an Office-Bearer or member of Committee shall be eligible for nomination as President.
26.3	Subject to these Rules, each ordinary member of the committee shall hold office until the annual general meeting next after the date of election but is eligible for re-election.
27	SUB COMMITTEES
27.1	The General Meeting or the Committee may set up any sub-committee, or any person(s) appointed for special purposes, for any purpose of the Club. All sub-committees or special appointees shall be responsible to the Committee. The Chair of these sub committees or special appointee, ideally, shall be an office bearer or an ordinary member of the committee. Proposed areas for delegation to sub committees or office bearers are outlined in the "Role and Duties of Committee" document.
28	SECRETARY
28.1	The Secretary shall be the Executive Officer of the Committee of Management. Their responsibilities shall include:
a	if possible, attend all meetings of the Committee and General or Special meetings of the Club;
b	prepare an agenda in proper order for such meetings, to which agenda the President may add any items that he wishes to be dealt with;
c	organize for the Minutes of all meetings to be recorded and kept;
d	keep a basic record of all regulations adopted from time to time by the Committee and which are not inconsistent with the Constitution & Rules and By-Laws;
e	call all meetings in accordance with the Rules, and in any other respect carry out duties usually associated with the office of an Secretary and as outlined in "Role and Duties of the Committee" document.
29	TREASURER
29.1	The responsibilities of the Treasurer, as fully outlined in the "Role and Duties of the Committee" document shall include:
a	Being responsible for the management of the funds;
b	To present at each Committee meeting a statement of receipts and payments since the last meeting. Should the President or Committee require, the Treasurer shall prepare an estimate of the financial position for the balance of the year;
c	To submit to the Annual General Meeting a statement showing under appropriate headings the receipts and payments for the year, balances in bank at the commencement of the year and at the termination, and a balance sheet showing the assets and liabilities at the end of the Club's year. This statement of receipts and payments and balance sheet shall have been examined and certified to by the Auditor, who is empowered to make any necessary comment thereon for the benefit of the members.
30	CLUB CAPTAIN
30.1	The Captain shall be responsible for all Boats, Oars, Coaching Equipment and Gymnasium Equipment, and other duties as outlined the "Role and Duties of the Committee" document.
30.2	The Captain shall have the power to direct from time to time, the expenditure of any sum not exceeding an amount that will be decided, from time to time, by the Committee for any purpose of immediate necessity connected with the Club, without the sanction of the Committee.
30.3	In the absence of the Captain, the Vice Captain is empowered to act as Captain of the Club.
31	ORDINARY MEMBERS OF COMMITTEE
31.1	Subject to these Rules, each ordinary member of the committee shall hold office until the annual general meeting next after the date of election but is eligible for re-election.

HAWTHORN ROWING CLUB CONSTITUTION	
31.2	In the event of a casual vacancy occurring in the office of an ordinary member of the committee, the committee may appoint a member of the Club to fill the vacancy and the member appointed shall hold office, subject to these Rules, until the conclusion of the annual general meeting next following the date of the appointment.
32	ELECTION OF OFFICERS AND ORDINARY COMMITTEE MEMBERS
32.1	Nominations of candidates for election as officers of the Club or as ordinary members of the committee must be -
a	made in writing, signed by two members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
b	delivered to the Secretary of the Club not less than 7 days before the date fixed for the holding of the annual general meeting as per the form set out in Appendix 1.
32.2	A candidate may only be nominated for one office, or as an ordinary member of the committee, prior to the annual general meeting.
32.3	If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations may be received at the annual general meeting.
32.4	If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
32.5	If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.
32.6	The ballot for the election of officers and ordinary members of the committee must be conducted at the annual general meeting in such manner as the committee may direct.
33	COMMITTEE MEMBER REPLACEMENTS
33.1	Should the Secretary, Treasurer or Club Captain be absent or ill, or should they neglect or refuse to do anything required by the Rules, the Committee shall have power to appoint any financial member of the Club to act in their stead.
33.2	Any member of the Committee who is absent for three or more consecutive committee meetings without apology or leave of absence, or who becomes an unfinancial member of the Club shall be deemed to have vacated his position, and such vacancy shall be filled according to sub Rule 4.
33.3	Whenever a casual vacancy occurs by reason of the death, resignation, retirement or otherwise of an officer-bearer, or member of Committee, the Committee may appoint a financial member to fill the vacancy for the remaining period of the year.
34	MEETINGS OF THE COMMITTEE
34.1	Committee Meetings shall be held once every month on a day prescribed by the Committee or at the President's discretion, or upon the written request of three members of the Committee.
35	NOTICE OF COMMITTEE MEETINGS
35.1	Notice of Committee Meetings shall be given in any manner that the President sees fit at least 2 days prior to the date of the meeting.
35.2	Notice of special committee meetings specifying the general nature of the business to be conducted shall be given in any manner that the President sees fit at least 2 days prior to the date of the meeting. No other business may be conducted at such a meeting.
36	QUORUM FOR COMMITTEE MEETINGS
36.1	Any 5 members of the committee constitute a quorum for the conduct of the business of a meeting of the committee.
36.2	No business may be conducted unless a quorum is present.
36.3	If within half an hour of the time appointed for the meeting a quorum is not present -
a	in the case of a special meeting - the meeting lapses;
b	in any other case - the meeting shall stand adjourned to the same place and the same time and day in the following week.

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36.4	The committee may act notwithstanding any vacancy on the committee.
37	PRESIDING AT COMMITTEE MEETINGS
37.1	At meetings of the committee-
a	the President or, in the President's absence, the Vice-President presides; or
b	if the President and the Vice-President are absent, or are unable to preside, the members present must choose one of their number to preside.
38	VOTING AT COMMITTEE MEETINGS
38.1	Questions arising at a meeting of the committee, or at a meeting of any sub-committee appointed by the committee, shall be determined on a show of hands or, if a member requests, by a poll taken in such manner as the person presiding at that meeting may determine.
38.2	Each member present at a meeting of the committee, or at a meeting of any sub-committee appointed by the committee (including the person presiding at the meeting), is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
39	MINUTES OF MEETINGS
39.1	The Secretary of the Club must keep minutes of the resolutions and proceedings of each general meeting, and each committee meeting, together with a record of the names of persons present at committee meetings.
40	FUNDS
40.1	The Treasurer of the Club must -
a	collect and receive all moneys due to the Club and deposit in appropriate bank account of the Club, and
b	make all payments as first authorised by the Club Committee with the exemption of anticipated accounts; and
c	keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club.
40.2	All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by one of the President, Captain, Treasurer or Secretary, provided that should any of these Officers be absent through illness or other cause and a substitute or acting appointment be made by the Committee, then the Committee may empower such person acting in the place of any one of the officers mentioned to sign cheques or withdrawals on the Club's banking accounts in like manner. The Committee may empower any of the officers authorised to sign cheques or withdrawals to initiate electronic funds transfers to effect payment of invoices and other liabilities and to transfer funds between Club accounts.
40.3	The funds of the club shall be derived from membership entrance fees, annual subscriptions, donations and such other sources as the Committee determines.
40.4	The Committee may each year set apart a sum not less than ten (10) percent of the Club's income from subscriptions, which shall be paid into a special account and used solely for the purchase and maintenance of boats, oars and rowing equipment.
41	AUDIT
41.1	The Club accounts shall be audited at least once every year in the six weeks prior to the July General Meeting, or at any other time as requested by the Treasurer, the Committee or the General Meeting.
42	BY-LAWS
42.1	The General Meeting or the Committee may make any By-Laws which are not contrary to the Constitution & Rules.
42.2	Notice of motion to change the By-Laws shall be in the manner as prescribed in Rule 16 for General Meetings or Rule 35 for Committee Meetings.
43	DISSOLUTION

HAWTHORN ROWING CLUB CONSTITUTION	
43.1	The Club can only be dissolved by a Special Resolution at a General Meeting of which twenty-one (21) days notice has been given to members and at which 75% of financial members present vote in favour of such action.
43.2	The procedure for such a motion shall be the same as for a motion to amend the Constitution & Purposes.
43.3	In the event of dissolution all assets and records shall be transferred to the State Association.
44	COMMON SEAL
44.1	The Common Seal of the Club shall be kept in the custody of the Secretary.
44.2	The Common Seal shall not be affixed to any instrument except by the authority of the Committee, and the affixing of the Common Seal shall be attested by the signature of either of two members of the Committee or of one member of the Committee and of the Public Officer of the Club.
45	NOTICE TO MEMBERS
45.1	A notice may be served by or on behalf of the Club upon any member either personally or by sending it by post to the member at his address shown in the Register of Members, or where supplied and shown in the Register of Members, by electronic transmission.
45.2	Where a document is properly addressed, pre-paid and posted where applicable to a person as a letter or email, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post or sent by email.
46	CUSTODY OF BOOKS AND OTHER DOCUMENTS
46.1	Except as otherwise provided in these Rules, the Secretary shall keep in their custody or under their control, all books, documents and securities of the Club.
46.2	All accounts, books, securities and any other relevant documents of the Club must be available for inspection free of charge by any member upon request.
46.3	A member may make a copy of any accounts, books, securities and any other relevant documents of the Club.

HAWTHORN ROWING CLUB BY LAWS
1. Membership subscriptions shall be as approved by the Half-Annual General Meeting in each year.
In addition to the subscription(s) so approved all members are liable for the State Association affiliation fee as may from time to time exist.
2. All crews (other than regatta crews) shall be made up by the Captain, Vice Captain(s) or other officer or member of the Committee of the Club present. Allocation of boats shall be as per the terms and conditions of the HRC Boat Usage Policy as issued and amended from time to time by the Committee.
3. The member rowing in the stroke seat of any Club boat shall have command of the crew and be captain of such boat for the time being.
4. Unless otherwise directed by the stroke, all boats after use must be emptied of water at the staging.
5. Every member of a crew returning from rowing shall assist in landing and housing the boat and oars used, and in so doing shall act in accordance with the directions of the stroke. The stroke shall see that each boat is berthed in its proper rack and rubbed dry.
6. A member who, after having signified their willingness to row at a regatta, refuses to row in the crew in which they have been placed by the Selection Committee, shall not be allowed to row in any other crew at that regatta.
7. Every member of a regatta crew must attend punctually at the time and place appointed for practice or, if unable to do so they must notify the stroke of the crew. Failure to observe this regulation may entail forfeiture of their seat in the crew.
8. Entrance Fees for the regattas shall be paid by the Club cheque. Members of the Club selected to compete at any regatta shall be responsible for the payment of their own entry fees to the Treasurer, or a duly elected representative, on or before the closing date of entries for that regatta or other date as may be set by the Captain or Treasurer from time to time.
Any crew not fully paid up by the evening preceding that regatta shall be scratched and shall be responsible to reimburse the Club for any fines or other penalties which may result. Any member who has not met their liability under this By-Law shall not remain eligible for selection.
9. The Selectors shall have the sole right of appointing coxswains of crews. The cost of fares, board etc., of all coxswains for country regattas may be borne equally by all oarsmen/women competing at such regattas.
10. The Club Committee may, at its discretion, pay the whole or part of any coxswain's expenses to any country regatta.
11. The Sub Committee delegated responsibility for selection of regatta crews shall also appoint a Coach for each regatta crew. Any person introduced into the Club to coach a crew shall first be approved of by the Committee of Management.
12. In the event of any crew being selected to contest any race, such crew may be provided by the Club with a boat for its exclusive use during the time of training for this event as per the terms and conditions of the HRC Boat Usage Policy as issued and amended from time to time by the Committee. The General Committee may from time to time scrutinise the Selection Committee's decisions.
13. The expense of conveying boats to and from regattas at which the Club is competing, shall be borne by the competing crews.
14. No person unable to swim shall be allowed to use the Club's boats.
15. Keys of the Club premises shall be issued only to members authorised by the Committee on receipt of a prescribed deposit.
16. The storage of personally owned equipment (boats and oars) in the Club premises is not allowed except with formal approval of the Committee and Members partaking of this facility agree to be bound by the terms and conditions of the Private Boat Storage Policy as issued and amended from time to time by the Committee.
17. The roles and duties of the office bearers and delegated sub committees are outlined in the "Role and Duties of the Committee" document which may from time to time be updated by the Committee.

HAWTHORN ROWING CLUB Inc.

ELECTION OF OFFICE-BEARERS AND MEMBERS OF COMMITTEE.

NOMINATION FORM

I am willing to be nominated for the position of
of the Hawthorn Rowing Club Inc. for the year

Name in full:

Date:

.....
(Signature of Nominee)

Proposed by

Seconded by

I certify that the above Nomination is in order, and that the Member nominated is eligible for election under the Rules, and that the Nomination was received on

.....
(Secretary)

NOTE: Return to the Secretary not later than 1 WEEK PRIOR TO ANNUAL GENERAL MEETING

HAWTHORN ROWING CLUB Inc.

**FORM OF APPOINTMENT OF PROXY FOR MEETING OF
CLUB CONVENED UNDER RULE 7(7)**

I,.....
(name)

of
(address)

being a member of
(name of Incorporated Association)

appoint
(name of proxy holder)

of
(address of proxy holder)

being a member of that Incorporated Association, as my proxy to vote for me on my behalf at the appeal to the general meeting of the Association convened under rule 11.7, to be held on-

.....
(date of meeting)

and at any adjournment of that meeting.

I authorise my proxy to vote on my behalf at their discretion in respect of the following resolution (insert details of resolution passed under rule 7(1)).

.....
Signed
Date

HAWTHORN ROWING CLUB Inc.

FORM OF APPOINTMENT OF PROXY

I,
(name)

of
(address)

being a member of
(name of Incorporated Association)

appoint
(name of proxy holder)

of
(address of proxy holder)

being a member of that Incorporated Association, as my proxy to vote for me on my behalf at the annual/special* general meeting of the Association to be held on

.....
(date of meeting)

and at any adjournment of that meeting.

My proxy is authorised to vote in favour of/against* the following resolution (insert details of resolution).

.....
Signed
Date

* Delete if not applicable

HAWTHORN ROWING CLUB Inc.

LIST of HRC POLICIES & RELATED DOCUMENTS ISSUED BY COMMITTEE

The club has the following documents available for members as issued by the Committee. These may be amended or added to from time to time by the Committee.

- HRC Boat Usage Policy
- HRC Private Boat Storage Policy
- HRC Water Safety Policy

- 5 year plan
- “Role and Duties of the Committee” document
- RV Code of Conduct