

The University of Southern Queensland

Constitution of

Bun Bu Ryō Dō— The USQ Martial Arts Club

To become an affiliated University of Southern Queensland Club, the members of the club must resolve, at the club's first Annual General Meeting, to adopt this Constitution.



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1. Definitions

General Meeting – a meeting of the Club held in accordance with Clause 6.

Bylaws – All current policies that form part of the Club's constituent documents, which reflect the Club's obligations to all organisations it is affiliated with, such as those expressed in the Instructor, Student and Members Codes of Conduct, meeting procedures and operational guidelines.

Club – *Bun Bu Ryō Dō*— The USQ Martial Arts Club

Club Contact – a person who agrees to be, and who is determined to be properly constituted as per this document to be a contact for USQ, Members and the general public in relation to matters relating to the Club.

Discipline – a martial art, combat sport or self defence system that is represented in and supported by the Club.

Equipment – any equipment item purchased by the Club.

Executive – The primary administrative arm of the Club as defined and as operates in Clause 6

General Meeting – a meeting of the Club held in accordance with Clause 7 including an Annual General Meeting.

Honorary Member – a properly nominated member that does not have current financial status.

Ordinary Member – a currently financial member of the Club.

Policies – all current policies published by USQ on its website from time to time, including without limitation the *Student Discipline Policy for General Misconduct* (as varied or replaced from time to time), together with any written directions issued by Phoenix Central or other authorised USQ department from time to time in relation to the Club, or Clubs generally.

Phoenix Central – the *USQ office* assigned responsibility by USQ for the affiliation and management of USQ clubs from time to time.

USQ – The University of Southern Queensland.

2. Name

2.1 The name of the club shall be *Bun Bu Ryō Dō*— The USQ Martial Arts Club

3. Aims and objectives

3.1 The aims and objectives of the club shall be:

The promotion and practice of martial arts in the University and wider community including but not limited to:

- i. Facilitation of regular classes for the practice of martial arts in the Disciplines supported by the Club
- ii. Coordination of seminars by visiting senior instructors and coaches in martial arts and complimentary sporting, cultural and rehabilitative activities.
- iii. Hosting of special training events for various martial arts disciplines represented in the Club
- iv. Participation in USQ and community events such as Harmony Day, Multicultural festivals, Open Days and other similar events to demonstrate and promote the practice of various Disciplines.
- v. The development and support of martial arts-related Australian University Games athletes
- vi. The support of research into martial arts and related fields

4. Membership

4.1 Application for Membership is open to all USQ students, USQ staff, USQ Alumni and members of the wider community.

4.2 Each person admitted to membership shall be bound by the Constitution and Bylaws of the Club.

4.3 Members will be categorised either as Ordinary Members, with full rights to hold Executive positions and vote at general meetings of the Club, and Honorary Members, who can participate in Club activities but do not have rights to hold positions or vote on matters put to the Club.

4.4 Ordinary membership is conferred on all who are current financial membership of the Club.

4.5 Honorary membership is conferred to individuals who are otherwise eligible for Ordinary membership and:

4.7.1. Have had Honorary Membership conferred to them by act of the Executive; or

4.7.2. Have lapsed as an Ordinary member as outlined in the Bylaws; or

4.7.3. Are within four (4) weeks of having signed the Club's training waiver form but are yet to complete the full application process, including the payment of the relevant membership fee.

4.6 The Club's membership fees shall be determined at a General Meeting. Membership fees must equal or exceed the minimum membership fee prescribed by Phoenix Central as a pre-condition for any applications for financial support.

4.7 All ordinary members who are not current University of Southern Queensland students shall pay as part of their membership fee an additional service fee over and above the membership fee charged to current University of Southern Queensland students.

4.8 Payment of the appropriate fee shall entitle a member to membership from the commencement of the current academic year relevant to the membership up to and including week two of the beginning of the next academic year.

4.9 All members are eligible to participate in the full range of activities offered through the Club subject to the payment of relevant fees and in compliance with the Bylaws.

4.10 The Club must have a minimum of 8 Student members each year. At any one time, at least 20 per cent of Members must be Students and/or Staff of USQ.

5. Termination of membership

5.1 A person will cease to be a Member if:

- 5.1.1. they make false or inaccurate statements in their membership application;
- 5.1.2. they have acted in a manner that would contravene one or more of the Club's Bylaws;
- 5.1.3. they are a Student or Staff of USQ and USQ determines that they have acted in contravention of one or more of the Policies;
- 5.1.4. they are not a Student or Staff of USQ and the Executive Committee determine that they have acted in a manner that would contravene one or more of the Policies were the Associate member a Student member;
- 5.1.5. they are a Student member or Staff member but cease to be a currently-enrolled student of USQ, or a current staff member of USQ, and do not pay the pro-rata difference for the balance of the year between the membership fee they paid for that year and the membership fee applicable to Associate members for that year;
- 5.1.6. they fail to pay their appropriate membership fee within the time specified for payment, or
- 5.1.7. they resign from the Club by written notice to the Club Executive Committee.

5.2 Before termination of membership, the member must be given a reasonable opportunity to show why the membership should not be terminated.

6. **Executive** The election, appointment, specific composition and duties of the Executive will be outlined in the Club's bylaws

6.2 One or more Executive members shall be nominated and appointed to be Club Contacts as outlined in Clause 1. Appointment as Club Contact shall be consistent with guidelines contained in the Club's Bylaws.

6.3 Membership of the Executive shall be terminated by:

- 6.3.1 Delivery of a resignation in writing to the Club's secretary, to be effective from that date, or a date specified in the letter of resignation:
- 6.3.2 Being deemed to have vacated from office, as set out in the Bylaws
- 6.3.3 Being removed from office by a vote or two-thirds majority of members present at a General Meeting of the Club. At least five Ordinary members of the Club may place a petition in writing requesting the removal from office of an Executive member to the Secretary who shall call a General Meeting in accordance with this constitution. The Executive Member concerned shall be given a full and fair opportunity to present his/her case at the General Meeting either orally and/or in writing, or through a representative (who must be a Club member).

7. General Meetings

7.1 The Club must hold a General Meeting to be conducted sometime between the second week of the USQ academic year and the 30th of April that year. The purpose of this meeting shall be to declare the commencement of a new Membership year and to appoint the Executive. Members of the Executive will hold office until the following required General Meeting, unless they resign or are removed from office in accordance with Clause 6.3.

7.2 The Executive may call a General Meeting at any time. The Executive must call a General Meeting if so requested by at least 50% of the Ordinary Members.

- 7.3 At least 7 clear days' notice of General Meetings must be given to all Ordinary Members.
- 7.4 Ordinary Members have the right to attend General Meetings, move motions and vote on resolutions.
- 7.5 Quorum for all General Meetings is 20% of Ordinary Members.
- 7.6 Subject to Clause 7.5 a resolution will be passed if it is approved by more than 50% of the Members present at a General Meeting at which a quorum is present.
- 7.7 The Executive must ensure that a written record is kept of all resolutions of Members in a General Meeting, and must provide such records to Phoenix Central if requested.

8. Administration

- 8.1 The Executive are responsible for the management of the Club, although they may delegate to other members such specific tasks as the Executive may deem appropriate from time to time. In managing the Club, the Executive must act in accordance with any resolution passed by the Ordinary Members in a General Meeting.
- 8.2 The Executive must ensure that all Club events and activities are conducted in accordance with the Policies and Bylaws, and those Members (and other persons) who fail to comply with the Policies and/or Bylaws are excluded from the relevant event or activity. For the purposes of this Clause, where an event or activity occurs off-site from USQ premises and a Policy relates only to conduct on USQ premises, the event or activity must still be conducted in a manner that would accord with the relevant Policy were the event or activity be taking place on USQ premises.
- 8.3 The Club shall maintain appropriate insurance policies to cover public liability, professional indemnity, sports injury cover, and property insurance to cover its activities and protect the agreed to interests of third parties with whom the Club has entered into rental or hire purchase arrangements with.
- 8.4 Where appropriate, USQ will provide advice and guidance to assist the Club and Executive. The Executive will need to provide their own administrative services to support the management of the Club.

9. Equipment

- 9.1 The Club may own equipment that it purchases from the proceeds of fund raising activities and regular class contributions. All items purchased from such funds are the sole property of the Club.
- 9.2 The Club may enter into rental and hire purchase arrangements for a range of equipment. The ownership of such equipment is retained as outlined in the agreements reached between the Club and third parties.
- 9.3 Equipment purchased entirely with funds granted by USQ or Phoenix Central is the property of USQ.
- 9.4 Equipment purchased with funds granted by USQ or Phoenix Central may not be sold or disposed of without Phoenix Central's prior written permission.

10. Grants

- 10.1 The Club may apply to Phoenix Central for grants in accordance with such grants policies as may be advised by Phoenix Central from time to time.
 - 10.1.1 Phoenix Central may at any time request a copy of the Club's financial accounts, and any other information that Phoenix Central reasonably requires to confirm how grant funds have been applied. If Phoenix Central determines that all or a portion of funds granted to the Club for a specific purpose or event have not

been used for that purpose or event, the Club must repay such amount to USQ within one calendar month of a request from Phoenix Central.

10.1.2 If a Club does not re-affiliate in any calendar year as set out in clause 13.1, then *on 1 May in that year*, ownership of any unused funds granted by Phoenix Central will revert to USQ.

10.2 The Club may apply for grants from external bodies as subject to the requirements of those bodies

10.2.1 Equipment and/or funds obtained through these grants shall be bound by the terms of those grants and at all times shall be managed to be consistent with Clauses 12 and 13.

11. Finance

11.1 The income and property of the Club shall be applied in promotion of its objectives.

11.2 All Club expenditure must be approved by a resolution of the Executive or a General Meeting where a quorum is present.

11.3 Clubs may open and operate bank accounts with such financial institutions as they choose, provided that:

12.3.1. all Club accounts must be dual signatory accounts, with the signatories including members of the Executive as outlined in the Bylaws, and the signature of at least one member of the Executive required for any cheque or other financial transaction; and

12.3.2. the Executive must provide Phoenix Central with such information about the Club's bank account(s) (including without limitation a list of signatories, account details and account statements) as Phoenix Central may reasonably require from time to time.

11.4 The Executive must ensure that proper accounts are maintained recording all Club income and expenditure, including the application of any grant funds received from Phoenix Central.

11.5 No equipment or funds of the Club may be distributed to any of the Members other than on account of reimbursement for authorised expenses and activities incurred on the Club's behalf.

11.6 The Executive shall ensure that, by the end of October, the financial records of the Club, including the Statement of Income and Expenditure, shall be available to be presented to Phoenix Central upon request.

12. Disaffiliation and Dissolution

12.1 The Club will cease to be affiliated to USQ if it does not, by *30 April* in any year, provide Phoenix Central with:

a) a current list of Members (which must comply with membership composition set out in Clause 4.10); and

b) a copy of the minutes of the Club's required General Meeting confirming the appointment of the Executive Committee for that year; and

c) current contact details for all Club Contacts; and

d) such other documents as USQ or Phoenix Central may prescribe or have requested from time to time.

12.2 The Club may choose to not affiliate with Phoenix Central but constitute itself under other arrangements, including but not limited to becoming legally incorporated in its own right. This must be approved by 75 per cent of Ordinary Members at a quorate

General Meeting. In such a case, the Club will return all assets solely purchased through USQ funding but shall retain all other assets of the Club, both physical and financial.

12.2.1 A decision to not affiliate with USQ does not preclude the Club from continuing an association with USQ as may be determined by the Club's Bylaws.

12.3 A Club may be dissolved by a resolution of at least 75% of Members in a General Meeting at which a quorum is present, provided that the notice of General Meeting outlined the intent to put this resolution to Members at that General Meeting and provided that the Executive Committee notify Phoenix Central of the dissolution within two weeks of the resolution.

12.3.1 Upon resolution to dissolve the Club, all outstanding liabilities must be provided for and there must be agreement at that meeting regarding the dispersal of remaining assets subject to the Club's commitments to USQ and other third parties.

12.3.2 Subject to the operation of Clause 12.3.1., ownership of the Club's remaining equipment and/or funds in all of its bank accounts will revert to USQ including those assets whose distribution cannot be agreed to by the General Meeting so resolved to dissolve the Club.

12.4 If the Club has been inactive for two consecutive calendar years, then at the end of the second year, ownership of all funds in all of its bank accounts that were paid by USQ or Phoenix Central to the Club will revert to USQ. USQ will also take custody of any equipment purchased entirely with USQ funds pending any reconstitution of the Club, and any decision to release custody will be at the sole discretion of USQ.

13. Changes to the Constitution

13.1 This Constitution cannot be changed without:

- a) the written approval of USQ; and
- b) a resolution in favour of such change passed by at least 75% of Members in a General Meeting at which a quorum is present.

13.2 If at any time USQ wishes to change this Constitution, it will notify the Club, and in order for the Club to remain affiliated to USQ, the Members will need to resolve in a General Meeting at which a quorum is present to adopt the new Constitution.

14. Certification

I certify that this is a true and correct copy of the Constitution of *Bun Bu Ryō Dō*— The USQ Martial Arts Club as adopted at the General Meeting of the club held on the

19/4/2013

Michael Baczynski, President
(Club contact)

