

CONSTITUTION

of



A.C.T. DARTS COUNCIL (Incorporated)

Registration Number:

A151

Lodged with the Registrar of Incorporated Associations

JANUARY 2004

Public Officer: Ruth Alisopp

Po Box 3063 Weston A.C.T 2611

P.H.62964917

The Constitution

1. Interpretation
2. Name
3. Officers Of The Board
4. Objects Of The Board
5. Powers Of The Board
6. Affiliates And Members
7. Removal Of Affiliation Or Membership
8. Withdrawal Of Affiliation Or Membership
9. Alteration Of The Constitution
10. Voting Rights
11. General Meeting
12. Meetings Of The Board
13. Meetings Of The Executive
14. Meetings Of The Zones
15. Meetings Of The Selection Committee
16. Minutes
17. Special General Meeting
18. Common Seal
19. Signing Of Cheques
20. Funds And Accounts
21. Investment Of Funds
22. Borrowing Powers
23. Winding Up
24. Service Of Notice
25. Enforcement Of Rules And By-laws Members
26. Bound By Rules
27. Discipline
28. Indemnity
29. Property
30. By-laws
31. Conflict Of Interest

CONSTITUTION of A.C.T. DARTS BOARD

(Incorporated)

Article

INTERPRET A

1.

TION

In this Constitution: the following terms shall, if not inconsistent with the object or context respectively, have meanings described below:

"Act" means "Associations Incorporation Act 1991" as amended.

"Council" means the A.C. T. Darts Council (Incorporated).

"Board" means all those Members elected as Elected Voting Officers of the Council.

"Executive" means those Members elected as Board Members to the annually elected executive of the Board.

"Officer" means all those Members elected as Non Voting Officers to the Board.

"Member" means a member of the Board being a person registered as a player with an Affiliate or being a Life Member of the Board and not being financially indebted to the Board and not elected to a Voting Position at an Annual General Meeting or a Special General Meeting.

"Life Member" means any member who has been elected as a Life Member of the ACT Darts Council and has a voting right at any meeting. A Life Member may stand for any Elected Position on the Council.

"Secretary" means the Secretary of the Board.

"Affiliates" means all Clubs and Venues affiliated with the Board.

"Club" means a darts club operating from a specific venue formed for the purpose of fielding a team(s) to play in Board competitions.

"Venue" means a darts club operating from a specific venue formed for the purpose of fielding a team(s) to play in Board competitions.

"Board Meetings" means the meeting of the Board Members of the ACT Darts Council

"Federation" means the Darts Federation of Australia Incorporated.

"Jurisdiction" means all areas covered and/or controlled by the Australian Capital Territory and the New South Wales' Shire of Yarrawluma and City of Queanbeyan but not including the area known as Jervis Bay which shall be considered to fall under the Jurisdiction of the New South Wales Darts Board.

"Team" means a team playing for a Darts Club affiliated with the Board and playing in a Board recognised competition.

"Year" means the official year of the Board which shall extend from the 1st day of February to the 31st day of January in the succeeding year.

"Financial Year" means 1st day of November to 31 st day of October(eg.Financial year 2003- 2004 means 1 st November 2003 to 31 st October 2004.

"Zone(s)" shall be that part of the Jurisdiction of the Board that is designated from time to time as the playing zone(s) for competition purposes.

CONSTITUTION of A.C.T. DARTS BOARD (Incorporated)

Article NAME

2.

- (a) The Board shall be called the A.C. T. Darts Council (Incorporated).
- (b) The registered office of the Council shall be the residence of the Secretary .

Article OFFICERS OF THE BOARD

3.

- (a) Elected Voting Officers to the Board of Directors of the ACT Darts Council shall be:
 - (i) The President
 - (ii) Vice President #
 - (iii) Treasurer/Secretary **

- (b) Elected Voting Officers to the Board of Management of the ACT Darts Council shall be:
 - (iv) Publicity Officer
 - (v) Zone Controller
 - (vi) Coaching Director/Coordinator
 - (vi) Juniors
 - (vii) Registrar/Recorder
 - (viii) Works

A Special General Meeting shall be held prior to the Annual General Meeting to specifically detemline the number of voting positions. There shall be at least two positions of Zone Controller. The President shall have the sole responsibility of determining the duties of the Vice President and Zone Controller and may vary these duties at any time during the Year.

The duties of the Vice Presidents shall include Chairperson of the Match Committee(s) and Chairperson of the Zone(s).

This position may be split if required. In that event, then if one of the positions becomes vacant, then the occupant of the other position will assume the duties of the vacancy until the AGM when that position would be normally filled.

No other voting Officer may hold any more than two (2) positions on the Board of the ACT Darts Board.

Non voting Officer positions may be filled by any Officer either voting or not.

**CONSTITUTION of A. C. T. DARTS BOARD
(Incorporated)**

- (b) Written nominations for Officers or Board Members of the Board must be received one calendar month prior to the Annual General Meeting, however these nominations do not preclude nominations being taken from the floor to fill such positions. All nominees must be financial, must be present at the Annual General Meeting to accept their nomination, and shall be elected by the financial Members present at that Annual General Meeting
- c) The Executive of the Board shall be :-
- (i) President (initial election period from 1996 to be 1 year, followed by a 2 year election period from 1997)
 - (ii) Vice President
 - (iii) Secretary and Treasurer (each election period to be for a period of 2 years from 1996)
- (d) Elected Non Voting Officers of the Board shall be:-
- (i) DFA Controller
 - (ii) Mens Selector
 - (iii) Ladies Selector
 - (iv) Juniors Selector
 - (v) Public Officer
 - (vi)

All voting elected members of both Board of Directors and Board of Management shall have the right to one vote. In the event of a tied vote, the President shall have the casting vote.

All meetings are to be chaired by the President.

- (e) The Selection Committee of the Board shall be appointed by the Board and shall be constituted as the Board deems fit.
- (f) A retiring Officer shall continue in office until a successor is appointed and from that moment only the successor shall have the vote in this office. . A retiring officer shall be eligible for re-election.

Article 4. OBJECTS OF THE BOARD

- (a) To actively promote, sponsor and foster the game of darts in the Jurisdiction.
- (b) To run Championships, selection trials and darts events on a regular basis on behalf of and for the participation of Members. All Championships and

**CONSTITUTION of AC.T. DARTS BOARD
(Incorporated)**

competitions shall be organised in concert with known major events especially those organised by the Federation to allow Members maximum opportunity to participate in higher levels of darts competition.

- (c) To maintain affiliation with and representation on the Federation and to recognise the Federation as the ruling body of darts in Australia. The Board shall defer to the Federation Constitution, By-laws and rulings on all matters not specifically covered in this Constitution of the Board and its By-laws (as amended from time to time).
- (d) To encourage Members to attain their maximum potential and to reach the highest standards and level of darts achievement by fostering, sponsoring and creating an environment to provide opportunity for Members to represent at Regional, State, Australian and International championships.
- (e) To regularly run organised teams competitions for the participation of Affiliates bearing in mind the relative strengths of the Teams participating and their Club location. The Board shall investigate the need to segment the Jurisdiction into Zones to avoid excessive travel by Members while maintaining an adequate level of competition that is commensurate with the playing abilities of the Teams in the Zone(s). Teams not able to be placed in the Zone(s) shall be organised into specialised competitions.
- (f) To promote, support and organise specialised competitions aimed at fostering growth and broader participation in darts where such competition cannot be confined to the Zone(s) and/or because of its specialised nature, size or level of competition e.g. juniors, handicap or disabled, premiers, etc.

Article 5. POWERS OF THE BOARD

- (a) The purchase, taking on lease or in exchange, and the hiring or otherwise acquiring of any real or personal property that may be deemed necessary or convenient for any of the objects or purposes of the Board.

The buying, selling, and supplying of, and dealing in, goods of all kinds.
- (c) The construction, maintenance, and alteration of building or works necessary or convenient for any of the objects or purposes of the Board.

The accepting of any gift, whether subject to a special trust or not, for anyone or more of the objects or purposes of the Board.

CONSTITUTION of A.C.T. DARTS BOARD (Incorporated)

- (e) The taking of such steps from time to time as the Board may deem expedient for the purpose of procuring contributions to the funds of the Board, whether by way of donations, subscriptions or otherwise.
- (f) The printing and publishing of newspapers, periodicals, books, leaflets, or other documents as the Board may think desirable for the promotion of the objects and purposes of the Board.
- (g) The borrowing and raising of money in such a manner and on such terms as the Board may think fit and securing the repayment of money so raised or borrowed or the payment of a debt or liability of the Board by giving mortgages, charges or securities upon or over all or any of the real or personal property of the Board .
- (h) Subject to the provisions of the Trustee Ordinance 1957, the investment of any moneys of the Board not immediately required for any of its objects or purposes in such a manner as the Board may from time to time determine.
- (i) The establishment and support, or aiding in the establishment or support, of other associations formed to pursue basic objects and not operating in conflict with the Board the support of which is deemed to be in the best long term interests of the Board.
- 0) The doing of all such other lawful things as are incidental or conducive to the attainment of the basic objects of the Board or any of the objects and purposes specified in the foregoing provisions of this sub-rule.

Article 6. AFFILIATES AND MEMBERS

- (a) Affiliation to the Board shall be open to any Club, within the jurisdiction of the Board, exercising local control over the game of darts. Any such Club may become an Affiliate of the Board, by entering a Team(s) in the recognised Board Teams competition and upon payment of an appropriate affiliation fee. The Club name and address shall be then entered in a Register of Affiliates. Only one Affiliation shall be allowed for anyone playing venue. Affiliation shall be refused if it is considered by the Executive that the Club's or the venue's activities are in conflict with those of the Board.
- (b) **Membership of the Board shall be open to any individual who is a member of a financial Affiliate and for whom a player registration fee has been paid unless notified as suspended by the Federation. Upon payment of a player registration fee, the Member's name and address shall be entered into a Register of Members and shall be allocated a registration number.**

**CONSTITUTION of A.C.T. DARTS BOARD
(Incorporated)**

(c) Life Members of the Board shall be considered to be Members in perpetuity unless struck from the Membership register.

(d) The affiliation fee shall be based on the number of Teams which are entered to play for the Affiliate in the Board Teams competition

Affiliation of the Board may be extended to any organisation or association formed to pursue the basic objects of the Board and not considered to be operating in conflict with the Board. The conditions, fees and voting rights that apply to such affiliation shall be determined by the Board. Membership of the Board shall not be extended to the individuals of the organisation or association. Affiliation of organisations and associations may be withdrawn at any time at the discretion of the Board and such decision shall be deemed to be final.

Article 7. REMOVAL OF AFFILIATION OR MEMBERSHIP

The Officers may strike or suspend an Affiliate or Member from the Register:

(i) Upon being satisfied that such Affiliate or Member has been guilty of conduct injurious to the character and interest of the Board.

(ii) Upon being satisfied that such Affiliate or Member has wilfully committed a breach of any of the rules or any by-law of the Board.

(b) Any representation made to the Board by an Affiliate or Member complaining, in writing, of the conduct referred to in this Article, shall be referred for inquiry to a disputes/disciplines committee convened by the Vice President(s). This committee can decide on the course of action necessary and can implement its decision immediately, including suspension of affiliation or membership or the placement of specific conditions on continued affiliation or membership, to ensure the protection of the Board, its Affiliates, and its Members.

(c) Action taken against an Affiliate by Officers shall apply to all Members covered by the Affiliate.

(d) An Affiliate or Member may appeal to the Board which will make the final decision on whether or not such Affiliate or Member should be, or continue to be, struck from the Register, or have conditions placed on continued membership including the placement of pecuniary fines on such Affiliate or Member.

(e) Affiliates or Members shall be informed, in writing, of the conduct complained of and be given the right and adequate opportunity to be present at the initial

CONSTITUTION of AC. T. DARTS BOARD (Incorporated)

disputes/disciplines committee meeting and/or to the Board to which the Affiliate or Member has appealed.

- (f) An entry in the official Minutes of the Board that the action taken in accordance with this constitution has been endorsed by the Board, from the date of the resolution to take such action, shall be conclusive evidence that:
- (i) The requirements of this Article have been complied with;
 - (ii) the Board has exercised its powers in a proper manner;
 - (iii) the Affiliate or Member has ceased affiliation or membership, or that conditions were imposed on continued Affiliation or Membership.
- (g) No Affiliate or Member shall have cause of action except malice.
- (h) The Board may readmit an Affiliate or Member or remove any conditions imposed on any Affiliate or Member, upon full payment by such Affiliate or Member of all fees due or upon full discharge by such party of its obligations to the Board.
- (i) Any Affiliate or Member ceasing affiliation or membership of the Association from any cause whatsoever, including resignation, shall nevertheless remain liable to the Board for all affiliation or membership fees and other moneys which may have become due prior to the cessation of affiliation or membership.

Article **WITHDRAWAL OF AFFILIATION OR**
8. **MEMBERSHIP**

- (a) An Affiliate or Member may withdraw from affiliation or membership by informing the Secretary who shall report such resignation to the next meeting of the Board. The Affiliate or Member shall then cease to be affiliated with or hold membership of the Board and shall forfeit all rights and interests if any in the property of the Board.

Article **ALTERATION OF THE**
9. **CONSTITUTION**

- (a) At any General Meeting or Special General Meeting, changes may be made to this Constitution by a resolution of two-thirds of the members present where a quorum has been formed, and being entitled to vote at such Annual General Meeting or Special General Meeting of which notice specifying the intention to propose the resolution has been given in accordance with the provisions of this Constitution (Article 17 (b)).

**CONSTITUTION of A. C. T. DARTS BOARD
(Incorporated)**

- (b) No addition, alteration to or rescission of any part of this Constitution, shall be valid until registered with the Registrar of Incorporated Associations or similar Government body as required by law.

Article 10. VOTING RIGHTS

Every matter submitted to any Monthly Board Meeting held by the ACT DARTS COUNCIL, shall be decided by:

- (i) those Board Members and Life Members present and no proxy votes shall be entertained; and
(ii) a show of hands and the declaration of the Chairperson shall be conclusive.

- (b) Every matter submitted to the Annual General Meeting and or Special General Meeting(s), shall be decided by:
- (i) those Board Members and Life Members and Members present and no proxy votes shall be entertained; and
(ii) a show of hands and the declaration of the Chairperson shall be conclusive.
- (c) At no time shall an Elected Voting Officer or a Member be entitled to more than one vote with the sole exception of the Chairperson of the meeting who shall have a deliberative vote and in the case of equality of votes may elect to have a casting vote.
- (d) **At any time a closed ballot may be asked for and such request shall be granted.**

**Article 11. GENERAL
MEETING**

- (a) The General Meeting, to be known as the Annual General Meeting, shall be held every year no later than three months after the close of the Year.
- (b) The Annual General Meeting shall be in addition to any other Special General Meeting(s) that may be held in the same year.
- (c) Twentyeight (28) days notice in writing of any Annual General Meeting shall be given to each Affiliate and notified to each Members via the local media and such notice in addition to specifying the time and place shall also state the business to be transacted at such meeting.
- (d) The business of the Annual General Meeting shall be to:

**CONSTITUTION of A.C.T. DARTS BOARD
(Incorporated)**

- (i) receive and consider the annual Statement of Income and Expenditure and the annual Balance Sheet, the reports of the President, Secretary , Treasurer and the Auditor and any matters concerning these statements and reports;
elect by ballot Officers of the Board;
 - (ii) elect by ballot the Officers to serve on the Selection Committee;
 - (iii) to determine annual subscriptions and fees;
 - (iv) consider remits from Affiliates and Members; and
 - (v) transact such other business as the Executive or Members shall place before the meeting in accordance with this Constitution.
- (e) At the Annual General Meeting fifteen (15) financial members shall form a quorum. No business shall be transacted at the Annual General Meeting unless the quorum requisite be present at the commencement of business. If within thirty (30) minutes from the time appointed for the Annual General Meeting a quorum is not present, the Annual General Meeting shall be adjourned until a time and date as determined by those members present but shall not be more than one week later. If at such adjourned Annual General Meeting a quorum is not present, then those Members who are present shall, irrespective of number, be considered to be a quorum and may transact the business of the Annual General Meeting.
- (f) The President of the Board shall be entitled to take the Chair at every Annual General Meeting or, if absent, the Vice President shall be entitled to take the Chair. In the absence of all of these Officers, the Members present shall choose one of their number to be Chairperson. 30 minutes from the intended starting time of the meeting shall be allowed before absenteeism is determined.
- (g) The Agenda and all agenda remits must be circulated to ALL Members and Affiliates of the ACT DARTS COUNCIL at least 14 days prior to the General Meeting being held.
- (h) The Chairperson of an Annual General Meeting may with the consent of the meeting adjourn the same from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- (i) Notice of remits proposed by any Affiliate or Member to be transacted at any Annual General Meeting shall be given in writing to the Secretary of the Board one month before such meeting.

CONSTITUTION of AC.T. DARTS BOARD (Incorporated)

- 0) Life members of the Board may be elected at any Annual General Meeting but in anyone year not more than one (1) life member may be elected provided however that the nomination for such life member has been circulated with remits.

- (k) The right to vote at any Annual General Meeting shall be limited to Officers of the Board, Life Members and financial Members.

- (i) No person except the Chairperson shall have more than one vote.

- (m) Board Members and Elected Officers shall hold office until the next Annual General Meeting. In the event of any of the positions of Board or Elected Officers position becoming vacant, Board Members and Elected Officers may, at their discretion, elect a person to fill such. vacancy until the Annual General Meeting. In the case of vacancy of a position on the Selection Committee not normally filled by a Board Member or Elected Officers, the President of the Board shall have the sole responsibility in determining a Member to fill such position on either a temporary basis or, in the case of permanent vacancy, until the Annual General Meeting.

- (n) At each Annual General Meeting an Auditor shall be appointed. Such person shall be a member of the Institute of Chartered Accountants in Australia, The National Institute of Accountants, or the Australian Society of Certified Practising Accountants, or who is registered as an auditor pursuant to the Corporations Law in accordance with the Act.

Article 12. MEETINGS OF THE BOARD

- (a) The Board shall meet at least once per month during the Year. Additional meetings of the Board may be called by the President.

- (b) Any Officer absent from three (3) consecutive meetings of the Board shall be deemed to have resigned unless such absences have been justified to the satisfaction of the Board.

- (c) **A quorum shall consist of 60 per cent or more of the Board.**

- (d) The Board, for the duration of their elected office, shall manage the affairs of the Board and make final decisions on all business conducted by or on behalf of the Board with the exception of selection of Members for playing representative purposes.

**CONSTITUTION of AC. T. DARTS BOARD
(Incorporated)**

- (e) The Board may conduct any business outstanding at the date of the meeting, all business referred by the Executive for the consideration of the Board and any other matters submitted by the Officers present.
- (f) The Assistant Secretary, under the supervision of the Secretary, shall keep accurate and detailed records and Minutes of all business conducted on behalf of the Board by Officers.

**Article 13. MEETINGS OF THE
EXECUTIVE**

The Executive shall meet monthly for the purpose of conducting the business of the Board in accordance with these Articles and any By-laws as applying at that time. Additional meetings of the Executive may be called by the President.

The Executive may elect to refer any matters for decision to the Board. The decisions then taken by the Board shall be binding on the Executive, all Members and Life Members unless rescinded by the Board at a later Meeting, by a Special General Meeting or an Annual General Meeting.

- (c) The Executive shall keep accurate and detailed records and Minutes of all business conducted on behalf of the Board and shall report on all such business to the Board.
- (d) **The Executive may elect such sub-committees as, from time to time, may be considered necessary .**

**Article 14. MEETINGS OF THE
ZONES**

- (a) The Chairperson of the Match Committee of the Zone(s) shall call a meeting of all Affiliates registered in the Zone(s) at least four times per Year season and shall be entitled to take the chair at such meetings.
- (b) Each Affiliate shall be entitled to one vote for every Team through direct attendance of team representatives. Affiliates should notify the secretary .of the meeting the number of votes they are entitled to.
- (c) Every question at such meetings shall be decided by a show of hands and the declaration of the Chairperson who shall have the deliberative vote shall be conclusive. In the case of equality of votes, the Chairperson may elect to have a casting vote. Any member of the Board may claim a ballot to be taken on any question submitted to the meeting.

CONSTITUTION of A. C. T. DARTS BOARD

(Incorporated)

- (d) A quorum shall consist of the Chairperson of the Match Committee and the Officer nominated as secretary of the Zone together with at least one representative from 50% of Affiliates in the Zone.
- (e) The Chairperson of the Match Committee of the Zone shall ensure that accurate records of all matters conducted at the meeting of the Zone are kept and shall report to the Board particularly on matters of concern to Affiliates requiring decisions by the Board.

Article 15. MEETINGS OF THE SELECTION COMMITTEE

- (a) Members of the Selection Committee shall meet as required throughout the Year for the purposes of selecting the players to represent the Jurisdiction in championships.
- (b) The decisions of the Selection Committee shall be final unless changed by a subsequent meeting of the Selection Committee. Appeals or requests for changes by Members shall only be allowable through the holding of a Special General Meeting specifically called for this purpose. The decision of the Special General Meeting shall then prevail.
- (c) The chairperson shall cause proper minutes to be kept and shall advise the Executive of decisions taken by the Selection Committee and its' panels.

Article 16. MINUTES

The Secretary of the Board shall cause minutes to be duly entered in books provided for the purpose of :-

- (a) All appointments of permanent officers or servants and the terms of their employment.
- (b) All the names of the Members present at meetings.
- (c) All resolutions and proceedings of meetings.
- (d) All minutes of meetings signed by the chairperson and secretary of such meeting or by the chairperson and secretary of the succeeding meeting shall constitute a record of matters set out in such meetings.
- (e) The minutes of all meetings shall be presented to the Board and upon request, to Affiliates and Officers.

Article 17. SPECIAL GENERAL MEETING

CONSTITUTION of A.C.T. DARTS BOARD (Incorporated)

- (a) The Board shall, on the requisition of not less than 15 members, convene a Special General Meeting:-
- (i) The requisition must state the object of the meeting and must be signed by the requisitionists and deposited at the registered Office of the Board and may consist of several documents in like form each signed by one or more of the requisitionists. The requisitionists must be Members whose subscriptions of the Board are not in arrears at the date of the requisition.
 - (ii) The Board may on its own resolution, duly recorded in the minutes, convene a Special General Meeting.
- (b) Fourteen (14) days notice in writing of any Special General Meeting shall be given to each Affiliate and notified to each Members via the local media and such notice in addition to specifying the time and place shall also state the business to be transacted at such meeting.

Article 18. COMMON SEAL

The Board shall have a Common Seal having the words "The Common Seal of THE A.C.T. DARTS BOARD INCORPORATED" on the face thereof which shall be kept in the custody of the Secretary .

The common seal shall not be affixed to any instrument except by the authority of a resolution of the Board or the Annual General Meeting. The affixing of the common seal shall be made in the presence of either the Chairperson of the Board, or the Secretary who shall respectively attest in writing to the affixing of the seal.

Article 19. SIGNING OF CHEQUES

- (a) Any three different signatory of the Elected Members of the Executive, where at least one of the signatures is the Treasurer/Secretary, or President's, shall be entitled to make, accept or endorse on behalf of the Board all cheques, promissory notes and bills of exchange.

Article 20. FUNDS AND ACCOUNTS

- (a) The moneys, cheques, bills of exchange and other negotiable instruments shall be paid into an account into a financial institution approved by the Board and all transactions shall be notified to the Board for its approval.
- (b) The Treasurer of the Board shall cause:-

CONSTITUTION of A.C.T. DARTS BOARD

(Incorporated)

- (i) The keeping of books and records which clearly and accurately reflect an up-to-date account of the financial affairs and transactions of the Board;
 - (ii) Proper accounting practices to be followed and the banking of funds within two weeks of the receipt of monies;
 - (iii) The preparation of written reports and financial accounts for presentation to the Board at the monthly meetings;
 - (iv) The provision of forward budgeting and financial status reports at the request of the Board;
 - (v) The books, records, reports and other documents of account to be made available to the Auditors upon request and to any Member when requested through, and at the direction of, the Board; and
 - (vi) The payment of accounts and payment of approved purchases made on behalf of the Board and the raising of purchase demands or other such documents on behalf of the Board.
- (c) The responsibility for the payment of fees and other monies levied by the Board shall remain the responsibility of the Member(s) incurring such costs and upon whom the demand for payment has been made. This shall apply irrespective of any private arrangement(s) a Member(s) has entered into with respect to payment of such costs.

Article 21. INVESTMENT OF FUNDS

- (a) The Board may from time to time invest any proportion of the funds of the General Board in the name of the upon:-
 - (i) Mortgage of freehold and leasehold lands in the Commonwealth of Australia.
 - (ii) Fixed deposit with any bank trading in Australia.
 - (iii) A Trustee Savings Bank or Post Office Savings Bank.
 - (iv) A Building Society duly registered under Building Societies Act or ordinance of a State or Territory .

Article 22. BORROWING POWERS

- (a) The Board shall have power to borrow or raise money to secure the payment of money owing or the satisfaction or performance of any obligation or liability incurred or undertaken by the Board in such manner as the Board may deem fit and in particular by the issue of debentures, debenture stock or by bonds or by mortgage, charge or lien, upon the whole or any part of the Board's real property or assets whether present or future and to purchase or redeem or

**CONSTITUTION of A.C.T. DARTS BOARD
(Incorporated)**

payoff any such securities. All deeds and instruments affecting those borrowing powers shall be in the name of the Board.

**Article 23. WINDING
UP**

- (a) In the event of the Board being dissolved any surplus moneys after the payment of all liabilities and liquidation costs and expenses shall be passed to the Federation at the date of the resolution for such dissolution.

Article 24. SERVICE OF NOTICE

- (a) A notice may be served by the Board or Executive on any Affiliate or Member either personally or by sending it through the post in a prepaid envelope or wrapper addressed to such Affiliate or Member at the address of such Affiliate or Member in the register. Where such a notice involves attendance at disputes or disciplinary hearings it must be served either personally and signed for by the recipient or be sent by registered mail. A notice sent by post shall be deemed to have been served on the day following the day on which the envelope or wrapper containing the same shall have been posted.

- (b) In the event of a notice being required to be sent to a number of Members, or to Members generally, such notice shall be deemed to have been served if placed in the public press on, or before, the date required for such notice to be made in accordance with this constitution. This may include the notification and announcement of the Annual General Meetings and any Special General Meeting(s) as called from time to time.

Article 25. ENFORCEMENT OF RULES AND BY-LAWS

- (a) The Board may suspend any Affiliate or Member for such a period of time as it deems necessary if such Affiliate or Member has committed a breach of any rule, direction or by-law of the Board or has committed a breach of any rule, direction or instruction issued by the Executive or the Board. Such Affiliate or Member shall have right of appeal to a Special General Meeting of the Board.

**Article 26. MEMBERS BOUND BY
RULES**

- (a) Every Affiliate and Member is held to consent and agree to be bound by the Rules of the Board.

**Article 27. DISCIPLIN
E**

- (a) The Board may suspend a Member of Affiliate from specified meetings:-

CONSTITUTION of A.C.T. DARTS BOARD (Incorporated)

- (i) Upon being satisfied that the Member has been convicted of any offence which in the opinion of the Board is prejudicial to the interests of the Board; and
- (ii) Upon being satisfied that such representative has committed a breach of these Rules or any by-law of the Board.

(b) Every dispute between the Board and a Member or Officer thereof or any Affiliate or Member shall be decided by arbitration. Each party to the dispute shall appoint an arbitrator and the arbitrators so appointed shall agree upon an umpire providing that such arbitrators and umpires are registered members of the Board whose decision shall be final.

The provision as to an arbitration shall be subject however to the right of the Board from time to time to issue directions for the settlement of particular disputes likely to arise within the Board and such directions shall where in force and applicable govern the settlement of such dispute.

Article 28. INDEMNITY

(a) Every Member of the Board or other officer or servant of the Board shall be indemnified by the Board against all costs, loss and expenses which any such officer or servant may incur or become liable for by reason of any contract entered into or in any way in the discharge of his duties including travelling expenses provided that such actions are done in pursuance of the objects or interests of the Board and come within the express or implied authority of the person so acting.

Article 29. PROPERTY

(a) All property whether real or personal belonging to or acquired by or for the Board shall be vested in the name of the Board. Such property shall be controlled by the Board.

Article 30. BY-LAWS

(a) The Board is empowered to make, repeal and amend such By-laws as it may from time to time consider necessary for the internal management of the Board.

(b) The making, rescission and amendment of such By-laws shall be effected at a meeting of Officers of the Board upon a resolution being passed by two-thirds of the Officers at such a meeting. Playing rules are excluded from the By-laws of the Board.

CONSTITUTION of AC.T. DARTS BOARD

Article 31. **(Incorporated)**
CONFLICT OF
INTEREST

The Member, for the purposes of election to a position of Officer, warrants that the Member does not hold any office, possess any property , or have any obligations by virtue of any contract, or standards which the Member must observe in the course of exercising the position of Officer whereby, directly or indirectly, duties or interests exist or might be created in conflict with the Member's duties and interests as an Officer.

The Member shall inform the Board of any matter connected with the position of Officer that may give rise to an actual or potential conflict of interest of the Officer at any time during the elected period of office. Ownership or financial interest in a Club playing venue or the provision of financial sponsorship for darts events would, prima facie, constitute a conflict of interest with the duties of an Officer.

- (c) Should the Member advise the Board of an actual or potential conflict of interest or the Board become aware of such an actual or potential conflict of interest, the Board may: -
- (i) by written notice to the Officer seek the removal of that conflict within the time specified in the notice, failure to do so resulting in termination of the term of office of such Officer; or
 - (ii) by resolution of two-thirds of the Board, Special General Meeting or Annual General Meeting determine that such conflict or potential conflict does not preclude the Member from exercising the duties of an Officer in pursuing the Objects of the Board.