

# COUNTRY RUGBY LEAGUE OF NEW SOUTH WALES INC

## CONSTITUTION – ADOPTED 27/11/99

### NAME

1. The name of the League shall be the “COUNTRY RUGBY LEAGUE OF NEW SOUTH WALES INC.”

### DEFINITION

2. In this Constitution and in the by-laws and regulations made thereunder the following words and expressions shall (except where and to the extent that the contrary intention appears) have the several meanings hereby assigned to them that is to say:-

“League” shall mean the ‘Country Rugby League of New South Wales Inc.”

“Newcastle League” shall mean the “Newcastle Rugby League Ltd.” and “Central Coast shall mean the Central Coast Division Country Rugby League Inc”.

“Constituent Body” shall mean any football organisation mentioned in Clause 4 of this Constitution including the Newcastle League and Central Coast League.

“Management Committee” shall mean the Management Committee of the League as constituted by this Constitution.

The “Executive” or “Executive Committee” shall mean the Executive Committee of the League.

“Appeals Board” shall mean the Appeals Board as constituted by this Constitution.

“Constituent League” shall include Second Division competitions and Junior League competitions.

“Annual Conference” shall mean the Annual Conference of the League held in accordance with the provisions of this Constitution.

“General Manager/Treasurer” shall mean the officer of the League from time to time appointed by the Management Committee as hereinafter provided to perform the duties of General Manager/Treasurer AND shall include any Acting General Manager/Treasurer and any substitute for the time being of the General Manager/Treasurer – **Amended 27.11.93**

Words denoting the male gender shall include the female gender.

## **OBJECTS AND POWERS**

3. The objects for which the League is established and the powers of the League are:-
- (a) to encourage, foster and control the game of Rugby League football throughout the State of New South Wales and elsewhere and generally to take such action as may be considered conducive to its best interests
  - (b) To co-operate with the organisations controlling the game in New South Wales and in other States of Australia and other countries in the fostering and control of the game
  - (c) To provide and maintain grounds, playing fields, materials, equipment and other facilities for the game
  - (d) To join with other organisations controlling the game in New South Wales and in other States of Australia and with other countries in the playing of interstate and international and intrastate matches and in controlling and regulating those matches and the movements of players intrastate, between the States and between Australia and the other countries concerned
  - (e) To regulate and control the operation of all Constituent Bodies and affiliates
  - (f) To regulate and control the relationships between Constituent Bodies and affiliates and the members thereof and to provide facilities for settlement of disputes, punishments of misconduct and for breaches of the Constitution of the League or any Rules or Regulations made by the League
  - (g) To define the territories allocated to a Constituent Body and from time to time to alter such territories.
  - (h) To determine the terms and conditions upon which persons may play for Constituent Bodies
  - (i) To determine which Clubs shall be entitled to enter teams in the League competitions conducted by the League and the terms and conditions upon which and the manner in which Clubs shall apply for entry and determine in which competition, if accepted, they shall compete.
  - (j) To administer laws relating to rugby league football and to take such action as may be necessary to achieve uniformity in such laws
  - (k) To raise money by subscription percentage or otherwise from Constituent Bodies or the players thereof.
  - (l) To make grants by way of gifts and to render other financial assistance to the Constituent Bodies and other persons and bodies connected with the conduct of the game

- (m) To hear and determine upon and settle all questions or disputes on any matter relating to rugby league football
- (n) To hear and determine upon any allegation, complaint or charge which may be made or laid against any Constituent Body or member thereof involving a breach of the Constitution or the Rules and Regulations of the League or the laws relating to rugby league football or misconduct.
- (o) To impose fines or penalties by way of suspension, expulsion or otherwise for any breach of the Constitution or the Rules and Regulations of the League or the laws relating to rugby league football or for misconduct on any Constituent Body or member thereof.
- (p) To regulate and control the activities of players, coaches and referees of the League in any activity associated with rugby league football and in particular activities connected with television, broadcasting, advertising, the writing of articles for newspapers and contributions to publications.
- (q) To purchase or otherwise acquire rights in relation to the reproduction of rugby league football matches by film, video-tape or by any other mode of reproduction, visual or otherwise, and to control the sale or hire of rights so acquired including the imposition of conditions under which such rights are used by a purchaser or hirer
- (r) To make donations for patriotic or charitable purposes
- (s) To control the use of the Program of Matches published by the League and its Constituent Bodies and to take such action as may be necessary from time to time to protect the rights of the League in respect of the Program of Matches.
- (t) To delegate all or any of its powers to any Committee or Committees consisting of one or more persons or to any Board or Tribunal appointed by the League and Constituent Bodies
- (u) To borrow, raise or secure the payment of monies in such manner as the Management Committee may decide and with the approval of the Management Committee to lend money or give credit to any person or body of persons and to guarantee the payment of money and the performance of obligations by any person or body of persons
- (v) To employ staff for the purpose of carrying out its objects
- (w) Generally to do all things necessary for or incidental to the pursuit of the objects of the League
- (x) To buy, sell, exchange, let, mortgage or otherwise deal in real and personal property of any kind whatsoever and to import, export, manufacture, produce, treat, buy, sell, exchange, let or hire and generally deal in all kinds of goods, plant, machinery, merchandise and articles of any kind

- (y) To carry on any business enterprise or undertakings in any sphere which is permitted by law which the Management Committee may deem to be beneficial to the interests of the League.
- (z) To enter into any arrangements with any government municipality or other corporation or public body or otherwise that may seem conducive to the League's objects or any of them or the League's interests and to obtain any rights and privileges which the League may think it desirable to obtain and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.
- (aa) To establish superannuation funds any/or provident funds for the benefit of and to grant pensions, allowances, gratuities and bonuses to officer and ex-officers and employees or ex-employees of the League or the dependants or connections of such persons to establish and maintain or concur in establishing and maintaining trusts, funds or schemes (whether contributory or non-contributory) with a view to providing pensions or other benefits for any persons as aforesaid, their dependants or connections and to support or subscribe to any charitable funds or institutions, the support of which may in the opinion of the Management Committee be calculated directly or indirectly to benefit the League or its employees and to institute and maintain any club or other establishment or profit-sharing scheme calculated to advance the interests of the League or its officers or employees.
- (bb) To invest and deal with the money of the League in such manner as may from time to time be thought fit
- (cc) To give indemnity or guarantee or to enter into any bond and to guarantee or become liable for the payment of moneys or for the performance of obligations of all kinds and to guarantee the account of or otherwise finance any person or persons, company or companies, business or undertaking.
- (dd) To accept payment for any property or rights sold or otherwise disposed of or dealt with by the League either in cash by instalments or otherwise or in full or partly paid-up shares of any company or corporation with or without deferred, preferred, or special rights or restrictions in respect of dividend, repayment of capital, voting or otherwise or in debentures or mortgage debentures or debenture stock mortgages or other securities of any company or corporation or partly in one mode and partly in another and generally on such terms as the league may determine and to hold dispose of or otherwise deal with any shares, stock or securities so acquired
- (ee) To lend any money either with or without security and to receive money on loan or deposit at interest or otherwise and to invest the monies of the League with or without security and upon such terms and conditions as may from time to time be determined by the Management Committee for the time being of the League and to vary, sell or dispose of all such investments

- (ff) To borrow or raise or secure the payment of money, either alone or jointly or in partnership with any other person or corporation, in such manner as the League may think fit and to secure the same or the repayment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the League in any way and to purchase, redeem or pay off any such securities
- (gg) To mortgage, charge or grant a lien over its undertaking or all or any of its real/personal property and assets present or future
- (hh) To make, draw, accept, endorse, discount, negotiate, execute and issue promissory notes, bills of exchange, bills of lading, warrants, debentures and other negotiable instruments or documents
- (ii) To lend and advance money or give credit to any persons or Constituent Body
- (jj) To grant or accept gifts howsoever made either alone or with others
- (kk) To print and publish any newspapers, periodicals, books or leaflets that the League may think desirable for the promotion of its objects
- (ll) To provide and maintain grounds, playing fields and other facilities for rugby football league
- (mm) To promote and control meetings, competitions and matches for the playing of rugby league football and to offer, give or contribute towards prizes, cups, medals and awards thereof
- (nn) To affiliate and co-operate with the Australian Rugby League Limited, New South Wales Rugby League Limited and with any other organisation whose objects are altogether or in part similar to those of the League – **amended 27.11.93**
- (oo) To regulate and control the relationships between Constituent Bodies and affiliates for settlement of disputes, punishment for misconduct and for breaches of this Constitution or any Rules or by-law made hereunder.

### **CONSTITUENT BODIES**

4. The League shall be composed of the following Constituent Bodies that is to say,
  - (a) The Newcastle, Central Coast and Illawarra Divisions – **amended 27.11.93.**
  - (b) The football organisations known as Group 1, Group 2, Group 3, Group 4, Group 6, South Coast Group 7, ACT Group 8, Group 9, Group 10, Group 11, Broken Hill Group 12, Group 14, Group 15, South East Group 16, Group 17, Gold Coast Group 18, New England Group 19, Group 20, Hunter Valley Group 21 or any approved change of those names. Such Groups may be combined to comprise Divisions – **amended 27.11.99**

- (c) Clubs within Divisions or Groups
  - (d) The Country Rugby League Referees' Association
  - (e) The Country Junior Rugby League – **addition 17.2.2001**
  - (f) Such other body or bodies that may be established under this Constitution
5. Each Constituent Body shall be bound by and operate under this Constitution and all by-laws and regulations made thereunder and shall also be bound by and operate under its own Constitution and the by-laws and regulations made thereunder except to the extent that such last mentioned Constitution is repugnant to this Constitution PROVIDED:- **amended 27.11.93.**
- (a) That the General Committee of any Constituent Body may from time to time amend, vary or repeal any part of or all its Constitution and from time to time make by-laws and regulations or adopt a complete set of by-laws and regulations not repugnant to this Constitution: and
  - (b) That no such amendment, variation, repeal or adoption shall have any effect until it has been approved by two thirds of those present and voting at a properly convened meeting of its General Committee and is approved by the League in writing.
6. (1) The Boundaries of each Constituent Body and the area under its control shall be those as prescribed by the League
- (2) For the purpose of evidence the boundaries of each Constituent Body and the area under its control shall be the boundaries referred to

### **MEMBERSHIP**

- 6A. A person or Constituent Body is qualified to be a member of the League if, but only if:
- (a) The person being a natural person or a Constituent Body who or which
    - (i) has been nominated for membership of the League: and
    - (ii) has been approved for membership of the League by the Committee of the League
- 6B. (1) A nomination of a person or Constituent Body for membership of the League:
- (a) Shall be made in writing: and
  - (b) Shall be lodged with the General Manager/Treasurer of the League

- (2) As soon as practicable after receiving a nomination for membership, the General Manager/Treasurer shall refer the nomination to the Executive Committee, which shall determine whether to approve or to reject the nomination
- (3) Where the Committee determines to approve a nomination for membership the General Manager/Treasurer shall, as soon as practicable after that determination, notify the nominee of that approval and request the nominee to pay within the period of 28 days after receipt by the nominees of the notification the sum payable under these rules by a member as entrance fee and annual subscription
- (4) The General Manager/Treasurer shall, on payment by the nominee of the amounts referred to in clause (3) within the period referred to in that clause, enter the nominee's name in the register of member and upon the name being so entered the nominee becomes a member of the League

### **REGISTER OF MEMBERS**

- 6C. (1) The public officer of the League shall establish and maintain a register of members of the League specifying the name and address of each person who is a member of the League together with the date on which the person became a member
- (2) The register of members shall be kept at the principal place of administration of the League and shall be open for inspection, free of charge, by any member of the League at any reasonable hour

### **MEMBERS LIABILITY**

- 6D. The liability of a member of the League to contribute towards the payment of the debts and liabilities of the League or the costs, charges and expenses of the winding up of the League is limited to \$1.00.

### **MERIT AWARD**

7. (1) Nominations for Merit Award will close on 30 September in each year
- (2) All nominations must be in writing giving full name and qualification of the nominee
- (3) Applications for a Merit Award shall be made by a Constituent Body, limited to one nomination per year. These applications must be forwarded to the Group
- (4) The Group must forward its nomination to the League. Nominees must be a Life Member of a League Constituent Body.

- (5) The Management Committee of the League shall peruse applications and submit short list of nominations to the Annual Conference of the League
- (6) A maximum of six Merit Awards may be awarded in any one year
- (7) The Award will be in the form of a certificate
- (8) There must be at least sixty percent of all the full voting strength of the Conference in attendance before an election for the Merit Award proceeds
- (9) Affirmative votes may be recorded for a maximum of six nominees
- (10) The six nominees receiving the highest number of affirmative votes, provided that such number is at least three-fifths of those voting shall be declared recipients of the Merit Award.

### **LIFE MEMBERSHIP**

8. (1) Nominations for Life Membership must be proposed by a member of the General Committee or by a Group or Division and will close on the thirtieth day of September in each year, and will be considered at the following Annual Conference. Unsuccessful candidates for Life Membership may be nominated in the subsequent years by fresh nominations in accordance with the Constitution.
- (2) All nominations must be in writing, giving the full name and credentials of the nominee.
- (3) The Management Committee must furnish a report on the correctness or otherwise of the credentials submitted.
- (4) There must be at least sixty percent of all the full voting strength of the Conference in attendance before an election for Life Membership will be conducted.
- (5) A delegate may record an affirmative vote for neither but no more than two of the nominees for Life Membership.
- (6) The two nominees receiving the highest number of affirmative votes, provided that such number is at least sixty percent of those voting shall be declared Life Members.
- (7) The privilege of Life Membership shall be prescribed by by-laws and every Life Member shall forfeit such privileges upon his failing to comply with any such by-law or upon a resolution being passed by a majority of at least sixty percent of those voting thereon at any Annual Conference at which at least sixty percent of those persons entitled to be present and to vote are present – **amended 27.11.93**
- (8) Life Membership entitles the holder and one companion to admission to all matches played in the League area



- (9) Life Membership medallions are not transferable
- (10) In the event of a Life Member losing his medallion and the General Committee being satisfied that a duplicate should be issued to him he may purchase one through the General Committee at such fee as may be prescribed
- (11) Life Membership shall be forfeited by illegal use or transference of medallion
- (12) Life Members shall be eligible for membership of the General Committee
- (13) Life members are not allowed to vote at any meetings unless as members of the General Committee – **addition 2.12.95**

### **ANNUAL CONFERENCE/SPECIAL CONFERENCE**

- 9. (i) The Annual Conference of the League shall be held at such place and at such time not later than the second week in December in each year as the General Committee shall determine AND at least fourteen days notice of the time and place appointed shall be forwarded to the Secretary of each Division, Group and the Country Rugby League Referees' Association by the General Manager/Treasurer who shall at least fourteen days before the time appointed forward a copy of the agenda of the Annual Conference to each such Secretary – **Amended 27.11.93**
- (ii) In urgent circumstances a Special Conference may be convened by the Executive Committee at such time and place as it may decide giving notice to those persons or bodies and in accordance with clause (i) of this Rule.
- 10. At the Annual Conference and any Special Conference:
  - (a) Each Group (other than the Newcastle and Central Coast Divisions) may be represented by two delegates
  - (b) The Newcastle Division may be represented by six delegates. Central Coast may be represented by four delegates.
  - (c) The Country Rugby League Referees' Association may be represented by two delegates
  - (d) The Country Junior Rugby League may be represented by two delegates – **Amended 17.2.2001**
  - (e) The President, two Vice Presidents, General Manager/Treasurer and Honorary Solicitor for the time being shall have the right to vote. **Amended 2.12.2000**
  - (f) Life members may be in attendance but shall not in such capacity have any right to vote

11. Each delegate shall be entitled to one vote PROVIDED that (a) any delegate may vote as a proxy for one other delegate from the same Constituent Body and (b) that the vote of any delegate may be disallowed if the Constituent Body he represents, or any of its member clubs, has not paid any monies due and payable to the League – **amended 27.11.93**
12. The President or in his/her absence the Senior Vice President or Junior Vice President in that order shall act as Chairman of the Annual Conference and should the President and both Vice Presidents be absent or unwilling to act, those present and entitled to vote shall elect a chairman
13. The presence of at least one-half plus one of those persons entitled to be present and to vote shall form a quorum at any Annual Conference
14. (i) The business of the Annual Conference shall be:
  - (a) Renewal of affiliations and acceptance of fees for ensuing year
  - (b) To check credentials
  - (c) Minutes
  - (d) Chairman's opening address
  - (e) To receive the Annual Report and Audited Financial Statement
  - (f) Election of Officers, Honorary Solicitor, except the General Manager/Treasurer – **Amended 27.11.93 & 2.12.2000**
  - (g) Appointment of Auditors
  - (h) Correspondence
  - (i) Election of Life Members
  - (j) Election of Merit Awards
  - (k) Motions of which due notice has been given
  - (l) Election of Committees and sub Committees required under this Constitution
  - (m) General Business
- (ii) The business of a Special Conference shall be that business of which notice has been given.
15. (i) Notice of Motion involving or affecting any matter of principle or policy of the League shall be given to the General Manager/Treasurer by the 31<sup>st</sup> day of October in the year preceding the Annual Conference provided that in respect of such matters of principle or policy arising between Annual Conferences the provision of Clause 44 (3) may be invoked – **Amended 27.11.93**
- (ii) Notice of Motion of any business to be transacted at a Special Conference shall be given to all Constituent Bodies and Leagues and others entitled to attend not later than fourteen (14) days prior to the Special Conference.

## GENERAL COMMITTEE

16. The General Committee shall consist of:
- (a) The President and two Vice Presidents of the League, each of whom shall be elected annually by the Conference Delegates in accordance with Rule 55. No nominations for the position of President or Vice President shall be accepted unless the nominee is a member of a Club or Constituent Body of the League or is a Life Member of the League.  
**Amended 2.12.2000. Amended 7.2.2004. Amended 11.9.2004**
  - (i) The Patron/s to be elected by at the Annual Conference by the Conference Delegates and the Nominees must reside in the State of New South Wales. The Patron/s will not be entitled to vote.  
**Amended 2.12.2000. Amended 7.2.2004. Amended 11.9.2004**
  - (b) One representative of each Group and Illawarra Division, nominated annually, and whose credentials and nominations are endorsed at the Annual Conference.  
**Amended 7.2.2004. Amended 11.9.2004**
  - (c) One representative of the Country Rugby League Referees' Association to be nominated annually by that Association and whose credentials and nomination are endorsed at the Annual Conference.  
**Amended 7.2.2004. Amended 11.9.2004**
  - (d) One representative of Country Junior Rugby League nominated annually by that body and whose credentials and nomination are endorsed at the Annual Conference.  
**Addition 2.12.95. Amended 17.2.2001. Amended 7.2.2004. Amended 11.9.2004.**
  - (e) Three representatives of the Newcastle Division and two representatives of the Central Coast Division nominated annually by those bodies and whose credentials and nominations are endorsed at the Annual Conference.  
**Amended 7.2.2004. Amended 11.9.2004**
  - (f) The Honorary Solicitor of the League
  - (g) The General Manager/Treasurer
17. Of the two Vice Presidents elected the one receiving the highest number of votes in the election shall be the Senior Vice President AND should the voting be equal the method of determining which of them shall be the Senior Vice President shall be determined by a resolution of the Annual Conference.  
**Amended 7.2.2004.**

18. (a) A member of the General Committee or any other person shall be ineligible for nomination for election to and membership of the General Committee unless he resides within the boundaries of the Group as they presently are designated or as they were prior to a change in those boundaries
  - (b) An undischarged bankrupt is ineligible for membership of the General Committee
  - (c) Alternative representatives of each Constituent Body may be elected by such Body as required to fill a casual vacancy on the General Committee and exercise all the rights and privileges of a member of that Committee.
  - (d) Any Constituent Body may from time to time and at any time recall its representative or representatives on the General Committee and appoint or elect another or others on his or their places.
  - (e) The General Manager/Treasurer and the Honorary Solicitor of the League are exempt from subrule (a) above.
  - (f) Life Members of the League shall be eligible for election to membership of the General Committee.
19. The General Committee shall meet immediately after the conclusion of the Annual Conference and at such other times as it may deem expedient.
20. The Management Committee or Executive Committee may call a meeting of the General Committee at any time and the General Manager/Treasurer shall within fourteen days after receiving a requisition signed by at least seven members of the General Committee indicating the nature of the matters intended to be discussed thereat convene a special meeting of the General Committee. The following provisions shall apply to all such meetings:
- (a) Oral or written notice of a meeting of the Committee shall be given by the General Manager/Treasurer to each member of the General Committee at least 24 hours (or such other period as may be unanimously agreed upon by the members of the General Committee) before the time appointed for the holding of the meeting
  - (b) If notice is to be given in writing, except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the General Manager/Treasurer shall, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid post to each member at the member's address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting
  - (c) Notice of a meeting given under clause (a) shall specify the general nature of the business to be transacted at the meeting except business which the General Committee members present at the meeting unanimously agree to treat as urgent business

- (d) A majority of the members of the General Committee shall constitute a quorum for the transaction of the business of a meeting of the General Committee
  - (e) No business shall be transacted by the General Committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week
  - (f) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved
  - (g) At a meeting of the General Committee:
    - (i) the President or, in the President's absence, the Senior Vice President or Junior Vice President shall preside: or
    - (ii) if the President and the Vice Presidents are absent or unwilling to act such one of the remaining members of the Committee as may be chosen by the members present at the meeting shall preside.
21. The presence of the majority of the total members of the General Committee shall form a quorum at any meeting of the General Committee.
  22. Except where otherwise provided in this Constitution questions at any meeting of the General Committee and of any other Committee or Board established by this Constitution or by any by-law or regulation made thereunder shall be decided on majority of votes and, on all questions except the election of officers the President or Chairman as the case may be shall have a deliberative vote and in the event of an equality of votes, also a casting vote – **Amended 27.11.93**
  23. Any proposal or resolution in writing, signed by at least two-thirds of the members for the time being of the General Committee shall take effect in all respects as if it had been a resolution duly passed at a meeting of the General Committee.
  24. No resolution passed at any meeting of the General Committee deemed to have been passed in accordance with clause 23 of this Constitution, shall be rescinded at a subsequent meeting unless twenty one (21) days notice of the intention to propose such rescission shall have been given and such rescission motion is carried by two thirds of those present and eligible to vote.
  25. The General Committee may proceed to the dispatch of business notwithstanding any vacancy thereon.
  26. Subject to Rule 18(d) the members of the General Committee and of every other Committee or Board established by or under this Constitution or under any by-law or regulation made thereunder and all officers of the League shall hold office until their successors are duly elected or appointed.

## **POWERS OF GENERAL COMMITTEE**

27. (i) Subject to this Constitution and to the directions given by resolution of the Annual Conference, the General Committee shall be the governing body of the League and shall have power to do all such acts and things as may be incidental or conducive to the attainment of any of the objects of the League.
- (ii) Without prejudice to the generality of the foregoing, the General Committee may:
- (a) Delegate to any sub committee or any other Committee or Board any matter for decision, action, control, negotiation, investigation and report;
  - (b) Elect, appoint or remove such officers as it thinks fit and prescribe their duties;
  - (c) Elect, appoint or revoke the appointment of delegates to the New South Wales Rugby League Limited;
  - (d) Enter into and make arrangements and employ persons on such terms as it deems proper;
  - (e) Acquire, manage, deal with or dispose of any property;
  - (f) Invest and deal with any monies of the League and vary and realise any investment;
  - (g) Borrow money and give security over any property.
  - (h) Make, vary or repeal regulations or by-laws not inconsistent with this Constitution prescribing any matters necessary or convenient to be prescribed for giving the effect to this Constitution and/or any of its objects PROVIDED THAT no such by-law or regulation shall be effective until seven days after the copy thereof has been forwarded by post or facsimile to the Secretary for the time being of each Division, Group, Country Rugby League Referees' Association and Schools and Junior Committee;
  - (i) From time to time impose levies on each Division, Group, Club and Country Rugby League Referees' Association on the basis either of a direct flat charge or quota and/or of a percentage of the gate receipts at all or any matches played within the area of such body;
  - (j) From time to time require any or all of the Constituent Bodies and/or football organisation or association within them or any of them to pay such fees and charges for registration and insurance of the players, movement and affiliation fees and for any other purpose as it may determine;
  - (k) Remit or refund any payment of any monies due by any Constituent Body upon an application on their behalf;

- (l) Hear and determine appeals from the Appeals Board in accordance with Clause 31(10) of this Constitution
28. The financial year of the League shall commence on the first day of November in each year.
- 28A. (a) The General Committee may from time to time impose levies on each Club or Constituent League on the basis either of a direct or flat charge or quota
- (b) The General Committee may from time to time require any or all of the Constituent League and/or any Club or Clubs within them or any of them to pay such fees and charges for registration or players' affiliation fees and any other purposes as it may determine.
- (c) The General Committee may remit or refund payment of any monies due by any Constituent League or Club upon an application on its behalf being made to it
- (d) The General Committee shall each year receive an audited Financial Statement from each Group and Division.
- 28B. The General Committee shall each year appoint a qualified accountant from time to time to audit, check and inspect the books, accounts and financial statements of the League.

### **SUB COMMITTEES**

#### **Management Committee**

29. (1) There shall be a Management Committee consisting of the President, two Vice Presidents, General Manager/Treasurer and one representative from each Division, who must be a member of the General Committee
- (2) The Management Committee may subject to the directions of the General Committee but otherwise without any exception or qualification exercise all or any of the powers by this Constitution and/or any by-law or regulation made thereunder conferred upon the General Committee
- (3) The Management Committee shall keep proper account of the property of the League and of all monies received and expended and shall cause an Annual Report and duly audited Financial Statement to be received by the Secretary of each Division, Group, Country Rugby League Referees' Association and Delegates to Annual Conference
- (4) (a) All property and funds of the League shall be deemed to be invested in the Management Committee for the time being.

- (b) The Management Committee shall have power to take proceedings legal or otherwise in the name of the League as it may deem expedient.
  - (c) All contracts and engagements shall be entered into by the Management Committee in the name of and for the benefit of the League.
  - (d) The members of the Management Committee shall be indemnified by the League and all of its Constituent Bodies against loss or liability for any claim for damages or injunction or arising under any Order of a Court or otherwise in any matter arising from or connected with any such contract or engagement.
- (5) The Management Committee may, in the name of the League, institute and prosecute such actions, suits and proceedings as it may deem expedient against any or all of the officials or members of the League, any Constituent Body or any football association or organisation within any Constituent Body to:-
- (a) Obtain and recover possession of any books, documents, correspondence and records the property of the League;
  - (b) Enforce payment of monies due to the League, whether under contract, levy, fine or otherwise;
  - (c) Generally safeguard the assets and property and rights of the League
- (6) The Management Committee and any of its members acting in pursuance of sub-clause (5) of this clause shall be indemnified against any costs or disbursements so incurred
- (6) The decisions and minutes of meetings of the Management Committee shall be circulated to all members of the General Committee within twenty-eight days of any such meeting
- (8) The Management Committee shall each year appoint a representative to each of the New South Wales Rugby League Coaching and Development Policy Committee and the New South Wales League Junior Council – **addition 17.2.2001**

### **Executive Committee**

29. There shall be an Executive Committee consisting of the President, Vice Presidents and General Manager/Treasurer which shall exercise such powers as may be delegated by the General Committee or Management Committee of the League.



## FUNDING

- 30A. (a) The funds of the League shall be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the League in Annual Conference, such other sources as the General Committee determine
- (b) All money received by the League shall be deposited as soon as practicable and without deduction to the credit of the League's bank account
- (c) The League shall, as soon as practicable after receiving any money, issue an appropriate receipt
- 30B. (i) The assets and income of the League shall be applied solely in furtherance of its objects and no portion shall be distributed directly or indirectly to the members of the League except as bona fide compensation for services rendered or expenses incurred on behalf of the League.
- (ii) In the event of the League being dissolved, the amount which remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to any organisation which has similar objects and which is exempt from income tax.
- (iii) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two members of the General Committee or employees of the League being members or employees authorised to do so by the Committee.

## APPEALS BOARD

31. (1) The Appeals Board shall be elected annually by the Conference delegates in accordance with Rule 55 and shall comprise of not more than five members of the League who need not be members of the General Committee. Any three of those members shall constitute the Board for the purpose of each appeal.  
**Amended 7.2.2004.**
- (2) In the absence of any member of the Appeals Board, any member of the General Committee may be co-opted by the General Manager/Treasurer to fill the vacancy and constitute the Board. The General Manager/Treasurer shall act as Registrar and convenor of meetings of the Board but shall not sit as a voting member thereof.
- (3) (i) The Appeals Board shall determine all appeals from decisions of a Constituent Body or any sub committee thereof. It may in the exercise of its powers uphold or dismiss an appeal and may increase or decrease the penalty appealed against or substitute its own penalty by way of fine, suspension, disqualification or otherwise. The hearing of the Appeal shall be a new hearing in the nature of an original hearing.

- (ii) In the case of an appeal by a player, employee or official against a decision of the Judiciary Committee or Group Appeals Committee to impose a penalty against that person the appellant must produce fresh evidence, indicating which part of the evidence presented to the previous hearing the appellant wishes to have re-opened. The appellant must indicate the nature of the fresh evidence which was not available at the previous hearing. Fresh evidence is evidence of which the appellant did not know before the conclusion of the hearing before that Committee and of which the appellant could not have become aware if the appellant had, before conclusion of that hearing, made all those investigations and enquiries that could have been made by the appellant.
- (iii)
  - (a) An Appeal Review Board, which is made up of the General Manager and any other two members of the League, may be appointed if required. The Appeal Review Board will consider and adjudicate on the submission of fresh evidence to the appeal – (addition 3.12.94). (amended 27.01.2006).
  - (b) Notwithstanding the absence of fresh evidence, the Appeals Review Board may in its discretion allow the appeal to proceed to the Appeals Board if it is satisfied that there has been a denial of natural justice or non observance of the rules by the adjudicating body or some technical failure of equipment which deprived the appellant of a fair hearing
- (4) All appeals to the Board shall be accompanied by an appeal fee of \$400.00.
- (5) A party appearing before the Appeals Board shall be entitled to be represented by a nominee of his choice and shall be entitled to call witnesses or bring evidence by way of film or tape recordings in relation to the matter before the Appeals Board as set out in clause 31 sub clause (ii).
- (6) An appeal to the Appeals Board shall not ipso facto operate as a stay of proceedings but the Executive Committee of the League may in its absolute discretion, allow a player to participate in matches until such time as his appeal has been finally determined
- (7) Any appeal by a player against a suspension or fine to the Appeals Board must be lodged within 48 hours of the decision of the Constituent Body or its sub committee, with the Constituent Body Secretary who thereafter shall, within 12 hours of receipt of an appeal notify the General Manager/Treasurer of the League by facsimile of the subject appeal. The League General Manager/Treasurer shall contact the Constituent Body Secretary by facsimile on the day of receipt of such notification and advise him/her of the place and details relating to the hearing of such appeal. The Constituent Body Secretary shall forthwith notify the concerned player of details of place and time of the hearing of such appeal.

- (8) Any appeal from a decision of a Constituent Body or its sub committee other than an appeal by a player against a suspension or fine must be lodged in writing with the Constituent Body Secretary within five days of the decision appealed against accompanied by the appropriate appeal fee. The Constituent Body Secretary shall lodge the same by posting the appeal to the League within 48 hours of the receipt of the same. The General Manager/Treasurer of the League shall set the appeal down for hearing and give the concerned Constituent Body Secretary and the appellant 48 hours notice of the place, time and date of the hearing of such appeal.
- (9) The Appeal's Board decision relating to appeals by players who have been fined or suspended by a Constituent Body or a sub committee shall be final.
- (10) (a) Any decision of the Appeal's Board other than a decision referred to in the preceding sub-clause against a decision of a Constituent Body (the Country Rugby League Referees' Association excepted) shall be subject to the right to seek that the General Committee call a meeting within fourteen days to rehear the matter. If such meeting is requested the unsuccessful party to the Appeal shall be liable for the cost of assembling the General Committee or the sum of two thousand five hundred dollars (\$2,500.00) which is the less.
- (b) Alternatively, the Constituent Body may advise when lodging such appeal that it requires the matter to be dealt with by the General Committee at its next normal meeting. The appeal fee for an appeal by the Constituent Body to the General Committee shall be \$800.00. Appeals under this clause must be lodged within fourteen days of the date of the Appeals Board decision.
- (c) The decision of the General Committee or in the absence of an Appeal to the General Committee, the Appeals Board shall be final
- (11) The Executive of the League may in its absolute discretion vary any of its time and communication requirements herein before referred to in paragraphs (7) and (10) of this clause.
- (12) The General Committee may in the event of an appeal being upheld order the refund of all appeal fees and in all other cases shall order the forfeiture of the whole or portion of the appeal fees

- (13) A Constituent Body may if it so desires establish a Group Appeals Committee which shall consist of a minimum of three members and a maximum of five to be elected at the Annual General Meeting. Such members shall not be members of the Judiciary Committee of the Constituent Body. The duties of such Appeals Committee shall be to hear appeals against decisions of the Group Judiciary Committee. A person or Constituent Body, other than a Group or Division, aggrieved by a decision of the Group Appeals Committee may appeal to the League in accordance with the League Constitution.
- (14) The Country Rugby League Appeals Board shall not adjudicate on an appeal which is concerned with a Group By-Law.

### **Referees Appointment Board**

32. The League Referees Appointment Board shall comprise five (5) members, four to be elected annually by the Conference delegates in accordance with Rule 55 and the General Manager/Treasurer who shall be an ex-officio member of the Board. Its duties shall be to appoint Referees to inter-divisional matches and other matches when directed by the General Manager/Treasurer.

**Amended 7.2.2004. Amended 11.9.2004**

### **Country Junior Rugby League Committee**

- 33A (a) Each Group, the Central Coast Junior Rugby League, Newcastle Schoolboys Junior Rugby League, Maitland District Schoolboys Rugby League Association and the Illawarra Junior Rugby League shall nominate one delegate to the Country Junior Rugby League Committee and two delegates to any Country Junior Rugby League Committee Annual Conference or Special Conference. (amended 27.01.2006)
- (b) The members of the Executive Committee of the League shall be members of the committee – **Amended 17.2.2001**
- (c) The President of the League shall be Chairman of the Committee
- (d) The functions of the Committee shall be:
- (i) To elect five members to the Country Junior Rugby League Council – **Amended 17.2.2001**
  - (ii) To elect two of its members as delegates to the Annual Conference of the League, one of whom shall be nominated to the General Committee of the League, all of whose credentials and nominations are endorsed at the Annual Conference  
**17.2.2001. Amended 7.2.2004. Amended 11.9.2004**
  - (iii) To recommend new rules and changes to rules for the conduct of Country Junior Rugby League – **17.2.2001**
  - (iv) To conduct the Country Junior Rugby League Championships – **17.2.2001**
  - (v) To keep minutes and records of meetings

- (vi) To assist the League in the promotion and development of Rugby League at all levels
- (vii) To perform such other duties and functions as may be assigned to it from time to time – **addition 17.2.2001**

**Country Junior Rugby League Council – amended 17.2.2001**

- 33B. (1) The Country Junior Rugby League Council shall be elected annually and comprise ten members, one of whom shall be the General Manager/Treasurer, four of whom shall be members of the General Committee of the League (one of whom shall be Chairman) and five nominated by the Country Junior Rugby League whose credentials and nominations shall be endorsed at the Annual Conference.  
**amended 17.2.2001**  
**Paragraphs (2), (3) and (4) deleted 30.11.02**  
**Amended 7.2.2004. Amended 11.9.2004**

**QUALIFICATION AND PERMIT COMMITTEE**

34. (a) The Qualification and Permit Committee shall be elected at the Annual Conference and shall comprise one member nominated by the League Management Committee who shall be Chairman, four members of the General Committee other than members of the Executive Committee and the Management Committee. The General Manager / Treasurer shall be a member ex-officio.  
**Amended 11.9.2004**
- (b) Three members shall form a quorum at meetings.
- (c) The Committee may co-opt a member of the Management Committee to fill a casual vacancy.
- (d) The duty of the Committee shall be to hear and determine appeals arising from Rule 46 and its decision shall be final and binding on the parties.
- (e) Appeals to the Committee shall be accompanied by payment of an appeal fee of \$400.00 unless the Executive Committee of the League grants exemption due to extenuating circumstances – **amended 17.2.2001**

**Selection Committee**

35. (1) The Selection Committee shall comprise five members elected annually by the Conference delegates in accordance with Rule 55.  
**Amended 7.2.2004. Amended 11.9.2004**
- (2) The Junior Selection Committee shall comprise five members elected annually by the Conference delegates in accordance with Rule 55.  
**Amended 2.12.2000. Amended 7.2.2004. Amended 11.9.2004**

- (3) The State Selector/s shall be elected from those elected in accordance with (a) and (b) above.
- (4) All nominations for the Selection Committees must be submitted by their respective Divisions not later than 31st day of October each year.
- (5) The Selection Committees Chairman shall be elected annually at the Annual Conference – **amended 30.11.02**
- (6) The duties of the Selection Committees shall be to select teams to represent the League and any other duties referred to it by the Management and/or General Committee.

### **Boundary and Competition Committee**

- 36. (1) The Boundary and Competition Committee shall be elected at the Annual Conference and shall consist of the Executive plus three (3) members elected from the General Committee.  
**Amended 29.11.97. Amended 7.2.2004. Amended 11.9.2004**
- (2) Its duties shall be:-
  - (a) to alter or otherwise fix boundaries as they deem advisable for the benefit of Rugby League within the area under control of the League
  - (b) to discuss and determine applications for alterations to Constituent Body boundaries, both Group and Divisional which shall be made by Constituent Bodies prior to 1<sup>st</sup> September in each year.
  - (c) to hear and determine any matters that may be referred to it concerning boundaries by the Executive, Management Committee and General Committee
  - (d) to establish competitions within those boundaries and to determine which teams or clubs shall compete in those competitions from time to time either by inclusion, exclusion or expulsion.
- (3) The decision of the Boundary & Competition Committee shall be final
- (4) Each Division shall form a special Boundary and Competition Committee within the Division to recommend competitions within the Division and shall submit same to the League Boundary and Competition Committee for consideration through their respective Divisions

## **Constitution Committee**

37. (a) The Constitution Committee shall comprise the Executive Committee, the Honorary Solicitor and two members of the General Committee who shall be elected at the Annual Conference.  
**Amended 30.11.02. Amended 7.2.2004. Amended 11.9.2004**
- (b) Its function shall be to receive, consider and recommend approval or rejection of amendments to the Rules of the League, a Division or Group or Constituent Body or to any by-laws of those organisations.

## **General Manager/Treasurer**

38. (a) The General Manager/Treasurer shall not be removed from office except by the carriage of a resolution by not less than two thirds of the delegates present and entitled to vote at a special meeting of the General Committee convened for that purpose after not less than seven days notice of such resolution shall have been given to each such delegate.
- (c) Upon the carriage of such resolution by the required number of delegates, as the General Manager/Treasurer shall be entitled to receive one month's salary in lieu of notice in addition to the monetary value of all other rights as to leave or otherwise which may have accrued or to which he may be entitled according to law.

## **Divisions**

39. (1) Until altered by the Annual Conference after due notice has been given Constituent Bodies shall be grouped as follows to form the undermentioned Divisions:-
- (a) Newcastle League
  - (b) Northern Division: Group 4, Group 19, Group 21
  - (c) North Coast Division: Group 2, Group 3
  - (d) Southern Division: Group 6, Group 7
  - (e) Western Division: Group 10, Group 11, Group 12, Group 14, Group 15
  - (f) Riverina Division: Group 9, Group 17, Group 20
  - (g) Central Coast Division
  - (h) Northern Rivers Division: Group 1, Gold Coast Group 18
  - (i) Monaro Division: ACT Group 8, Group 16
  - (j) Illawarra Division

- (2) (a) The General Committee of the Division shall comprise an equal number of delegates from all Groups within the Division.
- (b) Only members of the General Committee shall be eligible for election as officers of the Division
- (c) On all matters other than the election of Officers, the Chairman shall have a deliberative vote and in the case of an equality of votes for and against, a casting vote.
- (d) In the case of an equality of votes for candidates for election as Officers, the names of those candidates securing an equal number of votes shall be placed in a container and the successful candidate chosen by a draw from the container with the name remaining in the container being the successful candidate.
- (e) Each Delegate shall be entitled to one vote provided that:
  - (i) a delegate may vote as a proxy for another delegate or delegates from the same Group
  - (ii) the vote of any delegate may be disallowed if the Group he or they represent has not paid any money due and payable by the Group to the Division
- (3) The General Committee of the Division shall have the following powers:
  - (a) To suspend all fixtures throughout its area subject to the direction of the Country Rugby League
  - (b) To control all intra-divisional fixtures
  - (c) To control finance of such fixtures
  - (d) To delegate authority to a Body to control a fixture on its behalf
  - (e) To raise by levy any monies for conduct of Division
  - (f) To dispose of surplus funds
  - (g) To elect annually its representative as a member of the Management Committee of the League.  
**Amended 7.2.2004.**
  - (h) To determine all disciplinary action on all intra-divisional matters
  - (i) Such other matters that may be delegated by the League



## Discipline and Appeals

40. (1) (a) The General Committee, Management Committee or Executive Committee may cause to appear before it any club, official, member, player, coach, employee or other like person, whether of the League, any Constituent Body or any football organisation or Association within any Constituent Body against whom a complaint of misconduct or any conduct detrimental to the welfare of Rugby League Football or of the League or any Constituent Body or any football association organisation therein has been laid or who is charged with any breach of this Constitution or any by-law rule or regulation made thereunder or with non compliance with any direction of the League.
- (b) It shall have the power after proper inquiry to disqualify, expel, suspend, fine or otherwise deal with any such club official, member, coach or other such person.
- (c) Every such disqualification, expulsion, suspension, fine or other action shall operate from the date on which it is imposed unless and until an appeal therefrom shall have been finally determined and upheld.
- (2) When any official, member, player, coach, employee or any like person employed by or belonging to any of the bodies referred to in paragraph (1) hereof has been adjudged guilty of any breach specified in the said paragraph, such body may be called upon to appear before any of the said Committees and may be adjudged vicariously liable for the conduct of such official, member, player, coach, employee or other like person and may be dealt with in accordance with the said paragraph.
41. (a) The General Committee, Management Committee or Executive Committee may call upon any Constituent Body or football association or organisation within it to make proper inquiry into any matter which in its opinion in any manner affects the control and welfare and/or interests of Rugby League Football.
- (b) The General Committee, Management Committee or Executive Committee may make such inquiry itself and take such disciplinary action as it deems fit including penalties by way of fine, suspension, disqualification, expulsion or otherwise against any club, official, member, player, coach or other like person found guilty at such inquiry or against any Constituent Body, football association or organisation which shall have failed to comply with a direction as aforesaid.
42. The General Committee or Management Committee shall have the power to disqualify, suspend, expel, fine or otherwise deal with any Constituent Body or football association or organisation within it found guilty of any breach of this Constitution or any by-law or regulation made thereunder or of any non compliance with any direction issued under the authority of this Constitution or any by-law or regulation made thereunder.

43. Any person, Constituent Body or other body aggrieved by a decision of the Executive Committee or Management Committee pursuant to Clause 40, 41 and 42 aforesaid, may appeal to the General Committee whose decision shall be final. The provisions of clause 31 (10) of this Constitution shall be incorporated mutatis mutandis into this clause as though set out in full.

### **ALTERATION OF CONSTITUTION**

44. (1) This Constitution shall not be altered unless the proposed alteration is carried by resolution of a two-third majority at the Annual Conference or Special Conference.  
**Amended 7.2.2004.**
- (2) Notice of any proposed alteration to this Constitution shall be given to the General Manager/Treasurer by the 31<sup>st</sup> day of October preceding the Annual Conference or thirty (30) days prior to a Special Conference.  
**Amended 7.2.2004.**
- (3) The Chairman of the Annual Conference or Special Conference shall on a matter of urgency and with the consent of two-thirds of the meeting waive the requisite notice provided for in sub-clause (2) hereof, provided that there are two-thirds of the full voting strength in attendance  
**Amended 7.2.2004.**

### **PERSONS AND BODIES BOUND BY CONSTITUTION**

- 44A. (a) This Constitution and all by-laws made thereunder shall bind the League and every Constituent League and every Club associated with the League or any Constituent League.
- (b) All members of every such Club and every person who is a member of or associated with any such League or Club shall be deemed by virtue of such membership or association to have agreed to be bound by this Constitution and all by-laws thereunder and by the Constitution of the League and all by-laws and regulations made thereunder.

### **Compensation**

45. No player, referee or paid official shall be permitted to participate in the League or be registered to play football, or referee, or partake in any fixtures controlled by the League or any of its Constituent Bodies or in an internal competition run by a Constituent Body unless he has taken out insurance under the New South Wales Sporting Injuries Committee and the premium for that insurance and for Public Liability Insurance has been paid to the responsible official for transmission to the General Manger/Treasurer within fourteen days of its collection or such other period as may be determined by the General Committee and that person has complied with all the requirements of the aforementioned scheme as laid down under the Act and Regulations made thereunder.

## Player Registration

46. (1) (a) No player shall play in any competition conducted by a Constituent Body without prior registration with the League in that year – **amended 17.2.2001**
- (b) A junior league player called upon to play grade football with the parent Constituent Body after 30<sup>th</sup> June in any year shall be deemed to be registered by virtue of his junior league registration with the Constituent Body.
- (2) No player shall qualify for a change of registration particulars with the League relating to the Club with which he proposes to play unless he shall at the time of application for such change submit to the League a Clearance Certificate in the approved form from the Constituent Body with which he is registered to play.
- (3) (a) Applications for Registration or change thereof, shall be on the prescribed form signed by the applicant personally and in the case of a professional player under the age of 18 years by his parent or guardian forwarded to the Group or Division Secretary and thence to the League accompanied by the prescribed fee and any necessary Clearance Certificate.
- (b) Applications for registration or changes thereof will not be accepted by the League between the 1<sup>st</sup> July and 30<sup>th</sup> November in each year.
- (c)(i) Registration shall be effected once the relevant form has been received and signed by the Secretary of the Group or Division or other authorised officer – **amended 17.2.2001**
- (ii) The Secretary of the Group or Division or other authorised officer shall forward the registration form to the League within fourteen (14) days of its receipt by him/her – **addition 17.2.2001**
- (4) (i) An application for registration by a player other than in respect of a contract referred to in sub-clause (5) hereunder shall after registration be deemed to be a contract between the player and the Constituent Body made for valuable consideration – **amended 17.2.2001**
- (iv) A player shall be bound by such a contract unless the Constituent Body resolves to release him and grant him a clearance, if appropriate – **addition 17.2. 2001**
- (5) A contract between a professional player and a Constituent Body containing specific terms and conditions as to payment of fees or otherwise shall be in the standard form of contract adopted by the League together with such additional terms and conditions as may be agreed between the parties and shall be lodged with the League for notation and retention prior to the registration being effected. Such contract shall be forwarded to the League for notation.

- (6) Disputes between a player and a Constituent Body in respect of any term or condition of a contract entered into between them shall, in the absence of agreement between the parties, be referred to the Qualification and Permit Committee for its adjudication from which there will be no appeal.
  - (7) An application for registration or change of registration by a professional player with a Constituent Body which complies with sub section (3) hereof shall not be rejected by unless the player is a party to a current contract with another Constituent Body or is in default of any financial obligation to that Constituent Body, the League, the New South Wales Rugby League Limited, or to the Australian Rugby League Limited or any persons or bodies who have been paid or guaranteed payment by any of the aforesaid on behalf of and at the request of the player.
  - (8) No Club or other Constituent Body shall permit any team to participate in any match competition or fixture with or against any organisation not subject to the control of or sanctioned by the respective Constituent Body, the League, the New South Wales Rugby League Limited or the Australian Rugby League Limited without first obtaining the written permission of the League.
- 47.
- (1) A player selected in the Firsts, Second, Under 18/19 or Under 16/17 Grade Squad in the Annual Country –v- Sydney or other fixtures representing Country fixtures each year shall be required to sign a contract to play in the Country area for a further period of one season. In the event that a player so selected shall not sign such contract, the Executive of the League shall replace that player in the squad after reference to the Selection Committee.
  - (2)
    - (a) A player selected in a Group or Divisional Representative team shall be required to sign a contract to play in the Country area for a further period of one season.
    - (b) A player who omits to sign such a contract shall be ineligible for selection in the Country Divisional Championship and Inter-Group fixtures.
  - (3) In the event that a player chosen for a Country Firsts, Seconds, Country Divisional, Country Under 18/19 or Under 16/17 Grades or Group Senior teams withdraws from any such team for any reason, such a player shall be deemed to be a player who has entered into a contract in accordance with this rule.

48. (a) Every player required by the Group to play in any Group or other representative team shall make himself available therefor and play as required.
- (b) Players making themselves unavailable for representatives matches will not be eligible to participate in competition fixtures during the period of such representative fixtures provided however that a player who is not available for the Country versus City fixture by reason only if his refusal to sign the contract referred to in clause 47 hereof shall not be stood down from Group or Divisional fixtures as hereinbefore referred to

### **Miscellaneous**

49. (a) The common seal of the League shall be kept in the custody of the public officer
- (b) The common seal shall not be affixed to any instrument except by the authority of the Management Committee and the affixing of the common seal shall be attested by the signatures either of two members of the Management Committee or of one member of the Management Committee and of the public officer or General Manager/Treasurer.
50. Except as otherwise provided by these rules, the public officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the League.
51. The records, books and other documents of the League shall be open to inspection, free of charge, by a member of the League at any reasonable hour
52. In addition to the levy pursuant to the Sporting Injuries Insurance Act, 1978, each registered player prior to registration shall pay a premium of \$2.00 or such other amount as may be determined by the League for Public Liability Insurance in accordance with the Associations Incorporation Act – **amended 17.2.2001**

### **INDEMNITY**

53. It is a condition of membership of a Group and/or a Constituent Body of the League and each member of such Constituent Body acknowledges:
- (i) that membership of a Group or Constituent Body of the League is conditional on continued observance of and compliance with the provisions of this Constitution of the Group and the Rules and Regulations and By-laws made pursuant to each;
- (ii) that he will accept the decisions and directions of the Group and the League made in accordance with the powers conferred upon them;

- (iii) that he will not during the currency of his membership or at any time thereafter, should he cease to be a member, take any court proceedings for damages, perceived negligence or breach of duty of care whatsoever or for any act or omission by the Group or the League or for injury or damage suffered in or arising out of any game or training programme under the control, direction or supervision of the Group, the League and any of its Constituent Bodies or Constituent Leagues or in respect of any perceived breach of such Constitution Rules and Regulations and By-Laws;
- (iv) in the event of any person other than a member or sometime member of the Group commencing any such proceedings against the Group, the League or any of its Constituent Bodies or Constituent Leagues or their officials or in the event of any person or organisation against whom or which proceedings have been commenced seeking indemnity or contribution from the foregoing, the member or sometime member will for himself, his heirs, successors and assigns indemnify and keep indemnified all or any of the bodies herein before mentioned and any of their officials and their employees against any Order of the Court or award for damages and legal costs and disbursements which may be ordered or awarded or given against them;
- (v) that the Indemnity herein contained may be pleaded in bar to any such proceedings aforesaid.
- (viii)
  - (a) the right, if any, of any member, coach, player, official or employee of the League, the Group or of a Constituent Body or Constituent League to seek compensation against any other member, coach, player, official or employee of the League, the Group, Constituent Body or Constituent League themselves or against any referee or touch judge engaged in any fixture under the control of the aforementioned for personal injury including death shall be limited.
  - (b) if any such person shall suffer any injury including death whilst engaged in training or playing the game of Rugby League and a cause of the injury or death was the negligence of or a breach of other obligations imposed by law on any of the defendants then the liability of the defendants is limited to the extent to which the defendants are entitled at law to an indemnity for such liability under any insurance policy held by the Group and the amount which the insurer is obliged to pay under the policy, or in the liquidation of the insurer, the amount which the defendant can recover whichever is the lesser and/or the amount of insurance payable by the Sporting Injuries Scheme under the Sporting Injuries Insurance Act, 1978 or any policy of insurance he may have entered into on his own behalf.
  - (c) If the defendants or any of them are not entitled at law to an indemnity by an insurer for whatever reason, the liability of the defendants not covered by their policy is nil.

- (d) every such person agrees that this limitation of liability applies after the person making the claim ceases to be a member of the Group, Constituent Body or Constituent League.

### **SPONSORSHIP**

- 54 i) Constituent Bodies shall at all times during the currency of an agreement between the League and its Sponsor:
  - (a) use their best endeavours to promote the goods and services supplied or to be supplied by that sponsor to the general public;
  - (b) meet all reasonable requests from such sponsor to attend functions and public appearances arranged by sponsor;
  - (c) not enter into any sponsorship agreement without the prior written approval of the League first had and obtained.
  - (d) ensure that all team apparel worn by any of Constituent Bodies' players, officials, coaches, trainers and the like shall bear the official logo of the League.
- (ii) The decision to approve or disapprove of any sponsorship proposal submitted to the League shall be final and binding.

### **ELECTION OF OFFICERS & COMMITTEES Added 7.2.2004.**

- 55 (1) The election of Officers and / or Committees in accordance with clauses 16 (a),17, 31 (1), 32, 35 (1) & (2) shall be conducted by a postal ballot.  
**Amended 11.9.2004**
- (2) Nominations for all positions to be filled in accordance with those clauses shall be in writing received by the General Manager / Treasurer thirty days prior to the date fixed for the Annual Conference.
- (3) The Management Committee shall appoint a returning officer to conduct the ballots.
- (4) The returning officer shall forthwith forward the ballot papers to the Executive, Hon Solicitor, each Group Secretary and Newcastle, Illawarra and Central Coast Division General Managers for disbursement to their delegates.  
**Amended 11.9.2004**
- (5) Ballot papers so forwarded shall be used by the recipients to vote in accordance with the instructions as outlined in the Country Rugby League Constitution.  
**Amended 11.9.2004**

- (6) The returning officer shall receive completed ballot papers in the sealed envelopes until a date seven days prior to the date fixed for the Annual Conference and count the votes by the Friday prior to the Annual Conference.

**Amended 11.9.2004**

- (7) The returning officer will announce the successful candidates at the Annual Conference of the League.

**Parargraph (7) deleted 11.9.2004. Paragraph 8 renumbered (7).**

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## **MULTIPLE PREFERENCE VOTING**

- (a) In any ballot where there are two or more positions to be filled and there are more candidates than there are positions vacant, the system of voting shall be multiple preference.
- (b) In any such ballot the Returning Officer shall adopt the following procedure;

The votes shall be classified into two categories as follows:

- (1) (a) The preference votes to the number of vacancies to be filled shall be termed the "primary votes" votes and shall have equal value in the first count and be credited to the candidate for whom they are cast, whether marked 1, 2, 3 etc according to the number of vacancies
- (b) The preference votes beyond those referred to in (a) shall be termed the "secondary" votes, shall have rank according to their numerical order
- (2) The "primary" votes shall first be counted and a list shall be prepared of the candidates in order according to the primary votes cast for them. The candidate who is lowest on the list thus compiled shall be excluded from election
- (3) Each ballot paper on which such excluded candidate received the first preference of "primary" votes shall then be scrutinised as regards the "secondary" votes, and the next available preference (secondary) on each ballot paper shall be added to the total credited to each un excluded candidate on the first count



- (4) On the conclusion of the second count the candidate then lowest on the list shall be excluded. Each ballot paper on which such candidate received the first preference of "primary" votes shall be scrutinised as regards the "secondary" votes, and the next available preference vote (secondary) on each ballot paper shall be added to the total credited to the respective remaining candidates on the first and second counts. Should the next available preference vote be cast in favour of an excluded candidate it shall be disregarded and the next available preference vote cast in favour of a remaining candidate shall be added to the total credited to the candidate. This process of exclusion and distribution of "secondary" votes shall be repeated until only the number of candidates required to fill the vacancies remain.
  
- (5) In the case of an equality of votes during the progress of the count, that candidate shall be excluded who has the lowest number of higher preference votes, for which purpose the whole of the preference on the ballot paper shall rank according to the numerical order. In the event of an equality of higher preference votes, the Returning Officer shall decide by lot from the hat which candidate shall be excluded.
  
- (6) In determining which candidate is next in order of preference the votes which have been counted for any candidate who has been excluded shall not be considered and in order of the votes preference shall be considered on the next available preference which ballot paper has not been previously transferred. The ballot paper for an excluded candidate does not become exhausted in the process of the count. (added 27.01.2006)