



# **CONSTITUTION**

as amended

**2019**

**AUSTRALIAN DARTS LEGENDS (INC)**  
**CONSTITUTION**

**1 NAME**

The name of the Association shall be “Australian Darts Legends (Inc)” (hereinafter referred to as “The Legends”) whose area of jurisdiction shall be the continent of Australia.

**2. INTERPRETATION**

In this Constitution unless the contrary intention appears:

- 2.1 **Affiliate Member** shall mean an Association affiliated as such with “The Legends” for the promotion and control of a specific part of the sport of darts in Australia.
- 2.2 **Affiliated Association** shall mean a “Kindred Association” or similar organization affiliated with “The Legends” but without voting rights.
- 2.3 **By-Laws** means and by laws of “The Legends” for the time being adopted by “The Legends” or the Committee
- 2.4 **Member Protection Policy and Social Media Policy** means and policies of “The Legends” for the time being adopted by “The Legends” or the Committee.
- 2.5 **Financial Year** means the year ending 31<sup>st</sup> December each year.
- 2.6 **Levy** shall mean the amount other than affiliation and registration fee, which affiliates may be called upon to pay “The Legends”.
- 2.7 **Member** means a member of “The Legends” namely, Affiliate Member, Life Member of Playing Member.
- 2.8 **Office Bearer** means a member of the Executive Committee.
- 2.9 **Player Member** for financial purposes any player who is due to pay the whole or part of an affiliation fee to a Club, Sub Association or an Association.
- 2.10 **Proxy delegate** shall mean a person who is properly and duly appointed for, and who acts in the absence of a delegate.
- 2.11 **Quorum** At all meetings of “The Legends” representation from each affiliate members shall form a quorum. The Chairperson shall be deemed as a person qualified to vote.
- 2.12 **Resolution** means an ordinary resolution passed by a simple majority in accordance with the Constitution and/or by laws of “The Legends”.
- 2.13 **Special General Meeting** means a general meeting of “The Legends” requisitioned in accordance with this Constitution for the purpose of addressing pre-advised specific items of business.

- 2.14 **Special Resolution** means a resolution passed by a majority of not less than seventy five (75) per cent of those members entitled under this Constitution to vote, and as may be present in person at any General Meeting of which notice specifying the intention to propose the resolution as a Special Resolution was given in accordance with this Constitution.
- 2.15 **Suspension** Act of Suspending – to exclude for a time some privilege, usually a punishment: *to suspend membership suspend from a meeting.*
- 2.16 **Termination** Act of terminating: *to bring to an end, to end membership.*
- 2.17 **The Act** means the incorporation, Association, or Administering Act including any amendments thereto or re-enactment thereof for the State or Territory in which “The Legends” is incorporated.
- 2.18 **Voting Delegates to a General Meeting** means any person or any delegate representing an affiliate member, who is entitled to vote at a General Meeting.
- 2.19 **Gender** With the exception of reference to gender specific competitions, committees and players, all reference to the masculine or the feminine gender shall be deemed to be gender neutral.

### 3. OBJECTS

The objects of “The Legends” are:

- 3.01 To foster and encourage the Sport of Darts in Australia for persons 45 years of age or older.
- 3.02 To exercise jurisdiction over all members in all matters pertaining to the Sport of Darts including and without limiting the generality of the foregoing to expel, suspend, disqualify, reprimand or otherwise deal with any category of Member or individual.
- 3.03 To build and maintain a strong profile in the community at large as a popular and successful sport.
- 3.04 To establish and maintain financial security by obtaining funds from all sources, including grants, private, government and institutional sources and from Members through loans, levies and affiliation fees.
- 3.05 To maintain an efficient administration both at a national level and between the Federation and its members.
- 3.06 To promote and/or conduct and/or arrange and/or control competitions including national competition at all levels.
- 3.07 To be non-political at all times.
- 3.08 To do all such things as are incidental and/or conducive to the attainment of the above objects.
- 3.09 To promote and foster the powers and equity and social justice within the Australian Darts community.
- 3.10 To ensure that all competitions conducted under the auspices of “The Legends” are illicit drug free.

### 4. POWERS

The powers of “The Legends” shall be:

- 4.01 Subject to these rules, “The Legends” shall exercise the following powers, functions and duties with respect to darts in The Legend’s area of jurisdiction.

- 4.02 To standardize within "The Legends" playing area, rules and equipment in respect the Sport of Darts and associated statistical recording.
- 4.03 To the extent of the Constitution and By-Laws and policies "The Legends" may impose fines or other penalties on an affiliate member or a member and/or a player for the time being under its control.
- 4.04 To arrange National Championships.
- 4.05 To affiliate with any other Sporting Bodies with similar objectives, if the Executive Committee deems it desirous.
- 4.06 To take such steps as may from time to time be deemed expedient to raise funds by subscriptions, affiliation fees, registration fees, levies or other receipts accepting donations of real or personal property to be applied for the purpose of "The Legends" seeking and accepting sponsorship in money and/or kind by conducting or organising other fund raising ventures not inconsistent with the intention of this Constitution.
- 4.07 To subscribe to, become a member of and co-operate with any other Association, Club or Organisation, whether incorporated or not, whose objects are altogether or in part similar to those of "The Legends" provided that "The Legends" shall not subscribe to or support with its funds and club/association or organization which does not prohibit the distribution of its income and property among its members to the extent at least as great as that imposed on "The Legends" under or by virtue of this Constitution.
- 4.08 To enter into arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of "The Legends", to obtain any such Government or Authority any rights privileges and concessions which "The Legends" may think it desirable to obtain and carry out, exercise and comply with any such arrangements, rights privileges and concessions.
- 4.09 To invest and deal with the money of "The Legends" not immediately required in such manner as may from time to time be directed by the members to the Executive Committee.
- 4.10 To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose or procuring contributions to the funds of "The Legends" in the shape of donations, annual subscriptions or otherwise.
- 4.11 To publish or join with any other person or persons or legal organizations in publishing any newspaper, journal, periodical, book or other literary production relating to the Sport of Darts or calculated directly or indirectly to benefit the Sport of Darts.
- 4.12 In furtherance of the objects of "The Legends" to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated Associations with which "The Legends" is authorized to amalgamate.
- 4.13 To settle disputes arising within Affiliate Members when called upon to do so.
- 4.14 To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of "The Legends".
- 4.15 A 171 badge to be struck for a three (3) x triple nineteen (19) and that every player is eligible for one (1) badge per year regardless of how many times they achieve it.
- 4.16 Every player is eligible for one (1) 180 badge per year regardless of how many thrown.

- 4.17 All trophies and badges not collected at Presentation Dinner to be duly named and given to the State Secretary to take back for distribution in their state.

## 5 LIAISON WITH FEDERAL GOVERNMENT

- 5.1 **Principal means of contact:** "The Legends" shall be the principal means of contact with the Australian Sports Commission or other Departments of the Federal Government in respect of all matters associated with darts.
- 5.2 **Contacts:** Such contacts shall be made through the President or, in the absence of the President, the Vice President, or in the absence of both, or when so requested, such persons as may be delegated by the President or Vice President.

## 6. CLASSES OF MEMBERSHIP

"The Legends" shall require each state to provide to the Secretary a list of their members including names and either postal or residential address or email and telephone contact by no later than 31<sup>st</sup> March each calendar year.

- 6.1 "The Legends" shall consist of the following class of members:

Playing Members

Life Members

Affiliate Members

### 6.2 **Playing Members-**

- 6.2.1 For financial purposes a playing member is any player who is due to pay the whole or part of an affiliation fee to a club. Playing Members shall have the right to:-
- 6.2.2 Compete in all events organised by "The Legends".
- 6.2.3 Are eligible to vote and hold office within "The Legends" but subject to the provision in Section 13.6 hereof

### 6.3 **Life Members**

Life Members may be awarded to individuals who have provided long and meritorious service to the promotion and development of the sport of Darts in Australia.

- 6.3.1 The election as life member must be agreed upon by seventy five (75) per cent of the members attending the annual general meeting.
- 6.3.2 To be eligible for the Life Membership a person must have been a member of "The Legends" either continuously or in the aggregate for a minimum of ten (10) years.
- 6.3.3 Members and Office bearers shall be notified of all nominees for Life Membership not less than thirty (30) days prior to the Annual General Meeting.
- 6.3.4 Nominations for Life membership to be accepted from playing members only.

### 6.4 **Affiliate Members**

- 6.4.1 Affiliate members shall not have a vote and other conditions and fees shall be determined by "The Legends" at the annual general meeting.
- 6.4.2 The principles covering such admissions shall be: The activity is seen as compatible with or not detract from the traditional format managed by "The Legends".

- 6.4.3 State Legends controlling bodies may be admitted as conditional affiliates to the respective affiliate members of "The Legends". Such members would represent that variation of the sport at meetings.

## **7.00 PRIVILEGES OF MEMBERSHIP**

- 7.1 Life Members shall be entitled to attend at their own cost all meeting of "The Legends" and may speak on any matter being debated but shall not be entitled to move or second or amend motions.
- 7.2 Life Members should be active member to have voting rights at such meetings.
- 7.3 Life Members shall receive life membership badge to be presented at the first possible Australian Championship following election. They have the right to wear "The Legends" uniform in recognition of their status.
- 7.4 Affiliated Members shall be entitled to attend all meetings at their own cost for the purpose of integrating their needs with the overall needs of "The Legends".
- 7.5 Playing members who are registered financial members of an affiliated association shall have the right to compete in Australia ranked or any open tournament conducted by "The Legends".
- 7.6 Represent "The Legends" at Australian Championships.

## **8.00 MEMBERSHIP GENERALLY**

- 8.1 Members shall ensure that their respective constitutions or rules provide (and where necessary shall as soon as reasonably possible amend to provide) that, as a condition of local associations being admitted as or remaining member of "The Legends", the constitution or rules of such local associations shall provide (and where necessary shall as soon as reasonably possible be amended to provide) that no person may be admitted to membership of a local association whilst under suspension or ban by any other local association affiliated with "The Legends".

## **9.00 REGISTER OF MEMBERS**

- 9.1 "The Legends" shall cause a register to be kept in which shall be entered the names and addresses plus date of birth of all playing members, life members and affiliate members admitted to membership of "The Legends" and the dates of their admission.
- 9.2 "The Legends" shall maintain a register of withdrawals, disqualifications, suspensions and re-instatements of membership and any further particulars as the committee may require from time to time.
- 9.3 The Secretary is required to keep a register of all playing members within Australia.

## **10.00 MEMBERSHIP FEES**

- 10.1 The amount of playing fees and affiliation fee for that particular year shall be is to be determined at the Annual General Meeting.
- 10.2 Payment of fees : All fees are payable before the thirty first (31<sup>st</sup>) day of March in each year.
- 10.3 "The Legends" shall not be obliged to render any invoice or account for any amount due for fees and any amount not paid by the due date herein specified shall be deemed in arrears.
- 10.4 A late fee is chargeable for unpaid fees at the rate of 3% of outstanding amount per month. By failing to pay all amounts within three (3) months from the 31<sup>st</sup> March affiliates would be deemed ineligible to participate in that year's championships and subsequent championships until the outstanding financial commitment is paid.

## 11 TERMINATION OR SUSPENSION OF MEMBERS

11.1 "The Legends" reserves the right to appoint a Judicial Committee to Terminate, Suspend, Expel or Fine any class of member. Such decision shall be determined by a seventy-five percent vote of committee members present and entitled to vote at any legally constituted meeting of "The Legends".

11.2 Membership, Termination, Suspension, Expulsion or Fine

Any class of Member who:

11.2.1 Is convicted of an indictable offence, or

11.2.2 Fails to comply with any of the provisions of this Constitution or any By-Laws, Policies or Rules of "The Legends"

Then the committee may consider whether such Membership may be Terminated, Suspended, Expelled or a Fine imposed.

11.2.3 The Member concerned shall be given a full and fair opportunity of presenting their case to the Committee. All costs incurred are to be met by the Member concerned.

11.2.4 If the Committee resolves to terminate, suspend, expel or fine such Membership, the Committee shall instruct the Secretary to so advise the Member within fourteen (14) days.

11.2.5 "The Legends" may reinstate membership when:

The term of suspension is concluded

The rectification as required by the Board of the misdemeanour or actions which caused such Termination, Suspension or Expulsion of Membership.

11.2.6 The fine levied is paid.

11.2.7 A member whose application for membership has been rejected or whose membership has been terminated or suspended may within fourteen days of receiving written notification thereof lodge with the Secretary written notice of his/her intention to appeal against the decision of the Committee

11.2.8 Appeals against the decisions of the Committee shall be dealt with by an Appeals Board.

## 12. MISCONDUCT AND HEARINGS

Misconduct Player and Representative Members.

12.1 All cases of misconduct as determined by "The Legends" by a Player or Representative member, whilst representing Australia Darts Legends (Inc) or participating in tournaments or tours directly organised by Australia Darts Legends (Inc) shall, be investigated by the Judicial Committee.

12.2 The ruling of the Judicial Committee shall be observed by "The Legends" and by its members.

12.3 Appeals against a decision of the Judicial Committee shall be to the Appeal's Board.

12.4 The Executive Committee shall be the sole judge of what constitutes misconduct.

12.5 **Active or Affiliate Members**

- 12.5.1 Should "The Legends" have reason to believe that an Active or Affiliate Member has failed to conduct an enquiry or failed to make full enquires into any case of misconduct, or any other matter within the jurisdiction of such member which may bring discredit upon the game of Darts. "The Legends" may require such member to conduct or complete such enquiry immediately.
- 12.5.2 Failing compliance with such request, it shall be the duty of Australian Darts Legends (Inc) to obtain evidence and take such action, as it deems fit. Any hearing required shall be before the Judicial Committee.
- 12.5.3 The Active or Affiliate member concerned shall be given a full and fair opportunity of presenting their case through the Judicial Committee. The ruling of the Judicial Committee shall be observed by "The Legends" and by its members.
- 12.5.4 The Secretary shall, within seven (7) days of the Judicial decision, advise the Active or Affiliate member in writing, of the Judicial decision and of an appeal date if necessary.
- 12.5.5 Appeals against a decision of Judicial Committee shall be to the Appeals Board.
- 12.6 **Life Member, Representative Member and Player Members Membership Terminated, Suspended, Expelled or Fined.**
  - If a Player, Life or Representative Member Is convicted of an indictable offence, or
  - 12.6.1. Fails to comply with any of the provisions of this Constitution or any By Laws, Policies or Rules of "The Legends", or
  - 12.6.2 Conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of "The Legends", then the Board shall consider whether his or her individual membership shall be terminated, suspended, expelled or fined.
  - 12.6.3 The member concerned shall be given a full and fair opportunity of presenting his or her case through the Judicial Committee.
  - 12.6.4 The ruling of the Judicial Committee shall be observed by "The Legends" and by its members.
  - 12.6.5 The Secretary shall, within seven (7) days of the Judicial decision, advise in writing, the individual member and the organisation of which the person is deemed to be a member of, of the Judicial decision and of an appeal date if necessary.
  - 12.6.6 Appeals against a decision of Judicial Committee shall be heard by the Appeals Board.
- 12..7 **Powers of the Judicial Committee, Appeals Board and other Hearings**
  - 12.7.1 The Board, the Judicial Committee and the Appeals Board, shall have the power to call upon any member of "The Legends" to attend any meeting of "The Legends", Judiciary, Appeals Board or Investigation Committee to reply to any relevant questions that may be put.
  - 12.7.2 The Board and its Judiciary Committee, Appeals Board or Investigating Committee may demand the production of any relevant letters, papers, books or other evidence considered relevant.
  - 12.7.3 Should the said person, or member fail to comply without reasonable excuse or make misleading statements the said person, body or member may be suspended, expelled or otherwise dealt with at the discretion of "The Legends".



## **12.8 Right of Appeal**

Where the offence occurred at an event or function under the auspices of "The Legends" or whilst a Representative Member; the following Members have a right of appeal to the Appeals Board.

12.8.1 Affiliate Members

12.8.2 Life Members

12.8.3 Player Members participating in an Australian Championships event where the offence has occurred.

## **12.9 Appeals Against "The Legends" Decisions**

12.9.1 Appeals that meet the conditions above shall, be heard by The Legend's Appeal Board.

12.9.2 All appeals shall be lodged with the Secretary within fourteen (14) days of the decision appealed against..

12.9.3 The decision of the Appeals Board in all cases shall be final.

12.9.4 No other appeals will be accepted.

## **12.10 Judicial Committee/Appeals Board Quorum**

12.10.1 The Judicial Committee shall consist of three (3) persons appointed by the executive Committee.

12.10.2 The Appeal Board shall consist of three (3) persons appointed by the Executive Committee.

12.10.3 The same appointee cannot be on both the Judicial Committee and Appeals Board for the same case.

## **12.11 Judicial Committee/Appeals Board Voting**

12.11.1 The Chairperson shall be elected from and by the members of the Judicial Committee/Appeal Board as appropriate.

12.11.2 The Chairperson shall have a deliberate vote but not a second or casting vote at the hearings.

## **12.12 Judicial Committee/Appeals Board Minutes**

The respective Chairperson shall ensure that minutes are kept of all hearings and meetings of the Judicial Committee and Appeals Board. The Legend's Secretary shall record minutes of all hearings, where this is not practicable the Board may appoint another minute secretary.

## **12.13 Judicial Committees/Appeals Board Decision**

12.13.1 The respective Chairperson shall be responsible for forwarding decisions and the minutes of hearings and meetings of the Judicial Committee/Appeals Board to the Secretary within three [3] days of the completion of the subject meetings.

12.13.2.1.1 The ruling of the Judicial Committee shall be observed by Darts Australia Incorporated and by its members.

12.13.2.1.2 Appeals against a decision of Judicial Committee shall be to the Appeals Board.

12.13.3 The decision of the Appeals Board in all cases shall be final.

#### **12.14 Convening Appeals**

- 12.14.1 Upon receipt of a notification of the intention to appeal, the Secretary shall convene within thirty days of the date of receipt of such notice, a meeting of the Appeals Board to determine the appeal.
- 12.14.2 At any such meeting the appellant shall be given the opportunity to present its/his/her/their case. Members, Boards or Committees who or which instituted the decision, which is being appealed, may likewise have the opportunity of presenting their case either or both presentations shall be solely at the discretion of the Appeals Board.
- 12.14.3 The appeal shall be determined by the majority vote of the members of the Appeals Board.

#### **12.5 Legal Representation**

- 12.5.1 On the hearing of any enquires, charges or appeals before the Judicial Committee or Appeal Board any of the parties shall be entitled to be represented by an advocate only to prompt his or her client and not to cross-examine. Under no circumstances shall such advocate be a person who is or has been a member of the legal profession.
- 12.5.2 Such advocacy must be advised in writing to the Judicial Committee at least seven (7) days prior to the hearing.

### **13 MEMBERSHIP OF “THE LEGENDS” MANAGEMENT**

- 13.1 The business affairs and affairs of “The Legends” shall be under the control of the Executive Committee.
- 13.2 The Office Bearers of “The Legends” shall be: President, Vice President, Secretary, Treasurer and Tournament Director (where required) who shall constitute the Executive.
- 13.3 The Executive shall be responsible to manage the day to day affairs in accordance with the established policies and procedures of “The Legends”.
- 13.4 The Office Bearers shall be elected for a period of two (2) years with the position of President and Treasurer being declared vacant on even years and the Vice President and Secretary being declared vacant on odd years. Tournament Director each year.
- 13.5 The functions of the Executive committee shall be to do all things necessary to further the objectives of “The Legends” including the appointment of sub-committees and to determine and police activities to be undertaken in the framework of the Constitution.
- 13.6 Any member will be prohibited from sitting on the any Committee if they are an undischarged bankrupt or their affairs are being managed under insolvency laws; have been convicted of an offence in connection with the promotion, formation or management of a body corporate; have been convicted of an offence involving fraud or dishonesty punishable on conviction by three months or more imprisonment; and/or have been convicted of an offence under Division 3 (the duties of officers provisions) or section 127 (the duty with respect to incurring of debt) of the Act.

### **14. ELECTION OF EXECUTIVE COMMITTEE**

Office Bearers and other members of the Executive Committee shall be elected by ballot at the annual general meeting of “The Legends”.

## **15.00 VACANCIES ON THE EXECUTIVE COMMITTEE**

- 15.1 Casual Vacancies – the Executive shall have the power to fill a casual vacancy caused by an of the persons elected pursuant to this Constitution and/or By Laws ceasing (for whatever reason) to hold office.
- 15.2 A person so appointed to fill a casual vacancy shall be subject to retirement at the same time as if he or she had been elected on the day on which the person in whose place he or she is appointed was last elected to office.

## **16.00 DUTIES OF THE EXECUTIVE COMMITTEE**

The duties of the Executive Committee of the Association shall be as follows:

- 16.01 President- the President shall preside at all meetings of “The Legends” and all delegates Committee Meetings and all other meetings which require his/her presences, and he/she shall see that the business is conducted in a proper manner. He/she may at their discretion and shall at the request of majority of the Executive Committee call a special meeting of the Executive Committee and generally ensure the well-being and object of “The Legends”. In case at any time of equality of votes he/she shall have the casting vote only. He/she at all times see that the Constitution Rules are abided by.
- 16.02 Vice-President- The Vice President shall assist the President in every manner possible and in the absence of any President from any meeting the Vice-President shall preside and conduct the business and in case of equality in voting he/she shall have a casting vote only.
- 16.03 Secretary – The Secretary shall attend all meetings and take minutes of same. Receive all correspondence and answer such questions as may be asked in accordance with these rules. He/she shall keep a complete up to date register of all Members admitted to “The Legends” including the names and either postal or residential addresses or email and telephone contact of its members. Upon request, the register is to be made available for inspection of members who may make a copy or take an extract of the register. “The Legends” may require the member to provide a statutory declaration setting out the purpose for which the copy of the register or members is required. “The Legends” may charge the member a reasonable amount to provide a copy. The Secretary shall keep in his/her custody all records, books and documents pertaining to the running of “The Legends”, other than those of a financial nature. He/she shall perform all such other duties and services as the Committee may from time to time request.
- 16.04 Treasurer- The Treasurer shall keep a correct account of all monies received and expended and pay all monies belonging to “The Legends” into such Bank as shall be approved by the Executive Committee within eight (8) days of receiving same. He/she shall balance the books prior to the Annual General Meeting or at any time he/she may be called upon by “The Legends” to do so. He/she shall prepare and submit a cash statement for presentation to the meeting of the Delegate Committee when called upon to do so, and furnish interim or periodical financial and bank statements at each Delegates Meeting. He/she in conjunction with the President, Secretary or Vice President sign all cheques and make receipts for all payments received by him/her.

## **17.00 MEETINGS & NOTICE OF MEETINGS**

- 17.1 The Executive shall meet in ordinary meetings at such times and in such places as it may deem necessary for properly conducting the business and operation of “The Legends”.

- 17.2 The President or in his/her absence, the Vice President, or in the absence of both, a chairperson elected from those members present and entitled to vote, shall preside at each meeting of the Executive.
- 17.3 The Secretary shall give members of the executive at least twenty one (21) days notice of each ordinary meeting of the Executive. The President, or Vice President in the absence of the President, may at his discretion call meetings at shorter notice to deal with matters which he/she deems urgent.
- 17.4 At all Executive Meetings of "The Legends" representation of three (3) members shall form a quorum. The chairperson shall be deemed as a person qualified to vote.
- 17.5 Members of the Executive shall not be entitled to appoint proxies to attend and vote at meetings of the Executive.
- 17.6 At any meeting of the Executive, each member present except the chairperson shall be entitled to more and/or second and speak to any motion.
- 17.7 Any meeting of the Executive may be adjourned to such time and place as the meeting may decide.
- 17.8 The Secretary shall cause full and accurate minutes of all questions, matters, resolution and other proceedings of "The Legends" meetings to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection.
- 17.9 Any appointed minutes secretary provided by the host State or Territory shall record the minutes only and liaise solely with the Secretary. The compilation and distribution of minutes is to be the responsibility of the Secretary.
- 17.10 One copy of the minutes to be forwarded to each Executive, Affiliate Member and Life Member within thirty (30) days of meeting.
- 17.11 Members may resign from membership of the Executive at any time by giving notice in writing to the Secretary, but such resignation shall take effect at the time such notice is received by the Secretary, unless a later date is specified in the notice when it shall take effect on that later date.
- 17.12 The conduct of the procedure at Executive meetings shall be determined in accordance with this Constitution.
- 17.13 Where "The Legends" is to be represented the President should represent "The Legends" as required at all functions. Where the President is unavailable then the Vice President or another delegate appointed by "The Legends" shall deputize.

## **18.00 ANNUAL GENERAL MEETINGS AND GENERAL MEETINGS**

- 18.1 The business to be transacted at every Annual General Meeting shall be
  - (i) The receiving of minutes and business arising therefrom and the adoption of same.
  - (ii) The receiving of Management committee reports, audited financial reports, annual reports and adoption of same.
  - (iii) Office Bearers, Affiliates and Officials reports.
    - (iv) Correspondence.
    - (v) Dealing with notices of motion
    - (vi) Election of Life Members (if any)
    - (vii) Election of Publicity Officer.

- (viii) Appointment of Auditor
  - (ix) Determination of fees and honorariums (if any)
- 18.2 The business to be transacted at General meetings shall be
- (i) The receiving of minutes and business arising therefrom and the adoption of same.
  - (ii) The receiving of reports and adoption of same.
  - (iii) The receiving of financial statements.
  - (iv) Correspondence
  - (v) General Business.
- 18.3 The business to be transacted at Special General Meeting shall be only the business for which the meeting has been convened.
- 18.4 No business shall be transacted at any General Meeting unless a quorum of the Executive Members are present at the time when the meeting commences.
- 18.5 Unless otherwise provided in these rules at every General Meeting
- 18.5.1 The President shall preside as the chairperson or if there is no President or if he/she is not present within ten minutes after the appointed time for holding the meeting, the Vice President shall be chairperson or if the Vice President is not present at the meeting then members may choose one of their number to be chairperson of the meeting.
  - 18.5.2 The chairperson shall maintain order and conduct the meeting in a proper and orderly fashion.
  - 18.5.3 Every question, matter or resolution shall be decided by a majority of votes of the members present.

## **19 SECRETARY**

The minutes of every general meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding general meeting provided that the minutes of any annual general meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding general or annual general meeting.

- 19.1 A list showing inward and outward correspondence shall be distributed to Executive Committee members.
- 19.2 Copies of correspondence to be forwarded to all affiliates will be at the discretion of the Secretary.

## **20 VOTING POWERS AT MEETINGS**

- 20.1 At all meetings each Executive shall be entitled to one vote. In the case of an equality of votes the chairperson shall have a second or casting vote provided that no member shall be entitled to vote at any general meeting if his/her annual subscription is not more than one month in arrears at the date of the meeting.
- 20.2 Voting shall be by show of hands or a division of members, unless not less than one fifth of the member's present demand a ballot, in which event there shall be a secret ballot and the result of the ballot shall be deemed to be the resolution of the meeting at which such ballot was demanded.

## **21 FUNDS AND ACCOUNTS**

- 21.1 The funds of "The Legends" shall be banked in the name of Australian Darts Legends (Inc) in such bank or building society as the Executive may from time to time direct.
- 21.2 Proper books and accounts shall be kept and maintained either written or printed showing correctly the financial affairs of "The Legends" and the particulars usually shown in books or computer programme of a like nature.
- 21.3 All monies should be banked as soon as practicable after receipt thereof.
- 21.4 Amounts in excess of an amount set by the Executive shall be paid by either cheque or electronic means signed by any two of (1) President (2) Treasurer.
- 21.5 Cheques shall be crossed "not negotiable" except those in payment of petty cash recoupment.
- 21.6 All expenditure shall be approved by two of the Executive Committee members.
- 21.7 As soon as practicable after the end of the financial year the Treasurer shall cause to be prepared a statement containing particulars of the income and expenditure for the finance year just ended and,
- 21.8 The assets and liabilities affecting the property of "The Legends" at the close of that year.
- 21.9 All such statements shall be examined by the auditor who shall present his/her report upon such audit to the Secretary prior to the holding of the Annual General Meeting next following the financial year in respect of which such audit was made.
- 21.10 The income and property of "The Legends" whence so ever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein. No portion thereof shall be distributed, paid or transferred directly or indirectly by way of divided, bonus or otherwise by way of profit to or amongst the members to "The Legends" provided that nothing herein contained shall prevent the payment in good faith of interest to any such member in respect of monies advanced by him/her to "The Legends" or otherwise owing by "The Legends" to him/her of remuneration to any officers or servants of "The Legends" or any member of "The Legends" or other person in return for any services actually rendered to "The Legends" provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by "The Legends" or reasonable and proper rent for premises let to "The Legends".

## **22 FINANCIAL YEAR**

The financial year of "The Legends" shall close on the 31<sup>st</sup> day of December each year.

## **23 DOCUMENTS**

The committee shall provide for the safe custody of books, documents, instruments of title and securities of "The Legends".

## **24 DISSOLUTION & DISTRIBUTION OF SURPLUS ASSETS**

"The Legends" may be dissolved or wound up by a resolution at any General Meeting or at a Special General Meeting called for such purpose.

If upon winding up or dissolution of the Association there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members but shall be given or transferred to another Association incorporated under the Act or for charitable purposes.

Which incorporated association or purposes, as the case requires shall be determined by the resolution of the members when authorising and directing the committee under section 33 (3) of the Act to prepare a distribution plan of the surplus property of the Association. In the event of the winding up or dissolution of the Association the commissioner of taxation shall be advised of the date of dissolution within 30 days of the dissolution.

**25 BY LAWS, MEMBER PROTECTION POLICY & SOCIAL MEDIA POLICY5**

“The Legends” is empowered to make, repeal and amend such By Laws and Policies as it may from time to time consider necessary for the internal management of “The Legends”. The making, recession and amendment of such By Laws and Policies shall be effected at General Meeting of “The Legends” upon a resolution being passed by a majority of the members legible to vote at such meeting. Playing Rules are excluded from the By Laws of “The Legends”.

**26 PLAYING RULES**

“The Legends” is empowered to make, repeal and amend such Playing Rules as it may from time to time consider necessary for the internal management of “The Legends”. The making, recession and amendment of such Playing Rules shall be effected at a General meeting of “The Legends” upon a resolution being passed by a majority of the members eligible to vote as such a meeting.

**27 AMENDMENTS TO THE CONSTITUTION**

27.1 Subject to the provisions of the Association Incorporated Act this Constitution may be amended, rescinded or added to from time to time by special resolution carried at any General meeting. Provided that no such amendment, recession or addition shall be valid unless the same shall have been approved by the Chief Executive of the Department administrating the Act.

27.2 Notice of any such motion shall be signed by the President or Secretary in the absence of the President and the Secretary by two members of the Executive.

27.3 Notices of Motion shall be forwarded in writing to the Secretary to reach him/her in the ordinary course of the post or by electronic means, at least four (4) weeks prior to the meeting at which the motion will be addressed. All electronic mail must be acknowledged by the Secretary on receipt of same.

27.4 The Secretary shall forthwith on receipt of such notice within five days forward a copy to each executive and affiliate member.

**28 COMMON SEAL**

28.1 The Association shall have a common seal on which its corporate name shall appear in legible characters.

28.2 The common seal of the Association shall not be used without the express authority of the Committee and every use of that common seal shall be recorded in the minute book referred to in rule 19.

28.3 The affixing of the common seal of the Association shall be witnessed by any two of the chairperson, secretary and treasurer.

28.4 The common seal of the Association shall be kept in the custody of the Secretary or of such person as the Committee from time to time decides.

**29 INSPECTION OF ASSOCIATION RECORDS**

A member may at any reasonable time inspect without charge the books, documents, records and securities of the Association.

**30 NON PROFIT**

The income and property of "The Legends" shall be applied solely towards the promotion of the objects of "The Legends". No portion of the income or property shall be paid, transferred to, distributed directly or indirectly to the members of "The Legends", provided that nothing shall prevent the payment in good faith of remuneration to any officer or employee of "The Legends" or to any person other than an affiliate in return for services rendered to "The Legends".

**31 NATIONAL SELECTORS**

The National Selection Committee shall comprise of two selectors nominated by each member state with the chairperson being nominated by the National Executive.

The selectors shall, in an unbiased manner, select the following from all members that competed in at least three (3) events of the National Championships.

- (a) Two national representative teams, one female and one male comprising of four players per team and two reserves for each team. A captain and manager/manageress will also be appointed for each team.
- (b) For each division, both female and male, below Premier Division, a team of four players to be selected and a combined captain/manager to be appointed from within the playing members of the same division.
- (c) The averages attained from competing in the Singles competition, and any progression through the final rounds will be used as a basis to assist in the selection process.
- (d) Individual's attitudes, temperament and conduct will be taken into consideration during the selection process.