

# SYDNEY UNIVERSITY FENCING CLUB RULES

## Part One - Preliminary

### 1 Definitions

(1) In these rules:

“Annual Membership Fee” means fee as defined in Rule 7.2

“Club” means the Sydney University Fencing Club.

“Committee Member” means a person described in Rule 12

“Fencer” means a person who participates in the sport of fencing

“Junior Member” means a club member under the age of eighteen (18)

“FIE” means Federation International d’Escrime

“Joining Fee” means the fee as defined in Rule 7.1

“Officer Bearer” means a person described in Rule 13

“Special General Meeting” means a general meeting of the Club other than the Annual General Meeting

“The Sport of Fencing” means fencing as defined by the Rules and regulations and such other decisions, made from time to time by the FIE

(2) In these rules:

(a) a reference to a function includes a reference to a power, authority and duty, and

(b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(3) The provisions of the Interpretation Act 1987 apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

## Part Two - Membership

### 2. Categories of Membership

Sydney Uni Sport and Fitness shall have the following categories of Membership:-

- (a) University members;
- (b) Honorary members;
- (c) Life Members;
- (d) Honorary Life Members;
- (e) Community Members; and
- (f) Junior Community Members

#### 2. (a) University Membership

The following persons shall be eligible for University membership:-

- (a) Student Members;
- (b) graduates of the University;
- (c) all members of Convocation of the University as defined in section 14(1) of the University of Sydney Act; and
- (d) full time, part time or casual staff of the University.

## **2.(b) Honorary Membership**

The management committee may by resolution grant Honorary membership to any Member whose special association with Sydney Uni Sport and Fitness is deemed worth of such recognition. Honorary members cannot nominate for election to a Committee of Sydney Uni Sport and Fitness or vote at any elections or meeting of Sydney Uni Sport and Fitness.

## **2.(c) Life Membership**

The Management Committee may confer Life Membership upon any person who has been a University Member or a member of either of the former sports bodies, Sydney University Sport Union or Sydney University Women's Sports Association or a combination of them and has paid five Annual Subscription Fees to either of the former sports bodies and/or Sydney Uni Sport and Fitness. Applicants must complete an application form (as prescribed by the Management Committee from time to time) for Life Membership, lodge such application with the Executive Director and satisfy any other conditions as the Management Committee may reasonably impose from time to time.

## **2. (d) Honorary Life membership**

The general Committee may grant by resolution Honorary Life membership upon any person who is eligible for University, Honorary or Life membership of Sydney Uni Sport and Fitness, and who in its opinion have rendered special service to Sydney Uni Sport and Fitness or to any Constituent Club.

## **2. (e) Community Membership**

The Management Committee may admit any person who is not otherwise eligible to be a University, Honorary, Life Member or Honorary Life Member of Sydney Uni Sport and Fitness to Community Membership.

Community Members:-

- (i) are not eligible to vote at any Annual General or Special General Meeting of Sydney Uni Sport and Fitness
- (ii) may vote at Constituent Club elections and at Constituent Club meeting on general Club matters, provided they are a current financial member of that Constituent Club.
- (iii) may hold Committee positions within a Constituent Club, provided that not more than two of the positions of President, Captain, Secretary or Treasurer of a Constituent Club at any given time is occupied by a Community Member.
- (iv) may not represent their Club at General Committee Meetings.

## **2.(f) Junior Community Membership**

Persons aged between 10 and 17 years may apply to join Sydney Uni Sport and Fitness as Junior Community Members upon an application being made by an office bearer of Sydney Uni Sport and Fitness or a Constituent Club and counter-signed by the applicant for Membership and payment of the relevant Subscription Fee. Junior Community Members do not receive any voting rights at Constituent Club elections and at Constituent Club meetings on general matters.

## **2.(g) Membership Year**

Each Member shall hold Membership for one year from the date in which the Subscription Fees are paid by such Member, except for Life Members and Honorary Life members, whose Membership is continuous as provided for in this Constitution.

Students enrolling for the first time at the University may become Members before 1 March of that year, in which case they will be taken to be Community Members before 1 March and University Members from 1 March until the end of their current Membership year.

## **2.(h) Subscription Fees**

The Management Committee shall determine Subscription Fees payable by University, Community and Junior Community members from time to time. Subscription Fees shall be reviewed annually by the Management Committee.

Any Subscription Fees shall first be approved by the Senate before taking effect.

## **3 Cessation of membership**

A person ceases to be a member of the club if the person:

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the club.
- (d) Does not renew their membership.

## **4 Membership entitlements not transferable**

A right, privilege or obligation which a person has by reason of being a member of the club:

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

## **5 Resignation of membership**

- (1) A member of the club is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the club who has paid all amounts payable by the member to the club in respect of the member's membership may resign from membership of the club giving to the secretary written notice of the member's intention to resign. Upon receipt of such notice the member ceases to be a member.
- (3) If a member of the club ceases to be a member under clause (2), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## **6 Register of members**

The secretary of the club must establish and maintain a register of members of the club specifying the name and address of each person who is a member of the club together with the date on which the person became a member.

## **7 Fees and subscriptions**

- (1) The Committee may impose a joining fee, upon members joining after the imposition of a joining fee determined by the committee:
- (2) In addition to any amount payable by the member under clause (1), a member of the club must pay to the club an annual membership fee determined by the committee:

## **8 Members' liabilities**

The liability of a member of the club to contribute towards the payment of the debts and liabilities of the club or the costs, charges and expenses of the winding up of the club is limited to the amount, if any, unpaid by the member.

## **9 Disciplining of members**

- (1) A complaint may be made to the committee by any person that a member of the club:
  - (a) has persistently refused or neglected to comply with a provision or provisions of these rules, or
  - (b) has persistently and wilfully acted in a manner prejudicial to the interests of the club.

- (2) On receiving such a complaint, the committee:
  - (a) must cause notice of the complaint to be served on the member concerned, and
  - (b) must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and
  - (c) must take into consideration any submissions made by the member in connection with the complaint.
- (3) The committee may, by resolution, expel the member from the club or suspend the member from membership of the club if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved.
- (4) If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under rule 10.
- (5) The expulsion or suspension does not take effect:
  - (a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
  - (b) if within that period the member exercises the right of appeal, unless and until the club confirms the resolution under rule 10 (5), whichever is the later.

### **10 Right of appeal of disciplined member**

- (1) A member may appeal to the club in general meeting against a resolution of the committee under rule 9, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from a member under clause (1), the secretary must notify the committee which is to convene a general meeting of the club to be held within 28 days after the date on which the secretary received the notice.
- (4) At a general meeting of the club convened under clause (3):
  - (a) no business other than the question of the appeal is to be transacted, and
  - (b) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
  - (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (5) If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

## **Part Three – The Committee and Office Bearers of the Club**

### **11 Powers of the committee**

The committee is to be called the committee of management of the club and, subject to these rules and to any resolution passed by the club in general meeting:

- (a) is to control and manage the affairs of the club, and
- (b) may exercise all such functions as may be exercised by the club, other than those functions that are required by these rules to be exercised by a general meeting of members of the club, and
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the club.

### **12 Constitution and membership of the Committee**

- (1) The Committee is to consist of:

- (a) The president,
  - (b) The senior vice-president,
  - (c) The junior vice president,
  - (d) The treasurer, and
  - (e) The secretary.
- (2) Only members of the club shall be eligible to be members of the committee, except that Junior members shall not be eligible to become members of the committee.
  - (3) Each member of the committee is, subject to these rules, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
  - (4) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the club to fill the vacancy and the member so appointed is to hold office until the appointment of office bearers at the next AGN following the date of the appointment.
  - (5) Each gender must be represented by at least two members on the committee.

### **13 Office Bearers of the Club**

- (1) The Officer Bearers of the Club consist of:
  - (a) The Technical Director,
  - (b) The Armourer,
  - (c) The Club Captain,
  - (d) The Publicity Officer
  - (e) Two delegates to Sydney Uni Sport and Fitness
  - (f) Two delegates to NSW Fencing Association Inc

### **14 Election of Committee Members and Office Bearers**

- (1) Nominations of candidates for election as committee members and office-bearers of the club or as ordinary members of the committee:
  - (a) must be moved by a member of the club at the annual general meeting; and
  - (b) must be seconded by a member of the club at the same annual general meeting.
- (2) If insufficient nominations are received to fill all vacancies on the committee and in the officer bearers of the club, the candidates nominated are taken to be elected and, any vacant positions remaining on the committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of committee members and office bearers of the club is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- (7) No person may occupy more than one position on the committee, however there is no restriction on a committee member also being an office bearer of the club or a person holding two or more office bearer positions of the club.

### **15 Duties of the Committee Members**

- (1) The President shall:
  - (a) uphold the Constitution of the Sydney University Fencing Club.
  - (b) act as chairperson at all meetings of the Sydney University Fencing Club and its committee.
  - (c) strive to continually improve the Club's policy, activities and administration.

- (d) ensure the correct functioning of all sub-committees.
  - (e) represent the Club to other bodies and to the general public.
  - (f) act, subject to any expressed or implied instructions, on behalf of the Club and its committee in the interval between meetings.
  - (g) do all such things as are conducive or incidental to the above duties or any of them.
- (2) The Senior Vice President shall
- (a) assume all the duties of the president during the president's absence, including the chairing of meetings of the Club and its committee.
- (3) The Junior Vice President shall
- (a) unless as otherwise stated in these rules, assume all the duties of the senior vice president during the senior vice president's absence.
- (4) The Secretary shall
- (a) maintain the register of members of the club
  - (b) keep minutes of:
    - (i) all appointments of office-bearers club and members of the committee,
    - (ii) the names of members of the committee present at a committee meeting or a general meeting, and
    - (iii) all proceedings at committee meetings and general meetings.
  - (c) deal with correspondence as required
- (5) The Treasurer shall
- (a) ensure that all money due to the club is collected and received and that all payments authorised by the club are made, and
  - (b) ensure that correct books and accounts are kept showing the financial affairs of the club, including full details of all receipts and expenditure connected with the activities of the club.

## **16 Duties of the Office Bearers**

- (1) The Technical Director shall
- (a) be responsible for the staging of all competitions within the Club, or upon the Club premises or under the auspices of the Club.
  - (b) jointly with the armourer be responsible for the efficient functioning of the equipment of the Club, with particular emphasis on the electrical equipment.
  - (c) ensure that the relevant equipment is available and set up for all tournaments and competitions.
- (2) The Armourer shall
- (a) maintain the equipment of the Club in good repair and working order, jointly with the Technical Director, and advise the committee to this end.
  - (b) keep an inventory of all the Club's equipment and allow such equipment to be removed from the Club armoury only upon signature in receipt thereof, in a book provided for that purpose.
- (3) The Club Captain shall
- (a) lead the AUG/AUC team and any other team fielded by the Club.
  - (b) take supervision of the training of the team to represent the Club at AUG/AUC or in any other competition.
  - (c) assist in the training of Novice and junior fencers of the Club.
  - (d) assist in the selection of teams to represent the Club and in the awarding of gradings to members of the Club.
- (4) The Publicity Officer shall
- (a) be responsible for giving publicity to the results of competitions to the club and in the University newspapers, periodicals and other publications.

- (b) be responsible for organization and co-ordination of such social events or functions as the committee may from time to time direct.
- (5) The Sydney Uni Sport and Fitness delegates shall
  - (a) attend meetings as required by Sydney Uni Sport and Fitness.
  - (b) if unable to attend a meeting, arrange for another member of the club to attend as their proxy.
- (4) The NSWFA delegates shall
  - (a) attend Council meetings as required by NSWFA.
  - (b) if unable to attend a meeting, arrange for another member of the club to attend as their proxy.

## **17 Casual vacancies**

For the purposes of these rules, a casual vacancy in the office of a member of the committee or office bearer of the club occurs if the member or office bearer:

- (a) dies, or
- (b) ceases to be a member of the club, or
- (c) resigns office by notice in writing given to the secretary, or
- (e) is removed from office under rule 18, or
- (f) becomes a mentally incapacitated person, or
- (g) for committee members only, is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

## **18 Removal of member**

- (1) The club in general meeting may by resolution remove any member of the committee or office bearer of the club from office before the expiration of that person's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member or office bearer so removed.
- (2) If a member of the committee to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the club, the secretary or the president may send a copy of the representations to each member of the club or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

## **19 Meetings and quorum**

- (1) The committee must meet at least 3 times in each period of 12 months at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the president or by any member of the committee.
- (3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under clause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business is to be transacted by the 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 is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the committee:

- (a) the president or, in the president's absence, the senior vice-president is to preside as chairperson, or
  - (b) if the president and the senior vice-president 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 is to preside as chairperson.
- (9) Minutes of the proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

## **20 Delegation by committee to sub-committee**

- (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the club as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than:
- (a) this power of delegation, and
  - (b) a function which is a duty imposed on the committee by Sydney Uni Sport and Fitness or by any other law.
- (2) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Despite any delegation under this rule, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) A sub-committee may meet and adjourn as it thinks proper.

## **21 Voting and decisions**

- (1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to rule 19 (5), the committee may act despite any vacancy on the committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

## **Part Four - General Meetings**

### **22 Annual general meetings holding of**

- (1) With the exception of the first annual general meeting of the club, the club must, at least once in each calendar year, convene an annual general meeting of its members.
- (2) The club must hold its first annual general meeting within the period of 18 months after its formation.

### **23 Annual general meetings calling of and business at**

- (1) The annual general meeting of the association is, subject to rule 22, to be convened on such date and at such place and time as the committee thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:

- (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
  - (b) to receive from the committee reports on the activities of the club during the last preceding year,
  - (c) to elect committee members and office-bearers of the club,
- (3) An annual general meeting must be specified as such in the notice convening it.

## **24 Special general meetings calling of**

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the club.
- (2) The committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the club.
- (3) A requisition of members for a special general meeting:
  - (a) must state the purpose or purposes of the meeting, and
  - (b) must be signed by the members making the requisition, and
  - (c) must be lodged with the secretary, and
  - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in clause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.

## **25 Notice**

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the club, the secretary must, at least 7 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the club, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under rule 23 (2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

## **26 Procedure**

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) Ten members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
  - (a) if convened on the requisition of members, is to be dissolved, and
  - (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 6) is to constitute a quorum.

## **27 Presiding member**

- (1) The president or, in the president's absence, the senior vice-president, is to preside as chairperson at each general meeting of the club.
- (2) If the president and the senior vice-president are absent or unwilling to act, the Junior Vice President must preside as chairperson at the meeting.
- (3) If the President, the Senior vice-president and junior vice president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

## **28 Adjournment**

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

## **29 Making of decisions**

- (1) A question arising at a general meeting of the club is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (2) At a general meeting of the association, a poll may be demanded by the chairperson or by at least 3 members present in person at the meeting.
- (3) If a poll is demanded at a general meeting, the poll must be taken:
  - (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment, or
  - (b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

## **30 Special resolution**

A resolution of the club is a special resolution if it is passed by a majority which comprises at least three-quarters of such members of the club as, being entitled under these rules so to do, vote in person at a general meeting of which at least 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules.

## **31 Voting**

- (1) On any question arising at a general meeting of the club a member has one vote only.
- (2) All votes must be given personally.
- (3) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

- (4) A member is not entitled to vote at any general meeting of the club unless all money due and payable by the member to the club has been paid, other than the amount of the annual subscription payable in respect of the then current year.

## **Part Five - Miscellaneous**

### **32 Funds source**

- (1) The funds of the club are to be derived from a grant from Sydney Uni Sport and Fitness, club competition entrance fees, joining fees, annual members fees, donations, sponsorship, fund raising and, subject to any resolution passed by the club in general meeting, such other sources as the committee determines.
- (2) All money received by the club must be deposited as soon as practicable and without deduction to the credit of the club Trust Account.
- (3) The club must, as soon as practicable after receiving any money, issue an appropriate receipt.

### **33 Funds management**

- (1) Subject to any resolution passed by the club in general meeting, the funds of the association are to be used in pursuance of the objects of the club in such manner as the committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments are to be drawn by Sydney Uni Sport and Fitness based on a cheque requisition signed by approved members of the committee.

### **34 Alteration of objects and rules**

The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the club.

### **35 Inspection of books**

The records, books and other documents of the club must be open to inspection, free of charge, by a member of the club at any reasonable hour.

### **36 Service of notices**

- (1) For the purpose of these rules, a notice may be served on or given to a person:
  - (a) by delivering it to the person personally, or
  - (b) by sending it by pre-paid post to the address of the person, or
  - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- (2) For the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served:
  - (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
  - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
  - (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

### **37 The Selection Committee**

- (1) The selection committee shall consist of not less than three (3) people and shall include the following:
  - (a) the President,
  - (b) the Club Captain and,
  - (c) at least one senior fencer or fencers as they may choose to help them.

- (2) The selection committee shall have, subject to these and rules of the Sydney Uni Sport and Fitness, control over the selection of Club members for any representative team.
  - (a) In the event of the office of Club Captain and President being held by the same person, the Annual General Meeting shall have power to elect another executive member to hold the position of selection.
  - (b) The names of the fencer or fencers chosen by the President and Club Captain for the selection committee, shall be made known to Club members as soon as is practicable after they have been chosen.
  - (c) In the event of a member of the Selection Committee being unavailable from time to time, the other two members of the selection committee shall have power to appoint another member of the Executive to take his place.
  - (d) The selection committee shall have discretion to not include in an AUG/AUC or ECG/ECC Team, any person, who, in their opinion has not, during the year of the AUC/AUG ECG/ECC match in question, attended training regularly throughout the year, or has not contributed substantially to the welfare and advancement of the Club

### **38 No Profit for Members**

- (1) The income and property of the Club will be applied solely towards the promotion of the objects of the Club and Sydney University Sport as set out in this Constitution, and no portion thereof will be paid or transferred, directly or indirectly, by way of dividend, bonus or otherwise, to any Member
- (2) Nothing in this of this Constitution will prevent:
  - (a) The payment, in good faith, of reasonable and proper remuneration to any officer or employee of the Club and Sydney University Sport for services actually rendered to the Club and Sydney University Sport or the payment, in good faith, of an amount to any member of the Club and Sydney University Sport in return for any services actually rendered to the Club and Sydney University Sport for goods supplied in the ordinary or usual course of business, or the payment of interest for money lent or reasonable and proper rent for premises demised or let by any Member to the Club and Sydney University Sport;
  - (b) The Club and Sydney University Sport from providing services or information to the Members on terms which are different from the terms pursuant to which services or information is provided to persons who are not Members.

### **39 Winding Up**

If upon the winding up or dissolution of the Club there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to nor distributed among the Members, but shall be given or transferred to some other institution or company having objects similar to the objects of the Club, and whose constituent documents prohibit the distribution of its income and property among its members on terms substantially to the effect of clause 38 of this Constitution, such institution or institutions to be determined by the Members at or before the time of the winding up or dissolution of the Club, and in default of any determination, by the Supreme Court of New South Wales, or as determined by the Sydney University Sport.