



NARRABEEN YOUTH CLUB (Incorporated)  
CONSTITUTION AND BY LAWS

REVISED 2015  
Draft

INTRODUCTION

WELCOME TO THE NARRABEEN YOUTH CLUB INC.

THESE CONSTITUTIONS AND BY LAWS  
ARE FOR YOUR GUIDANCE AND RIGHTS.

ON BEHALF OF ALL MEMBERS OF THE CLUB  
THE EXECUTIVE TRUSTS  
YOU HAVE AN ENJOY ABLE MEMBERSHIP.  
(Last Revised 2009)

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THIS CLUB IS A

REGISTERED CHARITABLE  
ORGANISATION  
AND IS ALSO AFFILIATED WITH

MANLY WARRINGAH NETBALL  
ASSOCIATION (inc)  
MANLY WARRINGAH FOOTBALL  
ASSOCIATION (inc)

Any enquiries should be directed to: -

HONORARY SECRETARY  
PO BOX 226,  
Narrabeen 2101.

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NARRABEEN YOUTH CLUB  
(incorporated)  
CONSTITUTION  
(Adopted 15<sup>th</sup> September, 1972)

1. NAME: the name of the Club shall be “NARRABEEN YOUTH CLUB **INC**” hereinafter referred to as “The Club”.
2. COLOURS: the official colours of the club shall be Black and White or Dark Blue and Light Blue, dependant on the activity. Should it be necessary for any Sectional activity to have an alternate colour, it must be approved by the Club’s Committee of management and the relevant activities Association and be recorded in the Section’s By-Laws.
3. MOTTO: The motto of the Club shall be:  
“CITIZENSHIP THROUGH SPORT AND CULTURE”.
4. OBJECTS: The objects of the Club are set out hereunder;
  - 4.1 To afford the young the opportunity of participating in clean healthy recreational activities, commensurate with the Club’s resources in the form of:
    - a) Organised competitive sport with proper tuition, coaching, playing areas and equipment.
    - b) Cultural pursuits such as music, literature, arts and crafts.
    - c) Social activities.
  - 4.2 To ensure that in all activities equal emphasis shall be placed on enjoyment, participation and the development of skill.
  - 4.3 To instruct the children in the principles of good sportsmanship and citizenship.
  - 4.4 To inculcate an appreciation in the young for observance of the rules of sport and the laws of the State.
  - 4.5 To awaken local citizens to their responsibility towards adolescents.
  - 4.6 The Club shall be strictly non sectarian and non political.
5. MEMBERSHIP:
  - 5.1 Eligibility and Definitions of members:
    - a) Active Member is any person above the age of **five** years who engages in any of the Club’s weekend affiliated sporting, cultural or social activities.
    - b) Active Pre-school Member is person between the age of 3 & 5 years who engages in specifically organised programmes within one of the clubs sectional sports.**
    - c) Ordinary Members are parents of Active Members or any other citizen interested in the furtherance of the objects of the Club. They may also participate in the activities of the Club.
    - d) Life Member may be so appointed at an Annual General Meeting of the Club on the recommendation of the Management Committee, provided that such Meeting approves such appointment by a two – thirds majority vote. Requirements for recommendation by the management Committee shall be that the member has rendered valuable assistance or meritorious service to the Club.
  - 5.2 Refusal of Membership Application: the Management Committee may decline any application for membership.  
In no case shall the Committee be required to give any reason for the rejection of an applicant.

5.3 Register of Members: A register of Active Members shall be kept showing in respect of such members his name, address and date of commencement of membership, together with any other relevant information the management Committee may consider necessary.

#### 5.4 Suspension or Expulsion of Members

- a) A member may be suspended temporarily or expelled permanently from membership of the Club by the Management Committee, if in the opinion of such Committee, after affording the Committee an explanation of his/her conduct, either verbally or in writing as the Committee may decide, the conduct of the member is such as to be detrimental to the best interests of the Club, provided that:
  - I. Such suspension or expulsion shall not be effective unless it is confirmed by a majority of members present at a Special General Meeting or members convened to consider such suspension or expulsion.
  - II. Such Special General meeting is held within a period of one month from the date of the decision of the management Committee to suspend or expel the member.
  - III. At such Special general meeting the member whose suspension or expulsion is under consideration shall be allowed to offer explanations of his/her conduct verbally or in writing at the option of such member.
  - IV. The voting of such Special general Meeting shall be by ballot of not less than five members present thereat shall so demand.
  - V. It shall be in the power of the Committee to exclude such member from participation in the affairs of the Club until such Special general meeting shall be held.
- b) All children of a suspended or expelled member should not be placed under the same terms of suspension or expulsion of their parent or guardian ,unless the child has contributed or has been involved with the incident directly
- c) Every person ceasing to be a member of the Club, whether by suspension, expulsion, retirement, death, neglecting to pay subscriptions or otherwise shall ipso facto forfeit all rights to, or claims upon the Club or its property or assets and all privileges whatsoever of membership. Any Club property or keys in his/her possession will immediately be returned to the Gear Steward and should this not be done so the management Committee will be responsible to see that appropriate action is taken to ensure its return.

### 6. MANAGEMENT

- 6.1 Club Control and Management:
- 6.2 This shall be vested in the hands of a management Committee consisting of the Executive together with the president and secretary of each sectional activity or any two of that activity's delegates. Notwithstanding this, the executive may meet between Management Committee meetings and deal with matters it considers urgent. Their decisions shall be binding but must be reported in full to the next management Committee Meeting.
- 6.3 Payments to office Bearers and members:

No member or office bearer shall be appointed to any salaried office of the Club or any office of the Club paid by fees and no remuneration or other benefit in money or money's worth shall be given by the Club to any office bearer or member except repayment of out of pocket expenses, interest at a rate not exceeding interest at the rate for the time being charged by banks in Sydney for money lent to the Club and reasonable and proper rent for premises let to the Club.

- 6.4 Office Bearers:
- a) I. The Executive of the Club shall consist of;
    - President
    - Senior Vice President
    - Junior Vice President
    - Hon. General Secretary
    - Hon. Treasurer
    - Registrar
    - Publicity and Public Relations officer
    - Hon. Assistant Secretary
  - II. The president, Senior Vice president, Secretary, treasurer and Registrar shall be ex-officio members of every other Committee or Sub Committee of the Club.
  - b) The Management Committee of the Club shall be the duly constituted Executive as defined in Clause 6.3 a) I. of this Constitution together with the president and Secretary of each Section or two other delegates from the section.
  - c) Attendance of Club Meetings and Special Guests at Meetings of the Executive and management Committee:  
On the recommendation of any officer any Club Member or Special Guest may be invited to attend Meetings of these two bodies and have the right to be heard but shall have no voting rights.
- 6.4. Election: The Executive, Hon. Auditor, hon. Medical Officer and Hon. Solicitor shall be elected at the Annual General Meeting of the Club. The remaining members of the Management Committee shall be decided by the election of two delegates from each Section. All officers shall hold their respective offices for twelve months until the conclusion of the Annual General Meeting next following their election and be eligible for re-election.
- 6.5 Proceedings of the Management Committee:
- a) The Management Committee shall meet together for the despatch of business, adjourn and otherwise appoint and regulate its meetings as it thinks fit.
  - b) Questions arising at any meeting of the Committee shall be decided by a majority of the members of the Committee present shall for all purposes be a determination of the Committee. In case of equality of votes the Chairman of the Meeting shall have a second or casting vote.
  - c) The continuing members of the Committee may act notwithstanding any vacancy in the Committee, but if and so long as their number is reduced below the number fixed by or pursuant to this Constitution as the necessary quorum, the purposes of increasing the number or members of the Committee from amongst the members, which they are hereby empowered to do, or of summoning a general Meeting of the Club but for not other purpose.
  - d) Vacation of Office:  
The office of a member of the management Committee or of a trustee shall become vacant:
  - e) Upon his decease.
  - f) If he/she becomes bankrupt or makes any arrangement or composition with his creditors generally.
  - g) If he/she becomes mentally ill or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health.
  - h) If he/she resigns his office by notice in writing to the club.
  - i) If he/she is absent for more than six months without leave of the Committee from meetings of the Committee held during that period.

- j) If he/she ceases to be a member of the Club.
- k) Upon a resolution being passed by a two-thirds majority of members present at a properly constituted Special Meeting called for the purpose to remove him from office.
- l) If he holds any office of profit under the Club.
- m) If he is directly or indirectly interested in any contract or proposed contract with the Club.
- n) Powers:  
Without limiting the generality of the powers of management and control of the Management Committee it shall have in particular the following powers:
- o) To manage, control and maintain the interior of all buildings and grounds which in the opinion of the Committee shall be necessary for the purpose of the Club and the furtherance of its objects as may be required.
- p) To acquire by purchase, exchange or as gifts or donations, property of any kind which in the opinion of the Committee may be necessary or useful for the purpose of the Club?
- q) To accept donations, legacies and bequests in money or in kind for the furtherance of any objects of the Club and the benefit of members.
- r) To, at its discretion, raise or borrow any sum or sums of money for the purpose of the Club.
- s) To collect and receive moneys by voluntary contributions, collections, subscriptions, payments by public bodies and by private individuals or from the proceeds of entertainments, provided that all moneys so received shall be transferred to the General Fund of the Club and not necessarily be reserved for any specific purpose and to ensure that such moneys are paid immediately to the Treasurer to be banked and further provided that any grants of money which the Pittwater Council may see fit to make to the Club shall be expended strictly in accordance with any conditions imposed by such Council.
- t) To expend or use moneys received or property donated for the furtherance of the objects of the Club and the instruction entertainment and benefit of members as it shall in its discretion think fit, provided the aggregate expenditure in any year shall not exceed the Club's available finds.
- u) The right to determine any appointment made by it or to suspend the appointees and such determination or suspension shall be effective when notified to the person affected.
- v) Fees shall be determined by the Sections and ratified by the Management Committee and shall cover membership for one year. The inability to meet fees or charges on the part of any person who may be under-privileged or in necessitous circumstances shall not preclude the benefits of Club membership from being available to such members or applicants for membership.
- w) The decision of the Management Committee shall be final and binding on all concerned with respect to all matters affecting the Club and the management of members and all persons in or about the Club premises.
- x) If it deems necessary, employ for a reasonable fee, professional instructors or workers to carry out the objects of the Club as set out in Clause 4 of this Constitution. Any such person may not be a member or ceases so to be if already one.

## 7. MEETINGS:

### 7.1 Annual General Meeting:

- a) The Annual General Meeting of members shall be held during the month of October/November in each year when the Annual Report and Financial Statements shall be presented.
- b) Notice of Motion of any proposed alterations or amendments to this Constitution or any business which the proposer deems sufficiently urgent to be raised at the Annual General Meeting must be submitted in writing to the Club General Secretary no later than fourteen days prior to the date set down for the meeting and must bear the signatures of both sponsor and seconder.

c) The Annual Report and the Agenda for the Meeting shall be circulated one week before such Meeting.

7.2 Special General Meetings: Any two members of the Management Committee may at any time convene a Special General Meeting of the Club. Such Meetings shall also be convened by the General Secretary upon the written request of not less than twelve or more members and shall be held within a period of one month from the date of receipt of the request. Such written request must briefly but substantially state the business to be brought before the meeting and bear signatures of those requesting it with an undertaking to be present at the meeting before such meeting will be convened.

7.3 Management Committee Meetings: Such meetings shall be held at least every two months and shall comprise those eligible to attend in terms of Clauses 6.3 (b) and 6.3 (c).

7.4 Executive Meetings: Shall be held as required and shall comprise those eligible to attend in terms of Clauses 6.3(a) and 6.3(c). If any member of the Executive fails to attend for three consecutive meetings without approval of the Executive, the Executive shall have the right to declare the seat vacant.

7.5 Notice of Meetings: The General Secretary shall give at least seven days notice in writing of all General Meetings to the members of the Club specifying the place, the day and the hour of meeting and the general nature of the business to be dealt with at that meeting. Notice to be given to any person under this clause whether of the holding of a meeting or otherwise shall be deemed to have been given to such person if given to him personally, or enclosed in a duly stamped envelope addressed to him at his address last known to the General Secretary and posted at any Post Office, provided that a declaration in writing by the General Secretary that he has so posted a notice or has caused it to be posted to any person in accordance with this Clause shall be conclusive that such notice has been posted in accordance with this Clause, whether or not the notice has actually been received by the person to whom it was addressed.

Any notice posted or deemed to have been posted in accordance with this Clause, shall be deemed to have been received by the person to whom it was addressed at the time at which in the ordinary course of post it should have been received, and in any case not later than within two days after the day of posting.

Any accidental omission to give notice by any officer shall not invalidate any resolution passed at any General Meeting.

7.6 Quorums: At all Meetings a quorum shall consist of the President or one of the Vice Presidents and in the case of a Members' Meeting twelve members and an Executive Meeting, two members. Should within half an hour of the time set down for a meeting to commence, a quorum not be present, then the meeting shall be adjourned to the same time and place and to a time within one month of the date of such meeting to be determined thereat. If at such meeting a quorum be not present then those members attending shall be deemed to be a quorum provided the number of such members is not less than three.

7.7 Proceedings at General and Special Meetings:

a) The President shall preside as Chairman of at every General Meeting of the Club, but he is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act then the members present shall elect one of the number to be Chairman of the meeting, a simple majority sufficing.

b) The Chairman may, with the consent of any meeting at which a quorum is present (and shall if so directed by this meeting), adjourn the meeting from time to time and from place to place but no business shall be transacted at any

adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty days or more notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

- c) At any general meeting a resolution put to the vote of a meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of a show of hands) demanded by the Chairman or by at least three members present. Unless a poll is so demanded a declaration by the Chairman that a resolution has, on a show of hands, been carried or carried unanimously, or by a particular majority, or lost and an entry to that effect in the book containing the minutes of the proceedings of the Club shall be conclusive evidence of the fact without proof of the number or proportion of votes recorded in favour of or against a resolution. The demand for a poll may be withdrawn.
- d) If a poll is duly demanded it shall be taken in such a manner and either at once or after an interval or adjournment or otherwise as the Chairman directs and the result of the poll shall be the resolution of the meeting at which the poll was demanded but a poll demanded on the election of a Chairman or on a question of adjournment shall be taken forthwith.
- e) In the case of an equality of votes, whether on a show of hands or on a poll, the Chairman of the meeting at which the show of hands takes place or at which a poll is demanded shall be entitled to a second or casting vote,
- f) General and Special meetings shall be open to all members, each member present shall have one vote.
- g) The ruling of the Chairman on any question of procedure shall be final. Every motion must be seconded and no person except the proposer shall speak twice on any motion unless a majority of those present shall otherwise decide. The Chairman shall have the right to limit the time during which each person shall speak.

7.8 Minutes: Minutes recording the following details shall be kept of all Meetings.

- a) All appointments of office bearers and members of the Executive and Management Committee.
- b) The names of members of the Executive, Management Committee and all members present at each relative meeting.
- c) All proceedings at all meetings of the Executive, management Committee and of the Club.

Such Minutes shall be signed by the Chairman of the Meeting at which the proceedings were held or by the Chairman of the next Meeting.

8. **FINANCIAL YEAR:** The Financial Year shall conclude on 30<sup>th</sup> June of each year.

9. **FUNDS:**

- a) All the moneys received by the Club shall be deposited intact at the earliest possible date to the credit of the Club's Bank Account and receipts therefore will be issued promptly.

- b) All payments in excess of \$2 made by the Club shall be paid by cheque or Direct Debit drawn on its Bank Account.
  - c) Fund Raising shall be the responsibility of the Management Committee or any sub-Committee it may appoint for this purpose. All Club members shall be requested to assist such bodies in need.
10. AUTHORISATION OF ACCOUNTS: All accounts shall be presented to and passed for payment at a management Committee Meeting and full details of all such approvals shall be entered in the Minute Book. Accounts of an urgent nature may be similarly dealt with by the Executive in terms of Clause 6.1.
11. BANK ACCOUNTS: The funds of the Club shall be banked at such bank or banks as may be determined from time to time by the Management Committee in the name of the Club, with any two of the president, Hon. General Secretary or Hon. Treasurer authorised to operate conjointly thereon. Any cheque, bill, promissory note or other similar document may be endorsed by any one of the aforesaid officers for the purpose of the payment of such instruments to the credit of the Club's accounts.
12. BOOKS OF ACCOUNT: The Management Committee shall cause proper books of account and/or records to be kept with respect to:
- a) All sums of money received and expended by the Club and the manner of which the receipt and expenditure takes place.
  - b) All purchases and disposal of property of any kind by the Club.
13. INSPECTION OF CLUB RECORDS: All accounts, books, documents, vouchers and records of the Club shall be kept at the Club premises or at such other place or places as the Management Committee shall think fit and always be open to the inspection of the members of the management Committee.
14. AUDIT:
- a) The auditor or auditors shall be elected at the Annual General Meeting. They shall examine all accounts, vouchers, receipts, books etc. and furnish a report thereon to the members at the Annual Meeting. Audits shall be conducted at regular intervals of not more than twelve months.
  - b) An auditor shall not be a member of or closely related to a member of the management Committee.
  - c) Although not a necessary condition of this Constitution it is preferable that the auditor or auditors be qualified members of a recognised Institute, association of body of accountants.
  - d) The auditor or auditors shall at all reasonable times have access to the books and accounts of the Club and they may in relation thereto examine Committee members or other members of the Club.
  - e) Subject to paragraph (f) hereof notice of the intention to nominate an auditor to replace the current auditor shall be given to the General Secretary at least twenty one days before the Annual General Meeting. The current auditor shall be entitled to attend the Annual General Meeting and if he so wishes be heard at such Annual General Meeting.
  - f) Where the current auditor submits his resignation or notifies the general secretary of his intention not to seek re-election as auditor, paragraph (e) shall not apply.

15. **ALTERATIONS TO CONSTITUTION:** These rules may be amended by a resolution passed by a two thirds majority of members present at any Annual General Meeting at which notice of the proposed amendment shall have been given or at a Special General Meeting convened for such purpose. Provided that the Minister of the Crown for the time is administering the Charitable Collections Act, 1934, as amended, shall be notified of the amendment and such amendment shall not be effective unless the Minister has signified his approval to such amendment being made.
16. **TRUSTEES:**
- a) Three Trustees shall be elected at a properly constituted General Meeting.
  - b) All property of whatever kind belonging to the Club shall have the custody of all deeds and documents of title relating to the property of the Club and shall be responsible for the same and shall deal with and dispose of all the property of the Club whether real or personal for the time being vested in them and the income thereof in accordance with the direction of the Management Committee provided that such directions are not in violation of the trusts upon which the property is held.
17. **BY-LAWS:** The Management Committee shall have power to formulate By-Laws and for the control and discipline of members and the regulations generally of the affairs of the Club provided that such By-Laws shall not be inconsistent with, or conflict with anything contained in these Rules or any amendment thereto. No By-Laws shall be valid unless it shall have been adopted by a majority vote of the Members of the Management Committee at a meeting duly convened and held not earlier than seven days or later than twenty one days after the holding of the first meeting. Notice of the proposed amendments of or addition or repeal of the By-laws must set out in full the amendment, or addition or reason for the repeal and be delivered to the Hon. General secretary fourteen clear days before the meeting of the management Committee. As soon as practicable after receipt of the Hon. General secretary shall clause a copy of such notice to be given to each officer in the manner prescribed by Clause 7.5.
18. **SUB-COMMITTEE:** The Management Committee shall have the power to appoint or remove Sub-Committees for the internal management of the Club.
19. **INJURIES:** The Club or Management Committee shall not bear any responsibility for any accident or injury caused to any person during Club activities. The Committee may, however consider the circumstances of any serious case and make decisions as to whether the Club shall offer some form of assistance to the injured person, monetary or otherwise.
20. **ACTIVITY SECTIONS:** With the concurrence of the Club's Management Committee, all activities, whether sporting, recreational, cultural or social, may form a Club Section which shall be run on the following lines:
- a) Elect from their members at each Annual General Meeting of the Activity a Committee which shall be responsible for organising and running the Section in terms of the by-Laws chosen by its members provided such By-Laws and any subsequential alterations thereto are confirmed by the Club's management Committee and a copy lodged with it. Should a section be unable to form its own Committee then the affairs of the Section shall be left in the hands of an Administrator whose appointment must first of all be approved of by the General Sectional By-laws produced by the Club which are appended hereto.
  - b) Sectional annual General Meeting's is to be held at a time each year convenient to any seasonal completion of the respective activity. In the case of an all year round activity, its Annual General Meeting shall be held as soon as possible following the Club's Annual general Meeting.

- c) Sectional fees will be recommended for approval by the Club's management Committee in terms of Clause 5.7(h).
- d) The duties of each sectional treasurer will be to collect all fees and after suitably issuing receipts on the Club's behalf and making a proper record thereof will hand such moneys to the Clubs Hon. Treasurer at the earliest opportunity. No section shall open a banking account of its own name without the authority of the Club's Management Committee. The section's financial records shall be subject to audit in conjunction with and at the same time as the Club.
- e) The duties of each Sectional Registrar will be to keep a suitable register of Sectional Members before immediately handing relative application forms to the Club's registrar. Where necessary (e.g. Sporting Sections) the Section Registrar will arrange all necessary registrations with that Activity's controlling body. All such Activities shall be conducted in accordance with the rules of that body having in mind the Club's constitution and By-Laws.
- f) Sectional Delegates defined in Clause 6.3 (b) will present a verbal report on the Section to each Management Committee Meeting.

21. DISSOLUTION:

- a) The Club shall be dissolved in the event of membership being less than three persons or upon the vote of a three-fourths majority of members present at a Special general Meeting convened to consider such question.
- b) Upon a resolution being passed in accordance with paragraph 9a0 of this Rule, all assets and funds of the club on hand shall after the payment of all expenses and liabilities, be handed over to such registered or exempt charity or charities as a simple majority of the members at the Special general Meeting so convened, or at a subsequent Special General Meeting, may decide.

22. INTERPRETATION: Wherever the term in the Rules indicates a male member, they shall also apply to a female member unless otherwise restricted or implied.

**APPENDIX REFERRED TO IN CLAUSE 20(A)**  
**OF NARRABEEN YOUTH CLUB INC CONSTITUTION**

**GENERAL SECTIONAL BY-LAWS**

- (1) All club teams that are registered with any sporting association to play competitive sport, are not permitted to register any more players than those sufficient to cover one full team plus two.
- (2) No member, active or ordinary must ever argue with or call criticism to referees.
- (3) Coaches, active or ordinary members may applaud or call encouragement to players where this is permitted by the sporting code being played under but under no circumstances are to call out criticism of players on the court or playing field.
- (4) Parents are not permitted to interfere with players or their coach during games.
- (5) The allocation of court or playing time amongst members of a team shall be apportioned by the coach in his judgement as required by the circumstances of or during a game without having regard to equality of playing time between players, provided that all team members (including reserves shall have at least the equivalent of a full game every three matches. This rule does not apply to semi final or final matches not do players absent or injured receive any benefit of court time missed during absence.
- (6) No active member may play a competition game with any team he/she is not a registered member of unless all members of that team present and able to play total less than the normal number of players allowed by the rules of the game.
- (7) Any coach or manager of a team may in his judgement refuse to allow any member of his team to attend ant team activity, unless also accompanied buy one parent. This rule is to transfer the responsibility of a hard to manage child to its parent and should not be involved for any other purpose.

**Penalties:**

If any By-Laws are alleged to be broken, a committee of any time or place, as soon as possible after the breach of by-laws is committed. Any section or Youth Club Executive available shall be Chairman and preside over the committee. Minutes are to be taken down and presented as soon as possible to the Youth Club secretary.

This committee shall decide on whether a breach of rules has been committed shall decide on whether a breach of rules has been committed and if so prescribe a penalty which shall be limited only to suspension for a certain period of time or number of competition matches, or to the giving of a direction to the offending person. Any ruling to be binding immediately and remain in force until varying order is given to the Youth Club executive.

- (8) A quorum for a Sectional Committee Meeting shall be 7 members.
- (9) A quorum for a sectional General Meeting shall be 13 members.
- (10) Notices of meetings to be given seven days prior to that meeting.

## NOTES AND AMMENDMENTS