



REGULATION 8 – ALTERATION TO THE CONSTITUTION & REGULATIONS

DEFINITIONS

“Act” means the Corporations Act 2001 (Cth).

"AGM" or "Annual General Meeting" means the annual General Meeting of the Company required to be held in each calendar year under the Act.

"Appointed Director" means a Director appointed under clause 17.

"LAA" means Australian Little Athletics Inc. trading as Little Athletics Australia.

“Board” means the body consisting of the Directors.

“Club” means a Little Athletics club which is affiliated with a Little Athletics Centre.

“Company” means Little Athletics NSW Ltd.

“Competitive Member” means an Individual Member who is a child or young person (as defined in the Regulations) and who is registered with the Company and participates in Little Athletics and/or skill related activities organised and conducted by the Company or any of its Members.

“Constitution” means the Constitution of the Company.

“Financial Year” means the year commencing on 1 April and ending on 31 March the following year.

“Individual Member” means:

- (a) a competitive member, being a child or young person (as defined in the Regulations) and who is registered with the Company and participates in Little Athletics and/or skill related activities organised and conducted by the Company or any of its Members.
- (b) any parent or legal guardian of any person who is an Individual Member under part (a) of this definition.
- (c) any individual who is a volunteer, coach or other official who is associated with the Company.
- (d) any coach providing coaching services to the Company, a Little Athletics Centre or an Individual Member.
- (e) any person who is a committee member of a Little Athletics Centre; or
- (f) any person who meets the criteria for membership as an Individual Member which are set out in the Regulations from time to time.

"Little Athletics" means the sport of athletics for children and young people between the ages of 3 and 17 years which is governed by the Company and LAA.

"Little Athletics Centre" means a Little Athletics Centre recognised by the Company as a Member under clauses 5.1(a) and 6.1 and which is responsible for administering Little Athletics competitions and Clubs within its local area.

"Member" means a member for the time being of the Company under clause 5 of the Constitution.

"Objects" means the objects of the Company in clause 3 of the Constitution.

"Official Position" means a person who:

- (a) is a Delegate or Zone Coordinator.
- (b) holds the position of president, vice president, treasurer, secretary, or registrar (or equivalent position) of a Little Athletics Centre.
- (c) is employed by a Little Athletics Centre on a full or part time (including casual) basis.

"Register" means a register of Members kept and maintained in accordance with clause 7 of the Constitution.

"Regulations" mean any Regulations made by the Board under clause 40 of the Constitution.

"Zone" means an area of New South Wales having boundaries as determined by the Board from time to time and which includes such Little Athletics Centres as have been assigned to that geographic area by the Board.

"Zone Coordinator" means the person who has been elected under clause 22(a) to undertake the duties set out in the Regulations.

8.1 PURPOSE

The purpose of this Regulation is to set down the procedural requirements of the Company for Special Resolutions to alter the Constitution and the procedures for establishment and alterations to Regulations. This Regulation is made under clauses 39 and 40 and will be interpreted in accordance with the Constitution of Little Athletics NSW Ltd.

8.2 SPECIAL RESOLUTIONS TO ALTER THE CONSTITUTION

Notices of Motion to amend the Constitution of the Company:

- a) May only be dealt with:
 - i) at the Annual General Meeting, or;
 - ii) at a Special General Meeting, or;
 - iii) by postal ballot.
- b) May only be proposed by an affiliated Little Athletics Centre or the Board.
- c) At the Annual General Meeting:
 - i) If proposed by an affiliated Little Athletics Centre; shall be in writing and signed by two (2) authorised members of the committee of the proposing Little Athletics Centre, verifying that the proposed amendment or amendments have been approved by the Little Athletics Centre Committee and forwarded to the Board not less than forty (40) days before the date set for the Annual General Meeting.

- ii) If proposed by the Board, be approved for submission to the Annual General Meeting at a Board Meeting, not less than forty (40) days before the date set for the Annual General Meeting.
- d) At a Special General Meeting:
 - i) If proposed by an affiliated Little Athletics Centre; shall be in writing and signed by two (2) authorised members of the committee of the proposing Little Athletics Centre, verifying that the proposed amendment or amendments have been approved by the Little Athletics Centre Committee and forwarded to the Company Secretary; and be approved for submission to a Special General Meeting by the Board.
 - ii) If proposed by the Board, be approved for submission to a Special General Meeting at a Board Meeting.
- e) By postal ballot:
 - i) If proposed by an affiliated Little Athletics Centre; shall be in writing and signed by two (2) authorised members of the committee of the proposing Little Athletics Centre, verifying that the proposed amendment or amendments have been approved by the Little Athletics Centre Committee and forwarded to the Company Secretary; and be approved for submission to a postal ballot by the Board.
 - ii) If proposed by the Board, be approved for submission to a postal ballot at a Board Meeting.
 - iii) Postal voting must be conducted in accordance with the Regulations made under the Act.
- f) Shall be specific and shall refer to the clause concerned specifying the deletion, insertion or addition of words that are required and followed by the clause as it would appear if amended. Alternatively, if the nature of the changes is such that replacing the entire clause is appropriate, then the delete and replace approach may be used.
- g) Shall not cause the Company to be in breach of the Act.
- h) Will become an effective resolution of the Company if passed by a special resolution.
- i) Any amendments to this Constitution must be lodged with the Australian Securities and Investments Commission for registration and should be forwarded to Little Athletics Australia for its information.

8.3 ESTABLISHMENT AND ALTERATIONS TO REGULATIONS

- a) The Board will administer the Regulations.
- b) Recommendations for the production of a new Regulation or the alteration to an existing Regulation may be submitted by an affiliated Little Athletics Centre at any time. Such recommendations must be accompanied by the minutes of the committee meeting at which the recommendation was approved, and be signed by the President and Secretary.
- c) A Director may at any time recommend to the Board a new Regulation or an alteration to an existing Regulation.
- d) The Board will consider and may approve changes to Regulations, or the implementation of a new Regulation in accordance with the standard procedures at meetings.
- e) Regulations approved by the Board will be forwarded to all affiliated Little Athletics Centres and Zone Coordinators within fourteen days of the Board meeting.
- f) Where an affiliated Little Athletics Centre has proposed a new or altered Regulation under 8.3 b), it will be advised within fourteen (14) days from the date of the Board meeting the outcome of the Board's consideration.