

Athletics NSW Limited  
ACN 072 450 296



## By-Laws

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## **1. Interpretation**

1.1. Any question of interpretation of these by-laws shall be referred to the Board for a decision.

The Board may take such advice as it deems necessary to enable them to make such decision.

## **2. Member Clubs**

### **2.1. Benefits**

2.1.1. Member Clubs have the right for their registered members to participate in various ANSW and AA competitions in accordance with their registration category.

2.1.2. Member Clubs have the right to send representatives to attend and participate in Club Conferences.

2.1.3. Member Clubs may nominate candidates for election or appointment as office-bearers within ANSW.

2.1.4. Member Clubs may ask for transfer applications for athletes to be referred to the Board for review prior to approval.

2.1.5. Member Clubs may benefit from ANSW insurance policies where applicable.

### **2.2. Obligations**

2.2.1. A Member Club must declare that it has complied with all provisions of the Constitution and these by-laws if requested annually as part of Member Club affiliation.

2.2.2. Member Clubs annual affiliation fees must be paid in accordance with the invoice from ANSW.

2.2.3. A Member Club shall provide a copy of its Constitution, By Laws (or equivalent document) to the Board or its delegate. Copies of any amendments to these documents by a Member Club shall be lodged with ANSW within 14 days after the passing thereof.

2.2.4. A Member Club shall lodge a copy of each of its Annual Report and Financial Statements with ANSW within 28 days of the date of the Member Club AGM.

2.2.5. Member Clubs must have Office Bearers (a President or Chair and Registrar as a minimum) who are a Registered Athlete or Registered Official or Registered Club Associate.

2.2.6. For Member Clubs who run competitions to have performances recognised by ANSW they must do so only with the prior approval of ANSW.

2.2.7. A Member Club may not change its name, colours, or style of competition uniform without the approval of the Board or its delegate. No name, colours or style of competition uniform will be approved, if in the opinion of the Board or its delegate, that name, colour, or style is identical or similar to those of another Member Club.

### **3. Specialist Member Organisations (Specialist Clubs)**

#### **3.1. Formation and Affiliation**

3.1.1. Groups of people, who wish to affiliate with ANSW but will not participate as a Member Club in ANSW competitions, may do so via this Specialist Club provision.

3.1.2. Specialist Clubs may be formed by educational or other institutions, groups of athletes with an event focus (eg racewalking, throws, jumps, cross country) or other groups (eg those formed by groups of Member Clubs in a geographical region, or organisations primarily formed to govern another sport) as the Board thinks advances the interests of ANSW or its objectives.

3.1.3.A Specialist Club is not a member of ANSW and does not have a right to vote at ANSW meetings

#### **3.2. Benefits**

3.2.1.Specialist Clubs have the right to attend and participate in Club Conferences.

3.2.2. A Specialist Club has the right to receive communications from ANSW.

3.2.3.A Specialist Club can benefit from ANSW insurance policies where applicable

#### **3.3. Obligations**

3.3.1. For results achieved at competitions conducted by a Specialist Club to be recognised, the Specialist Club must obtain prior approval from the ANSW Board or its delegate, comply with AA and IAAF competition rules, and submit all results on the prescribed competition form to the ANSW competition manager.

3.3.2.A Specialist Club must declare that it has complied with all provisions of the Constitution and these by-laws if requested annually as part of affiliation.

3.3.3.Specialist Clubs annual affiliation fees must be paid in accordance with the invoice from ANSW.

3.3.4.All Specialist Clubs must have Office Bearers (a President or Chair and Registrar as a minimum) who are a Registered Athlete or Registered Official or Registered Club Associate.

3.3.5.A Specialist Club shall provide a copy of its Constitution, By Laws (or equivalent document) to the Board of ANSW. Copies of any amendments to these documents by a Specialist Club shall be lodged with ANSW within 14 days after the passing thereof.

3.3.6.A Specialist Club shall lodge a copy of each of its Annual Report and Financial Statements with ANSW within 28 days of the date of the Specialist Club AGM.

## 4. Registered Athletes

### 4.1. Registration

- 4.1.1. For an athlete associated with a Member Club to be eligible to compete in an ANSW event or represent ANSW, or act as a Member Club Representative, the relevant registration fee and completed applicable Registration Form must have been lodged with ANSW.
- 4.1.2. An athlete who:
  - 4.1.2.1. is not a member of a Member Club; and
  - 4.1.2.2. resides more than 30kms from the headquarters of any Member Club in a country area more than 30kms from the headquarters of a country club,may become a Registered Athlete on completion of the applicable Registration Form and payment of the applicable registration fee.
- 4.1.3. An athlete who is not a member of a Member Club may become a Registered Community Athlete on completion of the applicable Registration Form and payment of the applicable registration fee.
- 4.1.4. Notwithstanding other provisions of these bylaws, the Board reserves the right to refuse, cancel and/or suspend athlete registration for any reason at its sole discretion.
- 4.1.5. ANSW will apply the eligibility and suspension rules of AA and IAAF including but not limited to those governing anti-doping, payments, and sponsorship, advertising, and marketing, athletes representatives, personal coaches accreditation, gambling and cheating.
- 4.1.6. Registration expires on 30<sup>th</sup> September each year or such other time as the Board of ANSW determines.
- 4.1.7. A Registered Athlete is not a member of ANSW and does not have a personal right to vote at ANSW meetings

### 4.2. Benefits

- 4.2.1. A Registered Athlete may compete where eligible under competition rules in ANSW and AA competitions.
- 4.2.2. A Registered Community Athlete may participate only in limited ANSW competitions, these to be determined from time to time by the Board or its delegate.
- 4.2.3. A Registered athlete can benefit from ANSW and AA insurance policies where applicable.
- 4.2.4. Subject to by-law 2.2.6 and by-law 4.2.5, a Registered Athlete will have their performances recognised by ANSW.
- 4.2.5. ANSW is not required to recognise a Registered Athlete's performance if it has not been notified of the performance. If requested by ANSW, the Registered Athlete or relevant Member Club must provide ANSW with evidence of the relevant performance to the reasonable satisfaction of ANSW.
- 4.2.6. A Registered Athlete will receive communications from ANSW.
- 4.2.7. A Registered Athlete who is a member of a Member Club may also be a member of a Specialist Club of ANSW.
- 4.2.8. Transfer rights. A Registered Athlete may transfer from one Member Club to another under the following conditions:

- 4.2.8.1. A person whose registration has expired and who has not renewed registration through the former Member Club in the following registration period shall not be required to pay a transfer fee.
  - 4.2.8.2. A person who has already registered with one Member Club and seeks to transfer to another Member Club within that registration period shall make an application on the prescribed form which must be authorised by both Member Clubs and shall be subject to payment of the prescribed transfer fee.
  - 4.2.8.3. All applications for transfer made pursuant to this by-law 4.2.8 shall be made to the CEO who within 14 days shall either grant permission to transfer or, at the request of an interested Member Club or affiliated body or a Registered Athlete or Registered Official, or, at the CEO's own discretion, refer such application to the Board for review.
  - 4.2.8.4. Not more than 25% of the number of athletes registered during the previous registration year with any one Member Club shall be permitted to transfer to any other one member club except with the special permission of the Board.
- 4.2.9. A Registered Athlete may be nominated for Life Membership or a Service Merit Award.

#### 4.3. Obligations

- 4.3.1. A Registered Athlete must pay competition entry, transfer, team levies, representation and other fees as determined by ANSW from time to time to participate in ANSW activities.
- 4.3.2. A Registered Athlete must at all times comply with the eligibility and suspension rules of AA and the IAAF including but not limited to those governing anti-doping, payments and sponsorship, advertising and marketing, athletes representatives, personal coaches accreditation, gambling and cheating.
- 4.3.3. A Registered Athlete must abide by the ANSW athlete code of conduct, the MPP and all other existing ANSW and AA rules and policies.

## **5. Registered Competition Officials**

### **5.1. Registration**

- 5.1.1. For a person associated with a Member Club to be eligible to be recognised as a Registered Competition Official, the relevant registration fee and completed applicable Registration Form must have been lodged with ANSW.
- 5.1.2. To officiate at ANSW or ANSW permitted events, a Registered Competition Official must be accredited by AA.
- 5.1.3. A person who is not associated with a Member Club may become a Registered Competition Official on completion of the applicable Registration Form and payment of the applicable registration fee.
- 5.1.4. A Registered Competition Official is not a member of ANSW and does not have a personal right to vote at ANSW meetings.

### **5.2. Benefits**

- 5.2.1. A Registered Competition Official can benefit from ANSW and AA insurance policies where applicable.
- 5.2.2. A Registered Competition Official may be nominated for Life Membership or a Service Merit Award.
- 5.2.3. Where appropriately accredited, and authorised by the ANSW CEO, a Registered Competition Official may be financially compensated by ANSW for officiating at ANSW authorised events.

### **5.3. Obligations**

- 5.3.1. A Registered Competition Official must abide by the ANSW official code of conduct, the MPP and all other existing ANSW and AA rules and policies.

## **6. Club Associates**

### **6.1. Registration**

- 6.1.1. A Club Associate may be an unaccredited official, Member Club committee member, administrator, volunteer, coach, or other supporter.
- 6.1.2. For a person associated with a Member Club to be eligible to be recognised as an ANSW Club Associate, the completed applicable Registration Form must have been lodged with ANSW and relevant registration fee paid.
- 6.1.3. A Club Associate is not a member of ANSW and does not have a personal right to vote at ANSW meetings.

### **6.2. Benefits**

- 6.2.1. A Club Associate can benefit from ANSW and AA insurance policies where applicable
- 6.2.2. A Club Associate may be nominated for Life Membership or a Service Merit Award

### **6.3. Obligations**

- 6.3.1. A Club Associate must abide by the ANSW Official code of conduct, the MPP and all other existing ANSW and AA rules and policies

## **7. Coaches**

Coaches represent a key function in the activities of ANSW and play a key role in our sport.

### **7.1. Registration/Accreditation.**

7.1.1. Coaches who reside in NSW and are accredited by AA are deemed to be registered with ANSW.

7.1.2. A Coach is not a member of ANSW and does not have a personal right to vote at ANSW meetings.

### **7.2. Benefits**

7.2.1. Where they are a Registered Athlete, Registered Competition Official or Club Associate, accredited coaches registered with ANSW are also entitled to a coach's pass, issued through their Member Club, which provides coaches with free admission to such ANSW events as determined by the Board or its delegate.

### **7.3. Obligations**

As a consequence of the AA requirement for accredited coaches to be registered with member associations, where this is with ANSW, accredited coaches will be bound by these bylaws including compliance with the codes of conduct, the ANSW MPP and other existing ANSW and AA rules and policies.

## **8. Life Members**

8.1.1. Life Membership and Service Merit Awards may be awarded by the Board from time to time at its absolute discretion. In determining whether to award Life Membership or Service Merit Awards, the Board may have regard to the recommendation of the Awards Advisory Panel

8.1.2. Life membership shall be restricted to those persons who have rendered at least ten years outstanding service to the company or its predecessor association, or have rendered at least fifteen years outstanding service to the sport of athletics in New South Wales

8.1.3. A Life Membership may be cancelled by a special resolution at a general meeting, following the recommendation of the Board.

8.1.4. A Life Member is not a voting member of ANSW and does not have a personal right to vote at ANSW meetings.

### **8.2. Benefits**

8.2.1. Life Members, while alive, are considered to be Registered Officials but will have their annual registration fee set at zero.

8.2.2. Privileges of a Life Member shall include free admission to all athletic meetings held by ANSW.

8.2.3. Life Members will be provided with a badge of a design approved by the Board

8.2.4. A Life Member can benefit from ANSW and AA insurance policies where applicable.

### **8.3. Obligations**

8.3.1. The offer of Life Membership is predicated on the Life Member's continued acceptance to be bound by the code of conduct, these by-laws, the MPP and other existing ANSW rules and policies.



## **9. The Board of ANSW**

### **9.1. Delegated Authority**

9.1.1. The CEO of ANSW has the delegated authority of the Board, in consultation with the Competition Advisory Panel, to amend the Rules of Competition.

9.1.2. The CEO of ANSW has the delegated authority of the Board to set competition and gate entry fees to ANSW events.

### **9.2. Obligations**

9.2.1. Athletics competitions will be organised in accordance with the Rules of Competition and timetable as set out by ANSW from time to time.

9.2.2. ANSW will determine and publish a schedule of affiliation, official, Club Associate and athlete category registration fees and terms each year prior to the commencement of the Track and Field season.

9.2.3. The ANSW Board may establish the following Advisory Panels:

9.2.3.1. Competition Advisory Panel;

9.2.3.2. Officials Advisory Panel;

9.2.3.3. Awards Advisory Panel; and

9.2.3.4. Other Advisory Panels as the Board may determine.

9.2.4. The ANSW Board will adopt a charter for each Advisory Panel under which each Panel will be responsible to the CEO.

9.2.5. The ANSW Board will make annual appointments to the following positions at their first meeting following each AGM after considering recommendations by the CEO:

9.2.5.1. Members of the Advisory Panels;

9.2.5.2. Constitution Officer;

9.2.5.3. Records Officer; and

9.2.5.4. Returning Officer for the conduct of elections at a General Meeting.

9.2.6. In the event of an annual appointment, for the purpose of nominating candidates:

9.2.6.1. All Member Clubs must be invited to propose persons for consideration for the positions referred to in by-law 9.2.5 at least 4 weeks prior to the Board meeting which is to make such appointments.

9.2.6.2. In the case of a casual vacancy for a position referred to in by-law 9.2.5 the Board has the right, after considering recommendations from the CEO, to appoint a replacement without notice to members for the balance of the period of appointment of the original appointee.

9.2.8. Club Conferences

9.2.8.1. The Board shall convene a conference of representatives of all affiliated bodies to discuss matters of interest and concern at least annually.

9.2.8.2. Member and Specialist Clubs may submit matters for discussion at the club conference and make recommendations to the Board and CEO on all matters.

## 10. Definitions

10.1. AA – Athletics Australia Ltd, ACN 006 447 294, the affiliating body to the IAAF, owned and constituted by Australian state member athletics associations, including NSW, and recognised by the Australian Commonwealth Government, Australian Olympic Committee and Commonwealth Games Associations as the Australian National Sporting Organisation for Athletics.

10.2. NSW – Athletics New South Wales Ltd, the state governing body for Athletics, a public company limited by guarantee.

10.3. Board – the Board of Directors of NSW.

10.4. IAAF -The International Association of Athletics Federations, the world governing structure for Athletics, established with legal status as an association under the laws of Monaco.

10.5. Club Conference means a conference as described in by-law 9.2.8.

10.6. Country Club- A Country Club is a Member Club with its main training or competition venue more than 75km by road from the Sydney GPO. This definition may be used by the NSW Board or its delegates for the purposes of determining competition rules, Country Championships eligibility, Member Club affiliation fees, Athlete registration category or any other matter concerning the operation of the sport.

10.7. Life Member – an individual as described in by-law 8.

10.8. Member Club – an organisation as described in by-law 2.

10.9. Member Protection Policy (MPP) – the NSW policy established by the Board and as amended from time to time.

10.10. Registered Coach – a coach accredited by AA who is first required to be registered in some capacity with NSW.

10.11. Registered Athlete – a person registered in an applicable age group to compete with NSW according to by-law 4.1.

10.12. Registered Club Associate – a person as described in by-law 6.1.

10.13. Registered Community Athlete – a person as described in by-law 4.1.3.

10.14. Registered Competition Official - a person as described in by-law 5.1

10.15. Registration Form – an application in a form prescribed by the Board, to be completed and signed by persons wishing to register as athletes, officials, or club associates

with ANSW, or Life Members wishing to benefit from insurance, which includes a declaration that they agree to be bound by, and abide by the by-laws and other polices and codes of ANSW.

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