CONFEDERATION OF AUSTRALIAN SPORT
INCORPORATED
(Reg No. A1036)

STATEMENT OF PURPOSES
AND
RULES

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# DEFINITIONS

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<tr>
<td><strong>Appointed Board Members</strong></td>
<td>The members of the Board who are appointed by the Elected Board Members under Rule 7.2(b).</td>
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<tr>
<td><strong>Board</strong></td>
<td>The Board of the Confederation of Australian Sport Incorporated.</td>
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<tr>
<td><strong>Board Members</strong></td>
<td>Members of the Board elected and appointed under this Constitution.</td>
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<tr>
<td><strong>Confederation</strong></td>
<td>Confederation of Australian Sport Incorporated.</td>
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<td><strong>Chief Executive Officer</strong></td>
<td>A person employed by the Board who is a Board Member and is responsible for the general administration and financial management of the Confederation.</td>
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<tr>
<td><strong>Elected Board Members</strong></td>
<td>The members of the Board who are elected by the Annual General Meeting under Rule 7.2(a).</td>
</tr>
<tr>
<td><strong>Members</strong></td>
<td>All organisations admitted to membership of the Confederation under section 4 of this Constitution.</td>
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1. NAME

The name of the Association shall be the Confederation of Australian Sport Incorporated.

2. OBJECTS

Without usurping the autonomy of its Members the objects for which the Confederation is established are to:

(i) provide for the representation, promotion and support of sport and sport related activities, sporting organisations and the sports industry, throughout Australia and elsewhere, including but not limited to:

(a) promoting a greater community awareness of sport and its contribution to the community generally;

(b) promoting and holding, either alone or jointly with any other association, club, or person, meetings, educative exercises and other activities of the Confederation generally;

(c) promoting, encouraging and providing facilities and materials for education relating to sport, the practice and play of sport and to raise levels and standards of sport in Australia and elsewhere;

(d) facilitating and encouraging excellence in sport and sporting administration and improving the standards of sportsmanship generally;

(e) representing the interests of sport and participants in sport within Australia at all levels;

(f) co-operating with and assisting any organisation having objects and purposes similar to those of the Confederation in any manner which may further the interests of sport, recreation, the sports industry or the Confederation generally;

(g) pursuing, supporting, promoting and conducting such programs and projects that relate to sport and to the other activities of the Confederation generally; and

(h) assisting in the resolution of any matters affecting the interests of sport, the sports industry or of the Confederation;

(ii) affiliate and/or otherwise liaise with such bodies as have similar (in whole or in part) purposes;

(iii) use and protect the intellectual property of the Confederation;
collect, distribute and publish information in connection with sport, the sports industry and related issues;

co-operate with and advise all levels of government, sporting associations and the private sector of the needs of sport and to initiate the means of meeting those needs;

lobby, strive for and maintain government, media, commercial and public recognition and support of the Confederation and sport generally;

further develop the Confederation (or any substitute or other entity) into an organised institution and having regard to these purposes, to foster, lobby on behalf of, and otherwise assist sport, sporting organisations and the sports industry in Australia and elsewhere;

encourage and raise the levels and standards of fitness, sport and recreation in Australia and to encourage and increase general participation in sport in the interests of health and quality of life;

promote, protect and represent the interests of the members of the Confederation that relate directly or indirectly to sport or the sports industry;

promote the importance of sport and the benefits of the sports industry;

have regard to the public interest in pursuing these purposes;

encourage and promote safe, healthy, enjoyable, equitable, doping free competition and involvement in sport;

increase Member service and satisfaction;

encourage the development of all aspects of Australian sport and the Australian sports industry;

provide a program of advice and assistance to Members;

improve the knowledge and information base about sport and increase the quality and availability of sports industry data;

establish and maintain effective communication links within sport;

encourage and support multi-sport competition in Australia.

pursue through itself or other entities such commercial arrangements, including sponsorship and marketing opportunities, as are appropriate to further the Objects;

undertake and or do all such things or activities which are necessary, incidental or conducive to the advancement of these purposes.
3. **POWERS**

For the purpose of effecting its Objects, the Confederation shall have the following powers:

3.1 Purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal and any rights, privileges for, or in connection with, any of the objectives of the Confederation.

3.2 Enter into arrangements with any government or authority that are relevant to the Confederation's objectives.

3.3 Invest and deal with the money of the Confederation not immediately required in such manner as may be permitted by law for the investment of trust funds.

3.4 Borrow or raise or secure the payment of money and secure the repayment or performance of any debt, liability, contract, guarantee or other engagement incurred or entered into by the Confederation in any way.

3.5 Sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Confederation.

3.6 Take or hold mortgages, liens and charges to secure payment of the purchase price, or any unpaid balance of the purchase price, for any part of the Confederation's property sold by the Confederation or any money due to the Confederation from purchasers and others.

3.7 Accept any gift of property whether subject to any special trust or not.

3.8 Procure contributions to the funds of the Confederation, in the form of donations, annual subscriptions or otherwise, by personal or written appeals, public meetings or otherwise as may from time to time be deemed expedient.

3.9 Print and publish any newspapers, periodicals, books or leaflets or advertise in the press, or on radio or television or by any other means and in such manner as the Confederation may think desirable for the promotion of its objectives.

3.10 Make donations for patriotic or charitable purposes.

3.11 Bestow any award the Confederation deems appropriate to recognise meritorious conduct which promotes the objectives of the Confederation and the interests of sport in Australia.

3.12 Employ, pay and dismiss employees and/or consultants.

3.13 Delegate from time to time powers not otherwise specifically authorised by this Constitution to the Board or sub-committees such as the Confederation in General Meeting shall deem fit.
3.14 Co-operate with organisations within or outside Australia which have similar objectives to the Confederation, to further the interests of sport in Australia.

3.15 Join, and maintain membership of any international organisation having similar objectives to those of the Confederation.

3.16 Take, or otherwise acquire and hold shares, debentures or other securities of any company or body corporate.

3.17 Establish and maintain corporate entities to carry on and conduct the business affairs and undertakings, or any aspect thereof, of the Confederation and for that purpose, to utilise any assets of or held on behalf of the Confederation.

3.18 Do all other things which are incidental or conducive to attaining the Objects and exercising the Powers of the Confederation.

4. MEMBERSHIP

4.1 Categories and eligibility

The categories for membership of the Confederation shall be:

(a) Gold (being National Sporting Organisations responsible for the policies and regulations governing the conduct of an individual sporting discipline);

(b) Sport Services (being significant umbrella non-profit organisations which are involved in the sports industry);

(c) Industry Associate (being other non-profit organisations which do not in the Board's opinion qualify for Sport Services membership);

(d) Corporate (being organisations in the sports industry which trade or carry on business with the commercial objective of profit making);

(e) Individual (being persons involved in sport);

(f) Life (being individuals who have made outstanding contributions to sport or the sports industry);

(g) The Board Members for the time being;

(h) Such other categories as may be created by the Board from time to time.

4.2 Admission to membership

Application for membership of the Confederation shall be made in writing to the Chief Executive Officer and signed by the President or Executive Officer of the applicant organisation or by the individual.
As soon as possible after the receipt of the application, the Chief Executive Officer shall refer it to the Board which shall consider it having reference to the items in Annexure 1.

As soon as possible after an application has been approved or rejected by a simple majority vote of the Board or by a General Meeting of the Confederation, the Chief Executive Officer shall notify the applicant in writing.

Upon receipt of the sum payable as the first year's membership fee, the applicant organisation will become a Member of the Confederation and its name shall be entered in a register of members kept by the Confederation's Chief Executive Officer.

4.3 Fees

All Members, other than Life Members, shall pay an annual membership fee. Membership fees for Gold membership and Sport Services membership for the current year shall be recommended by the Board and approved by each Annual General Meeting, failing which the previous year's fees shall stand. Membership fees for all other classes of membership shall be set by the Board in its discretion. Membership fees shall be payable within 60 days of the beginning of the financial year.

The financial year of the Confederation shall commence on 1 July.

4.4 Rights of Members

Unless otherwise determined by the Board, all Members shall be entitled to attend all Annual and Special General Meetings of the Confederation. Only the Board Members shall be entitled to vote at these meetings. No other category of membership is entitled to vote.

4.5 Termination of membership

4.5.1 A Member, subject to a resolution of the Board being passed to the effect, shall cease to be a Member:

(i) If the membership fee of such Member remains unpaid at 31 August and such Member is, upon receiving notice of default, still in default at 30 September. The membership shall be deemed to have ceased on 30 September.

(ii) If such Member resigns by notice in writing addressed to the Chief Executive Officer, and signed by the President or Executive Officer of the Member.

4.5.2 The Confederation in General Meeting shall have the power to expel or suspend any Member which wilfully refuses or neglects to comply with the provisions of this Constitution or is guilty of any conduct which in the opinion of the Confederation is unbecoming of a Member or prejudicial to the interests of the Confederation.

At least 28 days before the General Meeting at which the resolution for its expulsion or suspension is moved, a Member shall be given notice of such resolution and particulars of allegations against it.
If expulsion or suspension is moved, a Member shall have at such meeting an opportunity to reply to the allegations made against it and explain or defend its actions.

Any resolution for expulsion or suspension must be passed by a majority vote of two-thirds of those Members present and eligible to vote.

### 4.6 Limited liability

The liability of a Member of the Confederation to contribute towards the payment of the debts and liabilities of the Confederation or the costs, charges and expenses of a winding up of the Confederation is limited to the extent of that part of its current year’s membership subscription which is unpaid.

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### 5 PATRONS

The Governor-General of Australia shall be invited to be the Patron-in-Chief of the Confederation.

The Prime Minister shall be invited to be the Patron.

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### 6 GENERAL MEETINGS

#### 6.1 Annual General Meeting

6.1.1 The Confederation shall hold an Annual General Meeting every year.

6.1.2 The Annual General Meeting shall be held within five months after the close of the financial year of the Confederation, on a date determined by the Board.

6.1.3 The Annual General Meeting shall be in addition to any other meetings that may be held in the same year, and shall be specified as such in the notice convening it.

6.1.4 The ordinary business of the Annual General Meeting shall be:

(i) to confirm the minutes of the previous Annual General Meeting;
(ii) to receive from the Board the annual report, the audited statement of the Confederation’s accounts and the auditor’s report for the preceding financial year;
(iii) to elect the Elected Board Members of the Confederation;
(iv) to appoint the Auditor of the Confederation.
(v) other items of business requested by Members in accordance with Rule 6.2.2 of this Constitution.

6.1.5 All General Meetings other than the Annual General Meeting shall be called Special General Meetings.
6.2 Notice of Annual General Meetings

6.2.1 Not less than 42 days' notice in writing of an Annual General Meeting shall be given to every Member entitled to vote (if any).

6.2.2 To be included in the agenda, agenda items and notices of motion shall be addressed to the Chief Executive Officer and be received by the Confederation's office not less than 30 days prior to an Annual General Meeting.

6.2.3 The agenda (inclusive of the items of general business) of an Annual General Meeting shall be sent to each Member entitled to vote in writing not less than 21 days prior to that meeting. Such agenda shall include items and notices of motion submitted by a Member or Members or the Board.

Accompanying the agenda shall be a list of nominees for the Elected Board Members together with brief curricula vitae of the nominees where they have been provided.

6.3 Special General Meetings

6.3.1 The Board may at any time convene a Special General Meeting.

6.4 Notice of Special General Meetings

6.4.1 Not less than 42 days' notice in writing of a Special General Meeting shall be given to every Member entitled to vote. The notice of a Special General Meeting shall also include a request for agenda items and notices of motion.

6.4.2 To be included in the agenda, agenda items and notices of motion shall be addressed to the Chief Executive Officer and be received by the Confederation's office not less than 30 days prior to a Special General Meeting.

6.4.3 The agenda of a Special General Meeting shall be sent to each Member entitled to vote in writing not less than 21 days prior to that meeting. Such agenda shall include items and notices of motion submitted by Members of the Board.

6.5 Quorum and Business at Annual and Special General Meetings

6.5.1 No business shall be transacted at a General Meeting unless all Board Members are present either in person or electronically. At least half plus 1 of the Board Members must be present in person.

6.5.2 Unless otherwise determined by the Board, each Ordinary Member and each Special Services Member may be represented by two delegates at a General Meeting. Only Board Members may vote and each Board Member shall have one vote.

6.5.3 By consent of three quarters of those present and eligible to vote, business other than that of which notice has been given as stipulated may be included in the business of the meeting.
6.5.4 Except in the circumstances provided for in Rule 6.3.4, the President, or, in his or her absence, the Vice-President, shall preside as Chairman at a General Meeting of the Confederation. In their absence the Board shall nominate another Board member to be Chairman of the meeting. The Chief Executive Officer may not be the Chairman of a General Meeting.

7 BOARD

7.1 The business and affairs of the Confederation shall be managed by the Board.

7.2 The Board shall consist of up to seven (7) persons determined as follows:

(a) Four persons(4) elected at an Annual General Meeting (called Elected Board Members)

Up to two (2) persons may be appointed at any time by a majority of the Elected Board Members and the Chief Executive Officer, (called Appointed Board Members), and

(b) The Chief Executive Officer appointed under Rule 10.1

(collectively called Board Members).

7.3 One(1) of the four(4) Elected Board Members shall be the President who shall be determined by majority vote of the Elected Board Members. The Board may, by majority vote, appoint one (1) of the Board Members to be Vice-President of the Confederation.

7.4 Each Elected Board Member shall have a term of office of two(2) years, which shall cease upon the election of their successor at the relevant Annual General Meeting. The term of office for Elected Board Members shall rotate so that two(2) of the four(4) Elected Board Members vacate office at every Annual General Meeting. Elected Board Members may be reelected or appointed for a further term, or terms, of office.

7.5 Each Board Member (including the Chief Executive Officer) shall have one vote each at a meeting of the Board.

7.6 (a) The Board shall meet as often as it shall decide is necessary, but not less than four times a year. The quorum for all meetings of the Board shall be four(4) Board Members.

(b) A resolution in writing, signed or assented to by telegram, cablegram, radiogram, facsimile, telex or other form of visible or other electronic communication by all the Board Members for the time being present in Australia shall be as valid and effectual as if it had been passed at a meeting of Board Members duly convened and held. Any such resolution may consist of several documents in like form each signed by 1 or more of the Board Members.
(c) Without limiting the power of the Board to regulate their meetings as they think fit, a meeting of Board may be held where 1 or more of the Board Members is not physically present at the meeting, provided that:

(i) all persons participating in the meeting are able to communicate with each other effectively simultaneously and instantaneously whether by means of telephone or other form of communication;

(ii) notice of the meeting is given to all the Board Members entitled to notice in accordance with the usual procedures agreed upon or laid down from time to time by the Board and such notice specifies that Board Members are not required to be present in person;

(iii) in the event that a failure in communications prevents condition (i) from being satisfied by that number of Board Members which constitutes a quorum, and none of such Board Members are present at the place where the meeting is deemed by virtue of the further provisions of this article to be held then the meeting shall be suspended until condition (i) is satisfied again. If such condition is not satisfied within 15 minutes from the interruption the meeting shall be deemed to have terminated;

(iv) any meeting held where 1 or more of the Board Members is not physically present shall be deemed to be held at the place specified in the notice of meeting provided a Board Member is there present. If no Board Member is there present the meeting shall be deemed to be held at the place where the Chairman of the meeting is located.

7.7 The President, or in his or her absence, the acting President, shall have the casting vote if required as well as a deliberative vote at Board meetings.

7.8 Each nomination for election of the Elected Members of the Board shall be in writing and be signed on behalf of the nominating Member by its Executive Officer or President and also by the nominee. It shall be addressed to the Chief Executive Officer and received at the Confederation's office not less than 30 days before the Annual General Meeting.

7.9 A casual vacancy shall occur on the Board if one of the Elected Board Members or Appointed Board Members:
(a) dies;
(b) resigns from office;
(c) is removed from office pursuant to Rules 7.11 or 7.12;
(d) becomes an insolvent under administration within the meaning of the Corporations Law;
(e) suffers from mental or physical incapacity;
(f) is disqualified from office under subsection 63 (1) of the Act; or
(g) is absent without the consent of the Board from all meetings of the Board during a period of 6 months.

7.10 Should a casual vacancy occur under Rule 7.9 the Board may appoint a person to fill it. Each such appointed Board Member shall hold office until the next Annual General Meeting, when they shall cease office but shall be eligible for re-election or reappointment.
7.11 An Elected Board Member may be dismissed at a General Meeting by a majority vote of three-quarters of those present and eligible to vote. Before doing so the Elected Board Member concerned shall be given at least seven (7) days written notice of the date on which the General Meeting intends to vote on such resolution, and the reason for doing so. The Elected Board Member shall also be given a right to be heard at the General Meeting prior to such resolution.

7.12 The Board may, by resolution of a simple majority of the Board, revoke the appointment of an Appointed Board Member prior to the expiry of that Appointed Board Member’s term of office. Before doing so the Appointed Board Member concerned shall be given at least seven (7) days written notice of the date on which the Board intends to vote on such resolution, and the reason for doing so. The Appointed Board Member shall also be given a right to be heard at the Board meeting prior to such resolution.

8  POWERS OF THE BOARD

8.1 Subject to the Act and this Constitution, the Confederation shall be managed, and the Powers of the Confederation shall be exercised, by the Board.

8.2 The Board may, from time to time, allocate to the Board Members portfolio responsibilities, including Finance Director, in areas related to Confederation activities.

8.3 The Board may from time to time establish Sub-committees as defined in Rule 9.1.

9  SUB-COMMITTEES

9.1 The Confederation in General Meeting or the Board may set up Sub-committees to advise the Board and/or Members on specific matters related to the activities of the Confederation and delegate to such Sub-committees such powers as the Confederation or the Board may decide from time to time.

9.2 The Board shall appoint from amongst its members a Chairman of each Sub-Committee.

10  APPOINTMENT OF STAFF

10.1 The Board shall from time to time employ a Chief Executive Officer, on terms and conditions it considers appropriate. The Chief Executive Officer shall be responsible for general administration and financial management and shall be subject to the control of the Board.
10.2 The Chief Executive Officer shall appoint such other administration staff as the Board deems necessary and prudent. Such staff shall work under the control of the Chief Executive Officer.

11 PUBLIC OFFICER

11.1 The Board shall appoint a resident of the Australian Capital Territory to be the Public Officer of the Confederation and to carry out and perform all the duties of a Public Officer as set out and required by the Act and amended from time to time.

11.2 If the office becomes vacant, the Board shall appoint within fourteen days a resident of the Australian Capital Territory to fill the vacancy.

11.3 The office becomes vacant if the person holding that office:

(i) dies;
(ii) becomes bankrupt or applies to take advantage of any law relating to bankrupt or insolvent creditors or compounds with his or her creditors;
(iii) becomes of unsound mind;
(iv) resigns the office in writing;
(v) ceases to be a resident of the Territory.

12 COMMON SEAL

12.1 The Seal shall only be used with the authority of the Board.

12.2 Every instrument to which the Seal is affixed shall be countersigned by the President or Vice-President (if any), and the Chief Executive Officer.

12.3 The Seal shall remain in the custody of the Chief Executive Officer in the office of the Confederation.

13 AUDIT

13.1 An independent and properly qualified Auditor shall be appointed by the Confederation at the Annual General Meeting. At least once in each financial year the Auditor shall examine the accounts of the Confederation and report to the members as to the correctness of those accounts.
13.2 The Auditor:

(i) has the right of access to the accounts, books, records, vouchers, and documents of the Confederation;
(ii) may require from the employees of the Confederation such information and explanations as may be necessary for the performance of his or her duties as Auditor;
(iii) may, in relation to the accounts of the Confederation examine any member of the Board or any employee of the Confederation.

14 ACCOUNTS AND FINANCE

14.1 The Board shall cause proper accounting and other records to be kept of:

(i) all sums of money received and expended by the Confederation and the manner in respect of which the receipt or expenditure takes place;
(ii) the property, credits and liabilities of the Confederation.

14.2 The Board shall open and maintain a banking account or accounts in the name of the Confederation into which all monies received shall be paid as soon as possible after their receipt. The Board may invest monies in bank accounts, cash management trusts, securities or any other forms which it deems to be appropriate.

All cheques, promissory notes, bankers drafts, bills of exchange and other negotiable instruments, and all receipts for money paid to the Confederation, shall be signed, drawn, accepted, endorsed or otherwise executed as the case may be, by the Chief Executive Officer and one(1) Board Member, or in such other manner as the Board determines, from time to time, by resolution.

14.3 The financial year of the Confederation shall be the period from 1 July to 30 June.

14.4 The Confederation shall distribute to each Member at or before each Annual General Meeting a profit and loss account and balance sheet made up to date not more than four (4) months before the date of the meeting, and accompanied by a copy of the Auditor's Report.

14.5 The Chief Executive Officer shall be responsible for the custody of any books, documents or securities of the Confederation, which will be kept at the Confederation's office.

14.6 The books, documents and securities of the Confederation shall be available for inspection by a Member or Members within a reasonable time following receipt by the Confederation's office of a request in writing addressed to the Chief Executive Officer.
15 FUNDS

15.1 The funds of the Confederation shall be derived from membership fees, sponsorships, donations, annual subscriptions, income from the rent and sale of property, licence fees and other such sources as the Board determines or arranges within the authority of this Constitution.

15.2 The funds and property of the Confederation shall be applied solely towards the promotion of the objects of the Confederation as set out in this Constitution.

15.3 Except as prescribed in this Constitution:

(a) no portion of the funds or the property of the Confederation shall be paid or transferred, directly or indirectly by way of dividend, bonus or otherwise to any Member; and

(b) no remuneration or other benefit in money or money's worth shall be paid or given by the Confederation to any Member who holds any office of the Confederation.

15.4 Nothing contained in Rules 15.2 and 15.3 shall prevent payment in good faith of or to any Member for:

(a) any services actually rendered to the Confederation whether as an employee or otherwise;

(b) goods supplied to the Confederation in the ordinary and usual course of operation;

(c) interest on money borrowed from any Member;

(d) rent for premises demised or let by any Member to the Confederation;

(e) any out-of-pocket expenses incurred by the Member on behalf of the Confederation; or

(f) any other reason;

provided that any such payment shall not exceed the amount ordinarily payable between ordinary commercial parties dealing at arm’s length in a similar transaction.

16 ALTERATION TO THE CONSTITUTION

16.1 The Constitution may be altered by a resolution passed by a three quarters majority of Members present and eligible to vote at an Annual General Meeting or a Special General Meeting called for that purpose.
16.2 Not less than 42 days notice of proposed amendments to the Constitution shall be given to Members.

17 NOTICES

A notice may be served by or on behalf of the Confederation upon any Member personally; or by sending it through the post in a prepaid letter addressed to the Member at its registered address; or by sending such letter to the care of the Executive Officer or Secretary of the Member whose address has been supplied to the Confederation by such Member; or by facsimile transmission to a number supplied to the Confederation by such Member or contained on its letterhead or by electronic mail or other electronic means to the email address supplied to the Confederation by such Member or contained on its letterhead.

18 WINDING UP

18.1 The Confederation may be wound up or dissolved only after a resolution passed by a three-quarters majority of the Members present and eligible to vote at a meeting called for that purpose.

18.2 If, upon winding up or dissolution of the Confederation, there remains after satisfaction of all its debts and liabilities any property whatsoever, it shall not be paid to or distributed among the Members of the Confederation, but shall be given or transferred to some other institution or institutions having objectives similar to those of the Confederation and whose memorandum of association or constitution shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed by the Confederation under, or by virtue of its constitution. Such institution or institutions to be determined by the Members of the Confederation at or before the time of dissolution, or in default thereof by application to the Supreme Court of the Australian Capital Territory.
PRINCIPLE

The Confederation, for Gold membership, is guided by the principle of - "One sport one vote".

DEFINITION OF "SPORT":

Sport is a disciplined, officially sanctioned, competitive activity requiring adherence to stated rules and appreciable levels of physical skill and/or physical exertion.

The main elements of sport are therefore:-

a) competition
b) physical skill and/or endeavour
c) capacity to achieve a result
d) complexity of organisation (rules)

QUALIFICATION ELEMENTS - GUIDELINES:

1. Autonomous National Sporting Association in its own right and jurisdiction.
2. International affiliations, if appropriate.
3. In normal circumstances, has been operating as a viable National Sporting Association for a minimum of three years.
4. Affiliates in at least three states of Australia.
5. Accepted for Federal Government funding purposes by the Department or authority responsible for Sport.

The final arbiter will be recognition by the organisation's sporting peers, as seen through the Board and/or a General Meeting of the Confederation.