# DEPARTMENT OF EDUCATION AND EARLY CHILDHOOD DEVELOPMENT

## SCHOOL SPORT VICTORIA OPERATING PROCEDURES

15 November, 2011

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APPENDIX 1
FORM OF APPOINTMENT OF
PROXY 32
PART 1 SCHOLL SPORT VICTORIA

1 Establishment

There shall be a committee established within the Department which is called the School Sport Victoria Board (or “Board”).

2 Mission Statement

The mission statement of the Board is to be determined by the Board.

3 Purpose

3.1 The purpose of the Board is to actively promote School Sport for all Victorian school students as a means of supporting schools’ programs to develop their students’ health and wellbeing.

3.2 In view of the purpose specified in clause 3.1, the Board is responsible for:

3.2.1 providing strategic leadership for Victorian School Sport;

3.2.2 providing regular sporting competition that embraces an educational approach in developing students’ appreciation and carriage of respected community values;

3.2.3 advocating recognition for School Sport leadership at all levels;

3.2.4 maximising participation opportunities for all school students in competition that is commensurate with their age and ability;

3.2.5 promoting school and community partnerships through sport; and

3.2.6 governing SSV to promote the efficient and effective administration of School Sport.

PART 2 STRUCTURE OF SCHOOL SPORT

4 Supervision of School Sport

The Board will be responsible for supervising the following persons in relation to School Sport in accordance with these Operating Procedures:

4.1 the Chief Executive Officer appointed pursuant to clause 52.1;

4.2 School Sport Officers appointed pursuant to clause 53.1;

4.3 Schools which are Members of SSV;

4.4 Region Forums established pursuant to clause 54.1.
4.5 Sub-committees established pursuant to clause 45;
4.6 Region Committees established pursuant to clause 55.1
4.7 Region Coordinators appointed pursuant to clause 56.1
4.8 Division Committees established pursuant to clause 57.1;
4.9 Division Coordinators appointed pursuant to clause 58.1;
4.10 District Committees established pursuant to clause 59.2
4.11 District Coordinators appointed pursuant to clause 60.2;
4.12 organisers, being the persons who make the arrangements for a School Sport event; and
4.13 convenors, being the persons in charge of a School Sport event.

5 Levels of competition

The levels of competition for School Sport will be organised based on the following:
5.1 national consisting of States and Territories;
5.2 the State of Victoria which consists of Regions;
5.3 a Region which consists of Divisions;
5.4 a Division which consists of:
   5.4.1 Districts; or
   5.4.2 Full Members and Associate Members; and
5.5 a District which consists of Full Members and Associate Members.

PART 3 MEMBERS

6 Classes of memberships

6.1 The ordinary membership of SSV consists of each of the following classes with their respective qualifications, voting rights and privileges:

6.1.1 Full Members
   (a) Qualifications: Any Government School.
   (b) Voting Rights: Full voting rights at annual general meetings and special general meetings as a single voting member provided that such rights are only able to be exercised by the Member’s Nominee named in the Register.
   (c) Privileges: Full privileges as a single member.

6.1.2 Associate Members
   (a) Qualifications: Any:
(1) Non-Government Primary School; or

(2) Non-Government Secondary School which:

(A) does not participate in a regular school sport competition for students in year levels 7 to 12 conducted by another secondary school sport organisation; and

(B) is approved for admission to a Division as an Associate Member in accordance with the criteria prescribed by the Board.

(b) Voting Rights: Full voting rights at annual general meetings and special general meetings as a single voting member provided that such rights are only able to be exercised by the Member's Nominee named in the Register.

(c) Privileges: Full privileges as a single member.

6.1.3 Affiliate Members

(a) Qualifications: Any Non-Government Secondary School that participates in a regular school sport competition for students in year levels 7 to 12 conducted by another secondary school sport organisation.

(b) Voting Rights: No voting rights at annual general meetings or special general meetings.

(c) Privileges: The right to have students selected in State representative teams and any other privileges determined by the Board.

6.1.4 Life Members

(a) Qualifications: Any natural person over 18 years of age recommended by the Executive Committee for admission as a Life Member.

(b) Voting Rights: No voting rights at annual general meetings or special general meetings.

(c) Privileges: The right to attend State Championships as a guest of SSV and any other privileges determined by the Board.

6.2 Subject to any direction given by the Department Representative, the Board may prescribe:

6.2.1 an entrance fee and annual fee for each class of membership or each sub-class of a class of membership;

6.2.2 the date for payment of the annual fee for each class of membership or each sub-class of a class of membership; and

6.2.3 additional classes of membership and their qualifications, voting rights and privileges.
7 Admission to membership

7.1 A School or person meeting the qualifications to be a Member of SSV may submit an application to become a Member to the Chief Executive Officer in the form prescribed by the Board.

7.2 For the avoidance of doubt, any Non-Government School which:

7.2.1 is both a Non-Government Primary School and Non-Government Secondary School; and

7.2.2 meets the qualifications to be both an Associate Member and Affiliate Member,

may submit separate applications to become an Associate Member and Affiliate Member respectively.

7.3 As soon as practicable after receipt of an application for membership of SSV the Chief Executive Officer must refer the application to the Board.

7.4 The Board must determine whether to accept or reject an application for membership of SSV.

7.5 If the Board approves an application for membership of SSV then the Chief Executive Officer must as soon as practicable:

7.5.1 notify the applicant in writing; and

7.5.2 request payment, within twenty-eight (28) days after receipt by the applicant of the notification, of any entrance fee and the first year’s annual fee prescribed by the Board in accordance with clause 6.2.1.

7.6 The Chief Executive Officer must, within twenty-eight (28) days of the receipt of any amounts specified in clause 7.5.2, enter the applicant’s name into the Register.

7.7 An applicant becomes a Member and is entitled to exercise the rights of membership when the applicant’s name is entered into the Register.

7.8 If the Board rejects an application for membership of SSV then the Chief Executive Officer must as soon as practicable notify the applicant that the application has been rejected.

7.9 A right, privilege or obligation of a person by reason of being a Member:

7.9.1 is not capable of being transferred to another person; and

7.9.2 terminates upon the person ceasing to be a Member.

8 Non-payment, fines, suspension, revocation of membership and appeals

8.1 A Member which has not paid any annual fee by the due date in any year may not vote or participate in School Sport organised by or on behalf of SSV after that date unless otherwise determined by the Board.

8.2 Subject to clauses 8.3 and 8.4, if:

8.2.1 the Board is of the opinion that a Member has:
(a) failed to comply with these Operating Procedures including, without limitation, any Rules prescribed by the Board in accordance with clause 40; or

(b) engaged in conduct which is detrimental or prejudicial to the interests of SSV;

8.2.2 where the Member is a School — the Member has its registration cancelled or suspended by VRQA; or

8.2.3 where the Member is a Non-Government School — the Member enters into liquidation or has a controller, liquidator or administrator appointed or is subject to dissolution,

then the Board may by resolution:

8.2.4 where clause 8.2.1 applies – fine the Member an amount not exceeding the annual fee paid by the Member;

8.2.5 suspend the Member’s membership of SSV for a specified period; or

8.2.6 revoke the Member’s membership of SSV.

8.3 Within thirty (30) days of the Board passing a resolution to suspend or revoke a Member’s membership of SSV the Member may appeal to the Department Head whose decision will be final and binding on all parties concerned.

8.4 Where a Member exercises a right of appeal in accordance with clause 8.3 a resolution of the Board to suspend or revoke the Member’s membership of SSV in accordance with clause 8.2 will not take effect unless and until the Department Head confirms the resolution.

9 Register of Members

9.1 The Chief Executive Officer must keep in documentary or electronic form a register of Members which contains the following details for each Member:

9.1.1 the Member’s full name, street address, postal address, email address and facsimile number

9.1.2 in the case of a Full Member –

(a) the Member’s school registration number issued by VRQA;

(b) the full name, postal address, email address (if any) and facsimile number (if any) of the Member’s Nominee; and

(c) the full name, postal address, email address (if any) and facsimile number (if any) of the Member’s Division Representative;

9.1.3 in the case of an Associate Member –

(a) the Member’s school registration number issued by VRQA;

(b) the full name, postal address, email address (if any) and facsimile number (if any) of the Member’s Nominee; and
(c) the full name, postal address, email address (if any) and facsimile number (if any) of the Member’s Division Representative;

9.1.4 in the case of an Affiliate Member –

(a) the Member’s school registration number issued by VRQA; and

(b) the full name, postal address, email address (if any) and facsimile number (if any) of the Member’s Nominee;

9.1.5 the date of entry of the Member’s name in the register; and

9.1.6 any other details notified in writing to the Chief Executive Officer by the Department Representative.

9.2 A Member must immediately notify the Chief Executive Officer in writing of any changes to the Member’s details which are contained in the Register.

9.3 Without limiting clause 9.2, the details of a Member’s Nominee or Division Representative may be changed:

9.3.1 at the time of renewal of membership of the Member;

9.3.2 in the event that the person holding the office is no longer eligible to hold the office in accordance with these Operating Procedures; or

9.3.3 at the discretion of the Board upon application.

10 Ceasing of Membership

10.1 A Member who has paid all moneys due and payable by the Member to SSV may resign from membership of SSV by giving the Board one (1) month’s notice in writing of the Member’s intention to resign.

10.2 After expiry of the notice period specified in clause 10.1:

10.2.1 the Member will cease to be a Member of SSV; and

10.2.2 the Chief Executive Officer must record in the Register the date on which the Member ceased to be a Member.

PART 4 GENERAL MEETINGS

11 Annual general meetings

11.1 The Board must hold an annual general meeting of SSV in November each year.

11.2 Subject to clause 11.1, the Board is to determine the date, time and place of the annual general meeting.

11.3 The ordinary business of the annual general meeting is to:

11.3.1 confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting;

11.3.2 receive the Board’s annual report and Sub-committee reports upon the activities of SSV since the last annual general meeting; and
11.3.3 elect GS Board Members.

11.4 The annual general meeting must conduct any special business of which notice has been given in accordance with clause 14.

12 Special general meetings

12.1 The Board may, whenever it thinks fit, require the Chief Executive Officer to convene a special general meeting of SSV.

12.2 The Chief Executive Officer must, on the request of twenty (20) Full Members in accordance with clause 12.3, convene a special general meeting within fourteen (14) days of receiving the request.

12.3 A request for a special general meeting must:

12.3.1 state the objects of the meeting; and

12.3.2 be signed on behalf of the Full Members requesting the meeting.

13 Special business

All business that is conducted at a special general meeting and all business that is conducted at an annual general meeting, except for business conducted under these Operating Procedures as ordinary business of the annual general meeting, is deemed to be special business.

14 Notice of general meetings

14.1 The Chief Executive Officer, at least fourteen (14) days, or if a special resolution has been proposed, at least twenty-one (21) days, before the date fixed for holding a general meeting of SSV, must cause to be sent to each Member a notice stating:

14.1.1 the place, date and time of the general meeting; and

14.1.2 the nature of the business to be conducted at the meeting.

14.2 No business other than that set out in the notice convening the meeting may be conducted at the meeting.

14.3 A Member intending to bring any business before a meeting must give the Chief Executive Officer written notice of that business.

14.4 The Chief Executive Officer must include any business notified by a Member in accordance with clause 14.3 in the next notice calling the next general meeting.

15 Quorum at general meetings

A quorum at a general meeting is constituted by twenty (20) Members present and entitled to vote at the general meeting.

16 Presiding at general meetings

16.1 The President is to preside as chairperson at each general meeting if present.

16.2 If the President is absent from a general meeting or unable to chair then the following persons may preside as chairperson in order of precedence if present and able to chair:
16.2.1 a Vice-President selected among themselves;
16.2.2 a GS Board Member selected among themselves; or
16.2.3 a Full Member selected among themselves.

17 Voting at general meetings

17.1 Subject to the other provisions of this clause 17, any question arising at a general meeting must be determined by a majority of votes of the Members present and entitled to vote on that question.

17.2 If the votes on a question arising at a general meeting are equal then the chairperson has a casting vote as well as a deliberative vote.

17.3 All votes on a question arising at a general meeting must be given personally.

17.4 A Member is not entitled to vote at a general meeting unless all moneys due and payable by the Member to SSV have been paid other than the amount of any annual fee which is payable in respect of the current year.

18 Voting by proxy

18.1 If any Member is unable to attend any general meeting duly convened they may vote by proxy appointing another Member, providing a form of proxy is lodged with the Chief Executive Officer one week prior to the time of the meeting. The notice appointing the proxy must be in the form set out in Appendix 1.

19 Poll at general meetings

19.1 If at a general meeting a poll on any question is demanded by not less than three (3) Members entitled to vote, it must be taken at that meeting in such manner as the chairperson may direct and the resolution of the poll is to be deemed to be a resolution of the general meeting on that question.

19.2 A poll that is demanded on the election of a chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the general meeting as the chairperson may direct.

20 Manner of determining whether resolution carried

If a question arising at a general meeting of SSV is determined on a show of hands then the following will constitute evidence of that fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution:

20.1 a declaration by the chairperson that a resolution has been:

20.1.1 carried;
20.1.2 carried unanimously;
20.1.3 carried by a particular majority; or
20.1.4 lost; and

20.2 an entry to that effect in the minute book of SSV.
PART 5  BOARD

21  Board’s functions and powers

21.1  The Board has:

21.1.1  the function of actively promoting School Sport for all Victorian school students in accordance with clause 3;

21.1.2  the function of being the Victorian affiliate to School Sport Australia; and

21.1.3  any other function conferred upon the Board by the Department Head.

21.2  Subject to the other provisions of these Operating Procedures, the Board has the power to do all things necessary or convenient to be done for or in connection with its functions including, without limitation, the power to:

21.2.1  acquire, hold and dispose of personal property;

21.2.2  enter into contracts; and

21.2.3  lease the whole or any part of any land or building for the purposes of SSV.

21.3  The Board must perform its functions and exercise its powers in accordance with any direction given by the Department Head.

22  Board’s composition

22.1  Subject to clauses 22.2 and 22.3, the Board consists of:

22.1.1  nine (9) GS Principal Board Members employed or engaged by a Full Member and appointed pursuant to clause 23 or 24.3 to represent each of the nine (9) Regions;

22.1.2  up to four (4) GS Teacher Board Members employed or engaged by a Full Member and appointed pursuant to clause 25 or 28.3;

22.1.3  up to two (2) Independent Board Members appointed by the Board pursuant to clause 29.1 provided that the actual number of Independent Board Members will be determined by the needs of Board subject to any direction given by the Department Head;

22.1.4  one (1) President and one Vice President that are GS Principal Class Members employed or engaged by a Full Member and appointed pursuant to clause 25 or 24.3;

22.1.5  a person nominated in writing by the Department Head to be the Department Representative; and

22.1.6  the Chief Executive Officer appointed by the Board in accordance with clause 52.1.

22.2  Subject to any direction given by the Department Representative, the Board must prescribe criteria for the purpose of ensuring that to the extent practicable primary and secondary year levels are evenly represented by GS Board Members.
22.3 A person may not occupy more than one (1) of the Board positions specified in clause 22.1.

23 Election of GS Principal Board Members

23.1 A nomination of a person for appointment as a GS Principal Board Member for a particular Region will only be valid where:

23.1.1 the person:

(a) is of the Principal Class employed or engaged by a Full Member within the Region;

(b) has been selected by the Region Forum for the Region for nomination for appointment as a GS Principal Board Member; and

(c) meets the criteria prescribed by the Board in accordance with clause 22.2; and

23.1.2 the nomination is:

(a) in writing signed by two (2) Full Members within the Region;

(b) accompanied by:

(1) written consent of the person nominated; and

(2) written confirmation that the person has been selected by the Region Forum for the Region for nomination for appointment as a GS Principal Board Member from the current GS Principal Board Member for the Region except where the person is the current GS Principal Board Member for the Region; and

(c) approved in writing by the Department Representative.

23.2 No later than six (6) weeks prior to an annual general meeting the Board must call for nominations to be received at least seven (7) days prior to the annual general meeting for appointment to each position of a GS Principal Board Member representing a particular Region which will be vacant on 1 January in the year after the annual general meeting.

23.3 If no nominations which meet the requirements of clause 23.1 are received by the Board at least seven (7) days prior to the annual general meeting for the position of a GS Principal Board Member representing a particular Region which will be vacant on 1 January in the year after the annual general meeting then the Board may call for nominations for the position at the annual general meeting.

23.4 If only one (1) nomination which meets the applicable requirements of clause 23.1 is received by the Board in accordance with clause 23.2 or 23.3 for the position of a GS Principal Board Member representing a particular Region then the person nominated will be deemed to be appointed to the position effective on 1 January in the year after the annual general meeting.

23.5 If two (2) or more nominations which meet the applicable requirements of clause 23.1 are received by the Board in accordance with clause 23.2 or 23.3 for the position of a GS Principal Board Member representing a particular Region then the
person to be appointed to the position effective on 1 January in the year after the annual general meeting will be elected at the annual general meeting by the Full Members within the Region from the persons nominated.

24 Office of GS Principal Board Members

24.1 Subject to the other provisions of these Operating Procedures, each GS Principal Board Member will hold office for two (2) years from 1 January in the year after the annual general meeting at which he or she was elected.

24.2 A GS Principal Board Member will be eligible for reappointment except where he or she has previously been a GS Principal Board Member for three (3) terms of two (2) years each unless otherwise determined by the Board.

24.3 In the event of a casual vacancy occurring in the office of a GS Principal Board Member representing a particular Region then the Board may:

24.3.1 appoint a person to fill the vacancy who meets the applicable requirements of clause 23.1;

24.3.2 immediately call for nominations for appointment to the office of the GS Principal Board Member and appoint the most suitable person nominated to fill the vacancy from the persons nominated in accordance with the applicable requirements of clause 23.1; or

24.3.3 allow the vacancy to remain unfilled until the next annual general meeting at which the Board must call for nominations for appointment to the office of the GS Principal Board Member in accordance with clause 23.2,

provided that a person appointed pursuant to this clause 24.3 must only hold office for the remainder of the two (2) year period for which the GS Principal Board Member was originally appointed to hold office.

25 Election of GS President and Vice President Board Members

25.1 A nomination of a person for appointment as a President or Vice President Board Member will only be valid where:

25.1.1 the person:

(a) is of the Principal Class employed or engaged by a Full Member;

(b) has been selected by the Region Forum for a Region for nomination for appointment as a GS Board Member; and

(c) meets the criteria prescribed by the Board in accordance with clause 22.2; and

25.1.2 the nomination is:

(a) in writing signed by two (2) Full Members;

(b) accompanied by:

(1) written consent of the person nominated; and
written confirmation that the person has been selected by the Region Forum for a Region for nomination for appointment as a GS President or Vice President Board Member from the current Region Co-ordinator for the Region; and

(c) approved in writing by the Department Representative.

25.2 No later than three (3) weeks prior to an annual general meeting the Board must call for nominations to be received at least seven (7) days prior to the annual general meeting for appointment for a two year period to the position of GS President or Vice President Board Member where both of the positions will be vacant on 1 January in the year after the annual general meeting.

25.3 If an insufficient number of nominations which meet the requirements of clause 25.1 are received by the Board at least seven (7) days prior to the annual general meeting to fill each position of GS President or Vice President Board Member which will be vacant on 1 January in the year after the annual general meeting then:

25.3.1 each person nominated will be deemed to be appointed to the position of GS President or Vice President Board Member effective on 1 January in the year after the annual general meeting for a two year period; and

25.3.2 the Board may call for further nominations for the positions at the annual general meeting.

25.4 If only a sufficient number of nominations which meet the applicable requirements of clause 25.1 are received by the Board in accordance with clause 25.2 or 25.3 to fill each position of GS President or Vice President Board Member which will be vacant on 1 January in the year after the annual general meeting then each person nominated will be deemed to be appointed to the position of President or Vice President Board Member effective on 1 January in the year after the annual general meeting.

25.5 If more nominations which meet the applicable requirements of clause 25.1 are received by the Board in accordance with clause 25.2 or 25.3 than are required to fill each position of GS President or Vice President Board Member which will be vacant on 1 January in the year after the annual general meeting then the persons to be appointed to the positions effective on 1 January in the year after the annual general meeting will be elected at the annual general meeting by the Board from the persons nominated.

25.6 The President and Vice President positions will be independent of any DEECD region. The President will only vote on board matters where a casting vote is necessary.

25.7 Once the positions of GS President and Vice President Board Members are determined at the first meeting of the new Board, the region that nominated these Principal Class members to represent their region will be asked to nominate a new GS Principal Board member at the February forum following the annual general meeting in accordance with clause 24.

26 Office of GS President and Vice President Board Members

26.1 Subject to the other provisions of these Operating Procedures, each GS President or Vice President Board Member will hold office for two (2) years from 1 January in the year after the annual general meeting at which he or she was elected.
26.2 A GS President or Vice President Member will be eligible for reappointment except where he or she has previously been a GS Principal Board Member for three (3) terms of two (2) years each unless otherwise determined by the Board.

26.3 In the event of a casual vacancy occurring in the office of a GS President or Vice President Board Member then the Board may:

26.3.1 appoint a person to fill the vacancy who meets the applicable requirements of clause 25.1;

26.3.2 immediately call for nominations for appointment to the office of the GS Principal Board Member and appoint the most suitable person nominated to fill the vacancy from the persons nominated in accordance with the applicable requirements of clause 25.1; or

26.3.3 allow the vacancy to remain unfilled until the next annual general meeting at which the Board must call for nominations for appointment to the office of the GS Principal Board Member in accordance with clause 25.2,

provided that a person appointed pursuant to this clause 26.3 must only hold office for the remainder of the two (2) year period for which the GS Principal Board Member was originally appointed to hold office.

26.4 Once the positions of GS President or Vice President Board Members are determined following a casual vacancy, the region that nominated these Principal Class members to represent their region will be asked to nominate a new GS Principal Board Member at a time deemed appropriate by the Board.

27 Election of GS Teacher Board Members

27.1 A nomination of a person for appointment as a GS Teacher Board Member will only be valid where:

27.1.1 the person:

(a) is of the Teacher Class employed or engaged by a Full Member;

(b) has been selected by the Region Forum for a Region for nomination for appointment as a GS Teacher Board Member; and

(c) meets the criteria prescribed by the Board in accordance with clause 22.2; and

27.1.2 the nomination is:

(a) in writing signed by two (2) Full Members;

(b) accompanied by:

(1) written consent of the person nominated; and

(2) written confirmation that the person has been selected by the Region Forum for a Region for nomination for appointment as a GS Teacher Board Member from the current GS Principal Board Member for the Region; and
27.2 No later than six (6) weeks prior to an annual general meeting the Board must call for nominations to be received at least seven (7) days prior to the annual general meeting for appointment to the position of GS Teacher Board Member where one (1) or more of the positions will be vacant on 1 January in the year after the annual general meeting.

27.3 If an insufficient number of nominations which meet the requirements of clause 27.1 are received by the Board at least seven (7) days prior to the annual general meeting to fill each position of GS Teacher Board Member which will be vacant on 1 January in the year after the annual general meeting then:

27.3.1 each person nominated will be deemed to be appointed to the position of GS Teacher Board Member effective on 1 January in the year after the annual general meeting; and

27.3.2 the Board may call for further nominations for the position at the annual general meeting.

27.4 If only a sufficient number of nominations which meet the applicable requirements of clause 27.1 are received by the Board in accordance with clause 27.2 or 27.3 to fill each position of GS Teacher Board Member which will be vacant on 1 January in the year after the annual general meeting then each person nominated will be deemed to be appointed to the position of GS Teacher Board Member effective on 1 January in the year after the annual general meeting.

27.5 If more nominations which meet the applicable requirements of clause 27.1 are received by the Board in accordance with clause 27.2 or 27.3 than are required to fill each position of GS Teacher Board Member which will be vacant on 1 January in the year after the annual general meeting then the persons to be appointed to the positions effective on 1 January in the year after the annual general meeting will be elected at the annual general meeting by the Full Members in a manner determined by the Board from the persons nominated.

28 Office of GS Teacher Board Members

28.1 Subject to the other provisions of these Operating Procedures, each GS Teacher Board Member will hold office for two (2) years from 1 January in the year after the annual general meeting at which he or she was elected.

28.2 A GS Teacher Board Member will be eligible for reappointment except where he or she has previously been a GS Teacher Board Member for three (3) terms of two (2) years each unless otherwise determined by the Board.

28.3 In the event of a casual vacancy occurring in the office of a GS Teacher Board Member then the Board may:

28.3.1 appoint a person to fill the vacancy who meets the applicable requirements of clause 27.1;

28.3.2 immediately call for nominations for appointment to the office of the GS Teacher Board Member and appoint the most suitable person nominated to fill the vacancy from the persons nominated in accordance with the applicable requirements of clause 27.1; or

28.3.3 allow the vacancy to remain unfilled until the next annual general meeting at which the Board must call for nominations for appointment to
the office of the GS Teacher Board Member in accordance with clause 25.2,

provided that a person appointed pursuant to this clause 28.3 must only hold office for the remainder of the two (2) year period for which the GS Teacher Board Member was originally appointed to hold office.

29 Office of Independent Board Members

29.1 The Board may appoint a person to the position of Independent Board Member where the person:

29.1.1 represents an NGSO peak policy body of the independent schools, catholic system or a relevant industry or meets any applicable criteria prescribed by the Board; and

29.1.2 has been approved in writing by the Department Representative.

29.2 Subject to the other provisions of these Operating Procedures, each Independent Board Member will hold office until 31 December in the year in which his or her appointment to the Board takes effect unless otherwise determined by the Board.

29.3 In the event of a casual vacancy occurring in the office of an Independent Board Member then the Board may:

29.3.1 Co-opt a person to fill the vacancy who meets the applicable requirements of clause 29.1;

29.3.2 immediately call for nominations for appointment to the office of the Independent Board Member and appoint the most suitable person nominated to fill the vacancy from the persons nominated in accordance with the applicable requirements of clause 29.1; or

29.3.3 allow the vacancy to remain unfilled until the next annual general meeting at which the Board must call for nominations for appointment to the office of the Independent Board Member in accordance with clause 25.2,

provided that a person appointed pursuant to this clause 29.3 must only hold office for the remainder of the two (2) year period for which the Independent Board Member was originally appointed to hold office.

30 Board Member office vacancies

30.1 The office of a Board Member becomes vacant if he or she:

30.1.1 becomes bankrupt;

30.1.2 is found guilty of an offence which is, or would be, an indictable offence if committed in Victoria;

30.1.3 becomes a represented person within the meaning of the Guardianship and Administration Act 1986 (Vic);

30.1.4 resigns by written notice to the Chief Executive Officer;
30.1.5 in the case of a GS Principal Board Member representing a particular Region – ceases to:

(a) be of the Principal Class employed or engaged by a Full Member within the Region; or

(b) meet any applicable criteria prescribed by the Board in accordance with clause 22.2;

30.1.6 in the case of a GS Teacher Board Member – ceases to:

(a) be of the Teacher Class employed or engaged by a Full Member; or

(b) meet any applicable criteria prescribed by the Board in accordance with clause 22.2;

30.1.7 in the case of an Independent Board Member – ceases to:

(a) represent the same peak policy body of the independent schools, catholic system or a relevant industry; or

(b) meet any applicable criteria prescribed by the Board in accordance with clause 29.1.2;

30.1.8 is absent for two (2) consecutive meetings of the Board without the Board’s approval; or

30.1.9 is given written notice by the Department Head in extraordinary circumstances removing him or her from office.

30.2 Subject to the other provisions of these Operating Procedures, a Board Member will be eligible for renomination or reappointment unless otherwise determined by the Board.

31 Office holders

31.1 The Board will have the following officers:

31.1.1 a President who must be a GS Principal Class Board Member;

31.1.2 One Vice-President who must be a GS Class Principal Board Member;

31.1.3 a Finance Officer who must be a Board Member with responsibility for reporting to the Board on financial matters with the assistance of the Chief Executive Officer;

31.1.4 a Secretary who must be the Chief Executive Officer; and

31.1.5 such other officers as determined by the Board.

31.2 In the event that an office specified in clause 31.1 is or becomes vacant then the Department Head may appoint a Board Member to the office subject to clause 31.3.

31.3 In appointing a Board Member to an office in accordance with clause 31.2 the Department Head may consider any recommendations of the GS Board Members but is not bound to do so.
31.4 An officer of the Board specified in clause 31.131.1 will be eligible for reappointment.

32 **Presiding at Board meetings**

32.1 The President will preside as chairperson at all meetings of the Board at which he or she is present.

32.2 If the President is not present at a meeting and the Vice-President is present then a Vice-President appointed by the Board Members present presides.

32.3 If neither the President or the Vice-President is present at a meeting and at least one (1) GS Board Member is present then a GS Board Member appointed by the Board Members present presides.

33 **Quorum**

A quorum at a meeting of the Board is constituted by more than half of the total number of Board Members.

34 **Voting at Board meetings**

34.1 Subject to clauses 34.2 and 34.3, any question arising at a meeting of the Board must be determined by a majority of votes of the Board Members present and voting on that question provided that an Independent Board Member is not entitled to vote on financial matters as determined by the Board.

34.2 If the votes on a question arising at a meeting of the Board are equal then the chairperson has a casting vote with no deliberative vote.

34.3 At a meeting of the Board the Chief Executive Officer is not entitled to vote.

35 **Disclosure of Board Members’ interests**

35.1 A Board Member who has a pecuniary or other interest in any matter in relation to which the Board is concerned must:

35.1.1 if the Board Member is present at a meeting of the Board at which the matter is to be considered – disclose the nature of the interest immediately before the consideration of that matter; or

35.1.2 if the Board Member is aware that the matter is to be considered at a meeting of the Board for which the Board Member does not intend to be present – disclose the nature of the interest to the President before the meeting is held and the President must report the interest, or arrange for the interest to be reported, to the other Board Members at the meeting of the Board.

35.2 A Board Member who has disclosed an interest in a matter in accordance with clause 35.1.1 may take part in discussions at the meeting but must leave the meeting while any vote is taken on a question relating to the matter.

35.3 Any disclosure by a Board Member of an interest in a matter in accordance with clause 35.1 must be recorded in the minutes of the Board.
36  Conduct of Board meetings

36.1 Subject to any direction given by the Department Representative and the other provisions of these Operating Procedures, the Board may regulate its meetings as it considers appropriate.

36.2 The Board must meet a minimum of eight (8) times each year.

36.3 The Board may act despite vacancies in its membership provided that a quorum is present.

36.4 An act or decision of the Board is not invalid only because of:

36.4.1 a vacancy in its membership; or

36.4.2 a defect or irregularity in the appointment or election of any of its Board Members.

37  Minutes of Board meetings

The Board must:

37.1 keep a record of its decisions and full and accurate minutes of its meetings;

37.2 permanently retain the records referred to in clause 37.1 pursuant to Public Record Office Victoria Standard 07/01; and

37.3 arrange for a copy of all minutes to be made available to the Department Head on request and circulate the minutes when appropriate.

38  Board's management responsibilities

38.1 Subject to any direction given by the Department Head, the Board must:

38.2 decide which of its functions and powers it will delegate to the Chief Executive Officer in accordance with clause 39; and

38.3 give proper direction to, and exercise proper control over, the Chief Executive Officer and School Sport Officers and monitor that they are performing or exercising their functions and powers in a fit and proper manner.

39  Delegation by Board

39.1 Subject to any direction given by the Department Head and the other provisions of this clause 39, the Board may delegate any of its functions or powers to:

39.1.1 the Executive Committee;

39.1.2 a Sub-committee;

39.1.3 the Chief Executive Officer;

39.1.4 a GS Board Member;

39.1.5 a School Sport Officer;

39.1.6 a Region Committee or Region Coordinator;
39.1.7 a Division Committee or Division Coordinator;
39.1.8 a District Committee or District Coordinator; or
39.1.9 any officer or employee of the Department.

39.2 The Board must not delegate the power to enter into contracts or this power of delegation.

39.3 A delegation must:
39.3.1 be recorded in the minutes of the Board and given in writing; and
39.3.2 specify the period for which it is valid and any limitations or conditions on the delegation.

39.4 The Board may revoke a delegation at any time.

39.5 The Board may continue to perform or exercise a function or power which it has delegated.

39.6 Anything done under a delegation:
39.6.1 has the same effect as if it had been done by the Board; and
39.6.2 will not be invalidated by the later lapse, revocation or variation of the delegation.

39.7 If the performance or exercise of a function or power depends on the Board’s opinion or belief, a delegate must perform or exercise the function or power in accordance with the delegate’s own opinion or belief.

39.8 The Board remains responsible for actions taken under delegation.

39.9 The Board must ensure that a copy of every delegation is retained as part of the records of the Board and made available to the Department Head on request.

40 SSV Rules

40.1 Subject to the other provisions of these Operating Procedures, the Board may prescribe in writing any Rules which it considers necessary or desirable for the proper conduct and management of School Sport.

40.2 Without limiting clause 40.1, any Rules prescribed by the Board:
40.2.1 may apply only to:
    (a) a specified class of Member; or
    (b) a specified sub-class of a class of Member as determined by the Board; and
40.2.2 will be binding on all Members to which the Rules are specified as applying.

40.3 The Board must maintain a record of all Rules which it prescribes in accordance with clause 40.1 and make those Rules available to Members on request.
41 Appeals and Grievances

41.1 Please refer to Appeals/Grievance Policy

PART 6 EXECUTIVE COMMITTEE

42 Executive Committee’s purpose

The Executive Committee is responsible for providing assistance to the Board by performing or exercising any functions or powers which the Board has delegated to the Executive Committee in accordance with clause 39.

43 Executive Committee’s composition

The Executive Committee consists of:

43.1 the President;
43.2 the Vice-Presidents;
43.3 the Department Representative; and
43.4 the Chief Executive Officer.

44 Conduct of Executive Committee’s meetings

Subject to any direction given by the Department Representative, the Executive Committee may regulate its meetings as it considers appropriate.

PART 7 SUB-COMMITTEES

45 Establishment of Sub-committees

Subject to any direction given by the Department Representative, the Board may establish:

45.1 a Sport Sub-committee which meets the criteria prescribed by the Board in accordance with clause 46 to plan and design sports competitions for a specific School Sport; or
45.2 a Board Sub-committee to perform or exercise any of the Board’s functions or powers.

46 Sport Sub-committees

Subject to any direction given by the Department Representative, the Board must prescribe criteria for the purpose of ensuring that to the extent practicable a Sport Sub-committee includes nine (9) Region Representatives:

46.1 with specific expertise or experience in relation to the conduct of a specific School Sport;
46.2 evenly representing primary and secondary year levels; and
46.3 comprising:
46.3.1 three (3) persons of the Principal Class employed or engaged by a Full Member or Associate Member; and

46.3.2 six (6) persons of the Teacher Class employed or engaged by a Full Member or Associate Member.

47 **Duration of membership of Sub-committee**

Subject to the other provisions of these Operating Procedures, each member of a Sub-committee will hold office for two (2) years from the date on which his or her appointment takes effect unless otherwise determined by the Board.

48 **Conduct of Sub-committee meetings**

A Sub-committee may regulate its meetings as it considers appropriate subject to any requirements determined by the Board.

49 **Frequency of Sub-committee meetings**

A Sub-committee must meet a minimum of four (4) times each year.

50 **Minutes and reports of Sub-committee meetings**

A Sub-committee must keep minutes of all of its meetings and submit its reports (including, without limitation, recommendations and decisions) to the Board for approval.

51 **Sub-committee vacancies**

51.1 The office of a member of a Sub-committee becomes vacant if he or she:

51.1.1 becomes bankrupt;

51.1.2 is found guilty of an offence which is, or would be, an indictable offence if committed in Victoria;

51.1.3 becomes a represented person within the meaning of the *Guardianship and Administration Act 1986* (Vic);

51.1.4 resigns by written notice to the Chief Executive Officer;

51.1.5 in the case of a member of a Sport Sub-committee – ceases to meet any applicable criteria prescribed by the Board in accordance with clause 46;

51.1.6 is absent without leave for two (2) consecutive meetings of the Sub-committee; or

51.1.7 receives written notice from the Department Head in extraordinary circumstances removing him or her from office.

51.2 If the office of a member of a Sub-committee becomes vacant then the office must be filled by the process of nomination or appointment that was used to fill the office originally.

51.3 A member of a Sub-committee will be eligible for renomination or reappointment unless otherwise determined by the Board.
PART 8    SSV OFFICERS, FORUMS AND COMMITTEES

52 Chief Executive Officer

52.1 Subject to clause 52.2, the Board will appoint a person to be the Chief Executive Officer for a period of five (5) years provided that he or she has been approved in writing by the Department Representative.

52.2 The Chief Executive Officer must be employed by the Department and report directly to the Department Representative and the Board provided that in the event of any inconsistency between any directions given by the Department Representative and the Board then the direction given by the Department Representative will prevail to the extent of the inconsistency.

52.3 The Chief Executive Officer will be eligible for reappointment unless otherwise determined by the Department Representative.

53 School Sport Officers

53.1 Subject to clause 53.2, the Board may appoint a person as a School Sport Officer provided that he or she has been approved in writing by the Department Representative.

53.2 A School Sport Officer must report directly or indirectly through one or more other School Sport Officers, to the Chief Executive Officer.

54 Region Forums

54.1 A Region Forum consists of

54.1.1 the Region Coordinator of the Region

54.1.2 the Division Coordinator of each Division in the Region.

54.2 A Region Forum must:

54.2.1 when requested by the Board, select at least one (1) person to be nominated for appointment as the GS Principal Board Member for the Region at the next annual general meeting of SSV who:

(a) is of the Principal Class employed or engaged by a Full Member from the Region; and

(b) meets the criteria prescribed by the Board in accordance with clause 22.2; and

54.2.2 when requested by the Board, select at least one (1) person to be nominated for appointment as a GS Teacher Board Member at the next annual general meeting of SSV who:

(a) is of the Teacher Class employed or engaged by a Full Member from the Region; and

(b) meets the criteria prescribed by the Board in accordance with clause 22.2; and

54.2.3 undertake any other responsibilities for the Region which are determined by the Board.
54.3 A Region Forum must meet a minimum of two (2) times each year.

54.4 The GS Principal Board Member for the Region will preside as chairperson at all meetings of the Region Forum at which he or she is present.

55 Region Committees

55.1 A Region Committee for a Region consists of the Division Coordinator of each Division, the Region Coordinator and the Principal Board member representing the Full Member and Associate Member within the Region.

55.2 A Region Committee for a Region must undertake any responsibilities for the Region which are determined by the Board.

56 Region Coordinators

56.1 Subject to clause 56.2, SSV must appoint a person to the office of Region Coordinator for the Region prior to 1 January each year.

56.2 A person appointed to the office of Region Coordinator must be employed or engaged by a Full Member or Associate Member within the Region.

56.3 A Region Coordinator holds office for a term of one (1) year commencing on 1 January in the year after his or her appointment unless otherwise determined by the Board.

56.4 A Region Coordinator will be eligible for reappointment unless otherwise determined by the Board.

56.5 A Region Coordinator for a Region must coordinate School Sport and circulate information about School Sport in the Region in accordance with any requirements determined by the Board.

56.6 The office of a Region Coordinator becomes vacant if he or she resigns by written notice to the Chief Executive Officer, ceases to be employed or engaged by a Full Member or Associate Member within the Region or is absent without leave for two (2) consecutive meetings of the Region Committee.

56.7 Subject to clause 56.2, if the office of a Region Coordinator for a Region becomes vacant during the one (1) year term then SSV must appoint a person to the office for the remainder of the term unless otherwise determined by the Board.

57 Division Committees

57.1 A Division Committee for a Division consists of the Division Representative of each Full Member and Associate Member within the Division.

57.2 A Division Committee for a Division must undertake any responsibilities for the Division which are determined by the Board.

58 Division Coordinators

58.1 Subject to clause 58.2, each Division Committee for a Division must appoint a person to the office of Division Coordinator for the Division prior to 1 January each year.
58.2 A person appointed to the office of Division Coordinator must be employed or engaged by a Full Member or Associate Member within the Division.

58.3 A Division Coordinator holds office for a term of minimum of one (1) year commencing on 1 January in the year after his or her appointment unless otherwise determined by the Board. The length of term to be negotiated with SSV.

58.4 A Division Coordinator will be eligible for reappointment unless otherwise determined by the Board.

58.5 A Division Coordinator for a Division must coordinate School Sport and circulate information about School Sport in the Division in accordance with any requirements determined by the Board.

58.6 The office of a Division Coordinator becomes vacant if he or she resigns by written notice to the Chief Executive Officer, ceases to be employed or engaged by a Full Member or Associate Member within the Division or is absent without leave for two (2) consecutive meetings of the Division Committee.

58.7 Subject to clause 58.2, if the office of a Division Coordinator for a Division becomes vacant during the one (1) year term then the Division Committee for the Division must appoint a person to the office for the remainder of the term unless otherwise determined by the Board.

59 District Committees

59.1 This clause only applies where a Division contains Districts.

59.2 A District Committee for a District consists of the Division Representative of each Full Member and Associate Member within the District.

59.3 A Division Committee for a District must undertake any responsibilities for the District which are determined by the Board.

60 District Coordinators

60.1 This clause only applies where a Division contains Districts.

60.2 Subject to clause 60.2, each District Committee for a District must appoint a person to the office of District Coordinator for the District prior to 1 January each year.

60.3 A person appointed to the office of District Coordinator must be employed or engaged by a Full Member or Associate Member within the District.

60.4 A District Coordinator holds office for a term of one (1) year commencing on 1 January in the year after his or her appointment unless otherwise determined by the Board.

60.5 A District Coordinator will be eligible for reappointment unless otherwise determined by the Board.

60.6 A District Coordinator for a District must coordinate School Sport and circulate information about School Sport in the District in accordance with any requirements determined by the Board.

60.7 The office of a District Coordinator becomes vacant if he or she resigns by written notice to the Chief Executive Officer, ceases to be employed or engaged by a Full
Member or Associate Member within the District or is absent without leave for two (2) months or more.

60.8 Subject to clause 60.3, if the office of a District Coordinator for a District becomes vacant during the one (1) year term then the District Committee for the District must appoint a person to the office for the remainder of the term unless otherwise determined by the Board.

PART 9 ACCOUNTS AND AUDIT

61 Accounts

61.1 All financial matters must be dealt with and kept as required by or under the Financial Management Act 1994 (Vic) and in accordance with any applicable guidelines or procedures of the Department.

61.2 Subject to clause 61.1:

61.2.1 all accounts must be kept in a form prescribed by the Department Head; and

61.2.2 proper accounts and records must be kept to sufficiently explain the financial operations and financial position of SSV.

62 Bank accounts

62.1 The Board may operate a bank account held by an authorised deposit-taking institution (ADI) under the Banking Act 1959 (Cth).

62.2 Four authorised signatories must be maintained for the bank account at all times, with two signatories being required for payment authorisation provided that one of the signatories required for payment authorisation must be a GS Principal Board Member.

63 Audit

63.1 The Board must arrange for an annual audit of the books of account of SSV within a reasonable time in order for the audited report to be presented at the first Board meeting in the following year.

63.2 A copy of the audit report must be provided to the General Manager, Financial and Administrative Services of the Department for the purposes of the Financial Management Act 1994 (Vic) by 31 March in each year.

64 Documents

The Board must provide for the safe custody of all of its books and documents.

PART 10 GENERAL

65 Notices

65.1 Any notice is properly given to a Member by or on behalf of the Board under these Operating Procedures if the notice is given in writing by a person duly authorised by or on behalf of the Board and hand delivered or sent by prepaid post, facsimile or electronic mail to the Member's address shown in the Register.
65.2 A notice given under these Operating Procedures will be deemed to be received:
   65.2.1 if hand delivered — on delivery;
   65.2.2 if sent by prepaid post — on the second day after the date of posting excluding weekends and public holidays;
   65.2.3 if sent by facsimile — when the sender's facsimile system generates a message confirming successful transmission of the entire notice; and
   65.2.4 if sent by electronic mail — when the recipient acknowledges receipt by any means.

66 Remuneration and out-of-pocket expenses

66.1 Subject to clause 66.2, a person appointed to a position pursuant to these Operating Procedures may not receive any remuneration from SSV without the prior written approval of the Department Head.

66.2 A person appointed to a position pursuant to these Operating Procedures may be reimbursed for out-of-pocket expenses in accordance with the Department's policies.

67 Responsibility for teaching service and public service employees

Subject to clause 71:

67.1 a person employed by a Government School under the ETR Act and authorised by:
   67.1.1 a person of the Principal Class employed or engaged by the Government School at which the person is employed; or
   67.1.2 an authorised officer of the Department;

67.2 a volunteer school worker under Part 5.6 of the ETR Act and authorised by a person of the Principal Class or the School Council of a Government School;

67.3 an employee of a School Council and authorised by the School Council; or

67.4 a person employed under the Public Administration Act 2004 (Vic) within the Department and authorised by his or her supervisor,

to undertake work (including, without limitation, by being an office bearer) for any purpose specified in these Operating Procedures is deemed to be undertaking work on behalf of the Department with the consent of the Board.

68 Liability for NGSO Personnel

Under no circumstances is the Board to hold out that it, or the State of Victoria, is responsible or liable for:

68.1 any injury to any person (whether or not NGSO Personnel) or any loss or damage to any property (including, without limitation, property of NGSO Personnel by any act or omission of any NGSO Personnel except in so far as the injury or loss or damage was a direct result of a specific direction given by or on behalf of the Board; or
68.2 the employment of any NGSO Personnel including, without limitation, any matter relating to the *Workers Compensation Act 1958* (Vic) or the *Accident Compensation Act 1985* (Vic).

69 **Compliance with legislation and policies**

The Board must comply with all legislation, policies, directions, guidelines and procedures which apply to the Department including, without limitation:

69.1 the Financial *Management Act 1994* (Vic); and

69.2 legislation, policies, directions, guidelines and procedures that apply to the recruitment of any officer or employee of the Department.

70 **Contracting**

The Board must not enter into any contract unless:

70.1 the contract complies with all legislation, policies, directions, guidelines and procedures which apply to the Department;

70.2 the contract is entered into by the President or another GS Principal Board Member; and

70.3 entry into the contract is authorised by the Department Head or the Minister.

71 **Management and control**

Notwithstanding any other provision of these Operating Procedures:

71.1 the Board, Executive Committee, Sub-Committees, Region Forums, Division Committees, District Committees and any other committees or forums established pursuant to these Operating Procedures are under the control and management of the Department Head;

71.2 the Department Head may at any time in his or her absolute discretion change these Operating Procedures; and

71.3 the Board may appeal to the Department Head regarding any changes to these Operating Procedures made by the Department Head pursuant to clause 71.2.

72 **Operating Procedure changes**

These Operating Procedures may be changed by special resolution passed at a general meeting of SSV provided that any such change will not take effect unless and until it has been approved in writing by the Department Head.

**PART 11 DEFINITIONS, INTERPRETATION AND TRANSITION**

73 **Definitions**

In these Operating Procedures:

73.1 “Affiliate Member” has the meaning given to that term in clause 6.1.3;

73.2 “Associate Member” has the meaning given to that term in clause 6.1.2;
“Board” means the committee of the Department established pursuant to clause 1;

“Board Member” means a member of the Board specified in clause 22.1;

“Board Sub-committee” means a sub-committee established pursuant to clause 45.2 to perform or exercise any of the Board’s functions or powers excluding a Sport Sub-committee;

“Chief Executive Officer” means the person appointed pursuant to clause 52.1;

“Department” means the State of Victoria represented by and acting through the Department of Education and Early Childhood Development;

“Department Head” means the Secretary to the Department or his or her authorised representative;

“Department Representative” means the person nominated by the Department Head in accordance with clause 22.1.5 to represent the Department as a member of the Board;

“District” means a sub-group of Schools within a Division as determined by the Full Members and the Associate Members within the Division, or within related Networks where that Division has a large number of Schools, subject to any determination by the Department Representative.

“District Committee” means a committee of a District which consists of the persons specified in clause 58.1;

“District Coordinator” means a person of the Principal Class or Teacher Class employed or engaged by a Full Member or Associate Member and appointed pursuant to clause 60.2;

“Division” means one or more Networks which have agreed to form a sub-group within a Region subject to any determination by the Board;

“Division Committee” means a committee of a Division which consists of the persons specified in clause 57.1;

“Division Representative” means a person specified in the Register who has been nominated by a Full Member or Associate Member to be its representative in its Division;

“Division Coordinator” means a person of the Principal Class or Teacher Class employed or engaged by a Full Member or Associate Member and appointed pursuant to clause 58.1;

“ETR Act” means the Education and Training Reform Act 2006 (Vic);

“Executive Committee” means the committee which consists of the persons specified in clause 43;

“Full Member” has the meaning given to that term in clause 6.1.1;

“Government School” (or “GS”) has the meaning given to the term “Government school” in section 1.1.3 of the ETR Act;

“Government Secondary School” means year levels in the range 7 to 12 of a Government School;
73.22 “GS Board Member” means a GS Principal Board Member or a GS Teacher Board Member;

73.23 “GS Principal Board Member” means a person of the Principal Class employed or engaged by a Full Member and appointed to the Board pursuant to clause 23 or 24.3;

73.24 “GS Teacher Board Member” means a person of the Teacher Class employed or engaged by a Full Member and appointed to the Board pursuant to clause 25 or 28.3;

73.25 “Independent Board Member” means a representative independent of a Region appointed to the Board in accordance with clause 29.1;

73.26 “Life Member” has the meaning given to that term in clause 6.1.4;

73.27 “Member” means a Full Member, Associate Member, Affiliate Member or Life Member of SSV;

73.28 “Minister” means the Minister for the time being responsible for School Sport, which is presently the Minister for Education;

73.29 “Network” means a cluster of Schools in a local government area within a Division subject to any determination by the Department Representative;

73.30 “NGSO Personnel” means the officers, employees, agents and contractors of a NGSO;

73.31 “Nominee” means the person specified in the Register who has been nominated by a Member to exercise its rights including, without limitation, any voting rights;

73.32 “Non-Government Primary School” means the year levels in the range preparatory to 6 of a Non-Government School;

73.33 “Non-Government School” (or “NGS”) has the meaning given to the term “non-Government school” in section 1.1.3 of the ETR Act;

73.34 “Non-Government School Organisation” (or “NGSO”) means any Non-Government School or other organisation which is not a Government School;

73.35 “Non-Government Secondary School” means the year levels in the range 7 to 12 of a Non-Government School;

73.36 “Operating Procedures” means these operating procedures for SSV including, without limitation, any schedules or attachments, and any Rules made under these operating procedures;

73.37 “President” means the person appointed as President of SSV pursuant to clause 31.2;

73.38 “Principal Class” means any person appointed to a designated position as principal of a School or a person in charge of a School;

73.39 “Region” means a geographical area defined by the Department;

73.40 “Region Forum” means a forum of a Region which consists of the persons specified in clause 54.1;
73.41 "Region Representative" means a person of the Principal Class or Teacher Class employed or engaged by a Full Member or Associate Member within a Region;

73.42 "Register" means the register containing the details of Members which is required to be kept by the Chief Executive Officer in accordance with clause 99;

73.43 "Rules" include rules, policies, procedures, guidelines, codes of conduct or behaviour, standing orders, conditions of competition, competition rules and sport rules;

73.44 "Schedule" means the schedule to these Operating Procedures;

73.45 "School" means a Government School or a Non-Government School;

73.46 "School Council" has the meaning given to the term "school council" in section 1.1.3 of the ETR Act;

73.47 "School Sport Officer" means a person appointed pursuant to clause 53.1;

73.48 "School Sport" means any sporting competition, most appropriately provided in conjunction with a physical education or sport education program that gives all school students the opportunity to continue their physical, social and personal skills education through competition at intra-school, inter-school, local, state, national and international levels;

73.49 "School Sport Victoria" (or "SSV") means the organisation which the Board is responsible for governing in accordance with these Operating Procedures;

73.50 "Sport Sub-committee" means a sub-committee established by the Board pursuant to clause 45.1 to plan and design sports competitions for a specific School Sport;

73.51 "Sub-committee" means a Sport Sub-committee or a Board Sub-committee;

73.52 "Teacher Class" means any person registered under Part 2.6 of the ETR Act as a teacher or a person who has been granted permission to teach under Part 2.6 of the ETR Act;

73.53 "Vice President" means a person appointed as a Vice-President of SSV pursuant to clause 31.2; and

73.54 "VRQA" means the Victorian Registration and Qualifications Authority established pursuant to section 4.2.1 of the ETR Act.

74 Interpretation

Except so far as the contrary intention appears in these Operating Procedures:

74.1 the headings appearing in these Operating Procedures are for convenient reference only and have no effect in limiting or extending the language of the provisions to which they refer;

74.2 the singular includes the plural and vice versa;

74.3 words importing one gender include other genders;

74.4 other grammatical forms of defined words or expressions have corresponding meanings;
74.5 a reference to a statute, code or other law includes regulations and other instruments made under it and includes consolidations, amendments, re-enactments or replacements of any of them;

74.6 the meaning of general words is not limited by specific examples introduced by including, for example or similar expressions;

74.7 a reference to an individual or person includes a partnership, body corporate, government authority or agency and vice versa; and

74.8 a reference to an authority, institution, association or body (“original entity”) that has ceased to exist, been reconstituted, renamed or replaced or whose powers or functions have been transferred to another entity, is a reference to the entity that most closely serves the purposes or objects of the original entity.
APPENDIX 1   FORM OF APPOINTMENT OF PROXY

FORM OF APPOINTMENT OF PROXY
FOR SCHOOL SPORT VICTORIA GENERAL MEETING
ON (insert date)

I, ______________________________________ of ______________________________________

(Principal’s Name) (Name of School)

appoint □ ______________________________________ of ______________________________________

(Name of proxy holder) (Name of proxy holder’s School)

OR □ the Chairperson of the Annual General Meeting

being a member of School Sport Victoria, as my proxy to vote on my behalf at the Annual General
Meeting of School Sport Victoria to be held on (insert date) and at any adjournment of that meeting.

My proxy is authorised to vote as per my directions below. Please mark ✗ to indicate your
directions. If you do not mark any of the boxes your proxy may vote as he or she chooses.

(Insert items of business)

For Against Abstain

□ □ □

Signed

Date

__________________

THIS FORM MUST BE RETURNED TO THE CHIEF EXECUTIVE OFFICER OF
SCHOOL SPORT VICTORIA ONE WEEK PRIOR TO THE DATE OF THE MEETING
HOW TO COMPLETE THE PROXY FORM

1. **Appointment of a Proxy**
   If you wish to appoint the Chairperson of the AGM as your proxy, mark the box. If the individual you wish to appoint as your proxy is someone other than the Chairperson of the AGM please write the full name of that individual and the school they are from in the spaces provided. If you leave this section blank, or the named proxy does not attend the meeting, the Chairperson of the AGM will be your proxy. A proxy must be a representative from another Member School that is entitled to vote at the meeting.

2. **Votes on items of business**
   You may direct your proxy how to vote by placing a mark in one of the three boxes opposite each item of business. If you do not mark any of the boxes on a given item, your proxy may vote as he or she chooses. Your proxy can also vote on other items of business at the meeting (e.g. procedural motions) for which no direction is given. If you mark more than one box on any item your vote on that item will be invalid.

3. **Signing instructions**
   You must sign this form in the spaces provided. The person signing the form must be the Principal of the member school assigning the proxy.

LODGEメント OF A PROXY

This form must be returned to the Chief Executive officer of School Sport Victoria one week prior to the date of the meeting, either by

- In person to the School Sport Victoria office at 189 Urquhart Street, Coburg VIC.
- By mail to School Sport Victoria at P.O. Box 13, Coburg VIC 3058
- By fax to (03) 9488 9499
- By scanning the form and e-mailing it school.sport.victoria@edumail.vic.gov.au