



Managing a Student Club

For many committee members this will be the first time that you have had to manage a club or society, and proper administration of a club's operations and finances can be daunting without receiving some guidance.

This is a very basic outline of some of the expectations of running a social club.

Please note that this is not legal advice, just general advice.

If you want any further tips on the management of your clubs administration and finance, please contact AUU Clubs via email at clubsadmin@auu.org.au.

Rights and Obligations

The model constitution for AUU Clubs states that your club is an *unincorporated association*. This means that your club is not registered under any Act, and is not a legal person. According to the Australian Tax Office:

53. An unincorporated association or body of persons is not a legal person. Unlike a body corporate it has no separate legal identity. It consists of the aggregate of its members at a particular moment in time and does not have perpetual succession. Because it is not a legal person, subject to specific legislation, it does not have the right to hold property, or to take or be subjected to legal proceedings in its own name.

(Miscellaneous Tax Ruling 2006/1)

<http://law.ato.gov.au/atolaw/view.htm?Docid=MXR/MT20061/NAT/ATO/00001>

Unincorporated associations do not have the same obligations or requirements that an incorporated association will have. By the same token, an unincorporated association is not a legal person and does not have the rights that legal personhood confers – meaning that if there are any issues it is the individual club members that are held liable, not the club itself.

This does not mean that you have no obligations as an office bearer.

You must always act in furtherance of your club's objectives as stated in your constitution, and act in the best interest of the members of the club. Your club constitution forbids the securing of profits for members from its activities, including office bearers. This means that you are not a business and cannot act like one.

You must also hold money and property meant for your club *in trust* for the association. Not-for-profit information provider Our Communities uses the following example for unincorporated associations:

If someone comes along at the demonstration and says "Here's a thousand dollars for ADSATA," then Patrick holds that money in trust for the purposes of ADSATA and isn't allowed to use it to repaint his garage.

http://www.ourcommunity.com.au/management/view_help_sheet.do?articleid=2101

Even though your club is an unincorporated association, it may still apply for an Australian Business Number (ABN) as an "Other Unincorporated Entity". An ABN will assist with contracts for goods and services that your club may need to enter into for events and activities, and is freely available at: <https://abr.gov.au/>. If you are not sure whether your club has an ABN, you can search at: <http://abr.business.gov.au/Index.aspx>.

Running a meeting

All clubs will at a minimum have an Annual General Meeting, in which all club members are free to participate. The AGM is the point at which elections take place for your club's committee.

Each club will also have a committee which will meet as required to manage the affairs of the club. Your club must decide on how formal these meetings should be, and it may be worth thinking of adopting 'Standing Orders' which will determine how matters are dealt with and how decisions are made, if your constitution does not include any guidance on this. At all times clubs should ensure their meetings are safe, welcoming to all members and democratically run. Harassment falls under the University of Adelaide's *Student Misconduct Policy*.

All meetings should be *minuted*, usually by the Secretary. Minutes represent a 'true and accurate' record of the discussion and decisions of each meeting, and are approved at a subsequent meeting.

Every decision should be the result of a *motion* that has been moved, seconded and approved by the meeting. A motion might be recorded in the minutes like this:

Motion: That the committee congratulate Sergio Leone on his contribution to the Western film genre.
Moved: Akira Kurosawa Seconded: Stanley Kubrick
Carried

The WA Government has a simple guide for the operation of social clubs which is useful as a beginner's guide, and can be found at: <http://clubsonline.dsr.wa.gov.au/effective-club-meetings>.

Money matters

You should establish a bank account for your club. Bank SA offers 'Clubs & Societies' accounts with no monthly fees, but all major banks will have some option for charities and social clubs. A motion will need to be passed at your Inaugural General Meeting or at a subsequent meeting that authorises the establishment of a bank account with a specific bank branch. Banks will normally ask for a copy of your constitution as well as the minutes where this motion was passed.

Your bank account will have signatories, who are authorised to operate the account on behalf of the club. Every AGM there should be a motion nominating at least two signatories for the bank account, and it is important that you keep up-to-date with access to the account, because it will be incredibly difficult to withdraw money if former signatories move on / disappear (which happens with student clubs).

Spending your money

Lack of procedures for spending money can cause significant problems for clubs. Most clubs will spend money on events, activities, or purchasing equipment. The two most fundamental things to remember when spending money are:

- That it has been properly authorised; and
- That the money is being spent to further the objectives of the club

All authorisations to spend money should take the form of a motion passed by a meeting of the club or committee, preferably with the exact amount and the purpose clearly stated. This way, any member will be able to see exactly when and how it was decided to spend money. For example:

Motion: That Alfred Hitchcock is authorised to spend \$27.10 for the purchase of pink balloons.

Moved: Francois Truffaut

Second: Zhang Yimou

Carried

It is always preferable to authorise money beforehand than to reimburse (pay back) a person for out of pocket expenses. If you do intend to reimburse a person for an out of pocket expense, your club should require receipts to prove the expenditure for which a person is seeking reimbursement.

You should not allow, under any circumstances, expenditure of money which is contrary to your club's objectives.

You should not allow, under any circumstances, expenditure of money which violates the rule against the securing of profits for members.

You should not allow, under any circumstances, expenditure of money for unlawful activities.

With money it is easiest to just remember to be honest, accountable, and use common sense.