

# CONSTITUTION OF KIAMA CENTRAL NETBALL CLUB.

## 1. TITLE.

The name of the association shall be the KIAMA CENTRAL NETBALL CLUB.

## 2. COLOURS.

The club's colours shall be GREEN, WHITE and BLACK.

## 3. OBJECTIVES.

The objectives of the club shall be; -

- a. To further the interest of its members and promote and control the game of netball.
- b. To promote participation within the Club and Association.
- c. To affiliate and support the New South Wales Netball Association Limited.
- d. To co-operate with other affiliated clubs within the association for the furtherance of Netball.
- e. To be a court of appeal in the case of dispute connected with Netball within the area controlled by the Club.

## 4. MEMBERSHIP.

- a) The club is the controlling body and its authority shall be recognized by all members who shall adopt and obey this Constitution and the Rules and by-laws of the Club.
- b) All Ordinary, Junior Members (as defined by the New South Wales Netball Association Limited) and amateurs are as defined by the Constitution of the International Federation of Netball Associations.
- c) Persons who are affiliated with the Club in any capacity are to be a registered Individual Member before participating in any Netball NSW or affiliated Club / Association activity. This includes but is not limited to:
  - a) Club executive members
  - b) Coaches and Assistant Coaches
  - c) Umpires

c) Membership is open to:

1. a) Individual members of N.S.W.N.A Ltd.  
Definitions of Members as per *Netball NSW Affiliation and Membership Policy*:
  - (i) Senior
  - (ii) Junior
  - (iii) NetSetGo
  - (iv) Non Players
- b) Associate members of N.S.W.N.A Ltd.
- c) Life Members.
- d) Subscriber Members.
- e) Honorary Members.

- d) All carnival entries shall be forwarded through the Club.
- e) Umpiring shall be under the control of the Club's Umpires Convener.
- f) Individuals are to make themselves aware of the *Netball NSW Member Protection Policy* and comply with the codes and standards of behaviour it sets out.
- g) The Executive Committee may accept or reject an application and shall not be required or compelled to provide any reason for such acceptance or rejection.
- h) Members acknowledge and agree that:
  - a) this Constitution constitutes a contract between each of them and the Club and that they are bound by this Constitution and the Regulations, and the constitution and regulations of both Netball NSW and Netball Australia;
  - b) by submitting to this Constitution and Regulations they are subject to the jurisdiction of the Club, Association, Netball NSW and Netball Australia;

#### 5. LIFE MEMBERS.

- a. Any person may be elected a Life Member of the Club in recognition of outstanding service to the Club for such minimum period, as Council deems appropriate.
- b. Candidates for election as Life Members shall be nominated by two members of the Council at least one month before the AGM at which nominations will be considered.
- c. The nomination must be approved by a majority of at least two thirds of the members present and voting at the AGM, providing the Council may, by resolution from time to time hold Life Membership.
- d. An active Life Member shall be entitled to attend all meetings and shall have full voting rights. The Council shall determine from time to time which Life Members are to be regarded as active and the criteria to be applied in making that determination.

#### 6. AN HONORARY MEMBER.

- a. Is one who is invited by Council to join the Club for a specific time or purpose as determined by the Club provided two members of the Council nominate such person.
- b. An Honorary member may be admitted to Council, without voting power.

#### 7. REGISTER OF MEMBER.

- a. The Public Officer of the Club shall establish and maintain a register of members of the Club, specifying the name and address of each person who is a member of the Club.
- b. The register of members shall be kept at the principal place of administration of the Club and shall be opened for inspection, free of charge, by any member of the Club at any reasonable hour.

## 8. FEE, SUBSCRIPTION, ETC.

The fees, subscriptions, etc. to be paid by members, shall be determined by resolution of Council at its first meeting following the AGM each year.

## 9. MEMBERS LIABILITY.

The liability of a member of the Club to contribute toward the payment, of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership.

## 10. MEETINGS.

- a.
  - 1) The president shall take the chair at all meetings and the president's absence the Chair shall be taken by the Senior Vice President.
  - 2) If neither the President nor the Vice President is present within thirty minutes of the time fixed for the commencement of the meeting. The members shall elect a Chairperson.
  - 3) The accidental omission to give any member the required notice shall not invalidate a meeting nor any of the business of the meeting.
  
- b.
  - 1) A quorum for Council and Special Council shall consist of at least a half of the Office Bearers.
  - 2) A quorum for Annual General or Special Meetings shall consist of at least one half of the Office Bearers.
  - 3) If no quorum is present 30 mins, after the time fixed for the commencement of a meeting, it shall be adjourned to such time as the Chairperson shall decide.
  - 4) The Secretary shall notify the members of the meeting.
  - 5) Each eligible member (including Office Bearers) shall have one vote to be taken in such a manner as the Chairperson shall direct, except the a secret ballot shall be taken if any member requests it.
  - 6) In case of an equal vote, the President shall in addition, have a casting vote.
  - 7) There shall be no voting by proxy.
  
- c.
  - 1) At each meeting each delegate present shall sign an attendance book.

## 11 COUNCIL.

- a. Council shall consist of the Office Bearers of the Club, active Life Members and Members.
- b.
  - 1) The Club Secretary shall notify the Association Secretary of the Office Bearers.
  - 2) Persons appointed to the Council shall assume office at the commencement of the first meeting and shall hold office for the ensuing year.

- 3) Notwithstanding the Club has the right to withdraw a delegate and appoint another delegate in that delegate's place.
- 4) Any casual vacancy shall be filled by a member nominated by the members of the Club and approved by the executive.
- 5) A vacancy shall be deemed to have occurred in respect of any delegate who has, without leave of Council, failed to attend three consecutive meetings.
- 6) The Council shall meet at least four times per year on suitable dates.
- 7) No less than seven days notice shall be given to specifying the time and place of the meeting of Council, and any special business to be dealt with, other than that set out in the by-laws.

## 12 ORDER OF BUSINESS AT COUNCIL MEETINGS SHALL BE:

- i) Apologies
- ii) Confirmation of minutes
- iii) Business arising from minutes
- iv) Notices of motions
- v) Elections
- vi) Correspondence and business arising
- vii) Reports
  - Executive Committees
  - Treasurer
  - Liaison Officer (if a sub group is operating)
  - Coaching Co-ordinator
  - Umpires Co-ordinator
  - Sub-committee reports
  - Delegates to other organisations
- viii) General business

## 13. POWERS OF THE COUNCIL.

The Council shall be responsible for the execution of the objects of the Club and without any way limiting this responsibility shall have power.

- a) To control and manage the affairs of the Club.
- b) To fix fees payable by members and to enforce payment thereof.
- c) To control the funds of the Club and for that purpose to open and operate banking accounts, to invest funds in any manner authorised by the law for the investment of trust funds, to acquire real and personal property of all descriptions and to sell or otherwise dispose of it, to borrow money on behalf of the Club and to give security therefore, to enter into guarantees of indebtedness and generally to carry out and attend to all such matters as shall be necessary for the proper control of the property of the Club.
- d) To appoint three delegates to represent on the Council of the Netball Association meeting.
- e) To appoint any delegate or delegates to represent the Association for any purpose with such powers as may be thought fit.

- f) i) to ensure that the secretary gives lists of names and address's of the Club who have paid their annual subscription.
- ii) all such lists shall differentiate between classes of members.
- iii) with each list there shall be forwarded a cheque to cover the total payable as subscriptions by the persons so listed.
- iv) upon receipt by the Secretary of the Kiama Netball Association of the lists and payments of the subscriptions for the person whose names appear therein, those persons shall be deemed to have renewed their membership until March 31 next.

#### 14. ANNUAL GENERAL MEETING.

- A
  - i) The Annual General Meeting shall be held on a date set by the executive.
  - ii) All financial members may attend but voting shall be restricted to Office Bearers, active Life Members and two delegates from each team.
  
- B
  - i) Not less than twenty one days written notice of the date of the Annual General Meeting of the Club shall be given to each Office Bearer, Life Member and delegate.
  - ii) A copy of the Annual Report and audited Balance Sheet shall accompany s such notice.
  
- C
  - The business of the Annual General Meeting shall be
    - i) Confirmation of the minutes of the previous Annual General Meeting.
    - ii) The consideration and adoption of the Annual Report and audited Balance Sheet.
    - iii) Appointment of an auditor for the ensuing year.
    - iv) Such other business as the meeting thinks fit.
    - v) Election of Office Bearers
  
- D
  - Office Bearers appointed at the Annual General Meeting shall assume office at the conclusion of the Annual General Meeting and shall hold office for the ensuing year.

#### E A SPECIAL GENERAL MEETING

Shall be called by the Secretary:

1. At the direction of the President, or
2. On a requisition signed by not less that one quarter (1/4) of the members of the Council.
3. Not less than twenty one days notice shall be given to each Office Bearer, Life Member and Secretary.

#### 15 EXECUTIVE MEETING

- A.
  1. The ballot for the election of Office Bearers to form the Executive Committee shall take place at the conclusion of the AGM.
  2. The following Office Bearers shall be elected:
    - President

Senior or Vice President  
Secretary  
Treasurer  
Coaching Co-ordinator  
Umpiring Co-ordinator  
Canteen supervisor

- B. 1. Nominations for election signed by two ordinary members and with the written consent of the nominee shall be lodged with the Secretary at least twenty eight days prior to the meeting at which the elections are to be held.
2. Qualifications shall accompany each nomination.
3. Existing Office Bearers shall be eligible for re-election.
4. To be eligible for nomination for the Executive Committee a nominee must be an ordinary member of the New South Wales Netball Association Ltd.
- C. No person shall be elected to more than one position on the Executive Committee.
- D. 1) The Executive Committee shall exercise the functions and powers of the Council between meetings of the Council and its decisions shall be subject to ratification by council at its next meeting.  
2) Not less than two thirds of the members of the Executive Committee shall constitute a quorum.
- E. 1) The Executive Committee may be empowered by Council to take Disciplinary action pursuant to this constitute against any member.  
2) The member concerned shall have the right of appeal within seven days of notification of the disciplinary action to be taken.
- F. 1) Vacancy in Executive Committee shall be filled by Council.  
2) A vacancy shall be deemed to have occurred in respect of any member therefore who has, without leave of the Executive Committee, failed to attend three consecutive meetings.  
3) No Office Bearer shall be entitled to receive remuneration for any service as such.

#### 16 MEETING OF EXECUTIVE COMMITTEE

- a) Meetings shall be set by the Office Bearers throughout the year.
- b) Should it be necessary to call an additional meeting, all Office Bearers shall be notified at least forty eight hours prior to the meeting being held
- c) Should a quorum of the Executive Committee be present, an emergency meeting may be convened.

#### 17 SUB COMMITTEES

- a) The following sub-committee shall be elected each year:  
Selection Committee  
Fund Raising Committee  
Canteen Committee  
Umpires Committee  
Disputes Committee

- b) The President, Secretary and Treasurer shall be ex officio members of the Selection Sub-committee.
- c) The Council may from time to time appoint such additional sub-committees as it thinks fit and define the functions thereof.

## 18 FINANCE.

- a) Course of funds- the funds of the club shall be derived from annual subscriptions of members, playing and other fees and donations, and subject to any resolutions passed by the Club in general meeting, such as sources as the Executive Committee determine.
- b) The banking accounts of the Association shall be kept at a bank approved the Council and all cheques operating on the account shall be signed by any two of the following Office Bearers: President, Secretary, and Treasurer.
- c) The financial year of the Club shall commence on October 1<sup>st</sup> and end on September 30<sup>th</sup> of each year.
- d) 1) All current bank statements/pass books shall be tabled at each meeting of Council, together with a written financial report.  
2) The books of the Club shall be audited each year by a qualified person who is not a member of the Club.  
3) The audited Balance Sheet shall be presented to each Annual General Meeting.
- e) All New South Wales fees shall be paid by due date.

## 19 CUSTODY OF BOOKS

Except as otherwise provided by these rules, all records, books and other documents relation to the Club shall be kept under the custody or control of the Public Officer.

## 20 INPSECTION OF RECORDS

Any member of the Council may inspect the books of account and members roll any minute book of the Club at any reasonable time.

## 21 ENFORCEMENT OF CONSTITUTION

- a) The authority of the Club shall be extended to and be recognized by all individual members.
- b) The council shall have power to deal with and adjudicate upon all requests and disputes as to the interpretation of the Constitution, Rules and By-laws, and upon any complaints made to it of misconduct detrimental to the policy, interest or welfare of the Club by any club or person to whom this Constitution applies.
- c) The Council may fine, caution, expel or suspend from membership for such period as it thinks fit any such club or person to whom this Constitution applies provided however that at least twenty one days before the meeting at which such matter is to be considered shall have been notified in writing and invited to be present at the meeting and that the

club or member shall at such meeting and before any resolution is passed have an opportunity of giving orally or in writing any explanation or defense the club or member may think fit.

- d) The member concerned shall have the right of appeal in writing within seven days of the date of notification of the disciplinary action to be taken.
- e) If a player/s team or teams is reported by an umpire and/or court official at any event under the control of the Club and action is to be taken, such player/s or team/s, both umpires and an official from each team shall be called before a Disputes Committee.
- f) The Disputes Committee shall be a casual committee and shall consist of President or another member of the Executive Committee. A representative of the Umpire's Committee, plus one member appointed by the Executive Committee.
- g) At association level a club Disputes Committee shall call a meeting to determine the action the Club would take.

## 22 ALTERATION TO THE CONSTITUTION, BY-LAWS AND STANDING ORDERS

- a) This Constitution, the By-laws and Standing Orders of the Club may be altered by a majority of at least three quarters of the members present and voting at the Annual General or Special General Meeting of the Association of which not less than twenty one days written notice specify the resolution/s to be proposed has been given.
- b) Any alterations made to the Constitution, By-laws or Standing Orders shall be forwarded to the N.S.W.N.A Ltd within twenty eight days of the meeting at which such alteration was made.

## 23 DISSOLUTION OF THE CLUB

- a) The Club shall not be dissolved except by a special resolution passed by a majority of at least three quarters of the members present and voting at a Special Meeting of the Club of which not less than twenty one days written notice specifying the resolution to be proposed has been given.
- b) On dissolution of the Club any property what so ever remaining after the determination and settlement of all debts and liabilities shall be paid or transferred to the N.S.W.N.A Ltd. to be used in the promotion of Netball within the boundaries of Kiama.

Date approved \_\_\_\_\_

Signature of the President \_\_\_\_\_

Signature of the Secretary \_\_\_\_\_