



**ST NICHOLAS NETBALL CLUB  
INCORPORATED**

**CONSTITUTION**

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## 1. TITLE

The name of the Club shall be “St Nicholas Netball Club Incorporated”, hereinafter referred to as “The Club” and its address shall be the residential address of the President at the time.

## 2. COLOURS

“The Club” colours shall be royal blue, white and sky blue.

## 3. OBJECT

“The Club” object:

- a) To promote, coach, mentor and encourage the game of netball.
- b) To teach and instil fair play and good sportsmanship.
- c) To maintain affiliation with Penrith Netball Association for the purpose of competition matches.
- d) To organise and conduct social and fundraising activities.
- e) To support the aims of the New South Wales Netball Association through an appropriate Netball Association.

## 4. MEMBERSHIP

- a) Membership is open to all individuals who accept and obey this Constitution and the Rules and By Laws of “The Club”.
- b) “The Club” shall consist of an unlimited number of members and shall have no boundaries in respect of membership.
- c) Individuals wishing to apply for membership shall apply to “The Club” and must complete an application form supplying all details as requested and provide proof of age.
- d) The Executive Committee may reject any application for membership and is not required to supply reasons for doing so.
- e) Members shall pay annual fees to “The Club” as determined by the Executive Committee.
- f) Members must be financial to “The Club” prior to them being registered with the District Association. No Player will be registered and may not take part in competition matches unless an alternative arrangement has been approved by The Executive Committee. All arrangements must be received in writing The Secretary for approval by the Executive Committee.
- g) A register of Members shall be kept by “The Club” specifying the name, address, phone number, date of birth and commencement year of membership. The register shall be kept by the Secretary and shall be open for inspection, free of charge, by any member of “The Club” at any

reasonable hour. If a member requires any of these details to be kept confidential a request must be submitted to the Secretary in writing.

h) Membership shall cease upon resignation, expulsion or failure to pay any outstanding fees.

i) Membership is open to:

i) Ordinary Members

ii) Associated Members

iii) Life Members

iv) Honorary Members

j) Membership shall be as follows:

i) Ordinary Members shall be registered playing members playing in Net Set Go, six (6) years to eight (8) years, Juniors, nine (9) years to twelve (12) years, Intermediates, thirteen (13) years to seventeen (17) years and Seniors eighteen years and over. Members aged fourteen (14) years and over are eligible to participate in the activities of "The Club" and vote at meetings. Where a player is under fourteen (14) years they may vest their voting right to their parent or legal 2 guardian. The nominated parent or guardian is only eligible to one (1) vote on any one (1) issues.

ii) Associated Members shall be registered non-playing members over the age of fourteen (14) years and shall be entitled to hold any position within "The Club" and shall be entitled to full voting rights.

iii) Life Members shall be entitled to attend all meetings and shall have full voting rights. Any member may be elected as a Life Member to "The Club" provided the criteria are met. iv)

Honorary Members shall be one who is invited by "The Club" to join the Club without voting rights for a specific time or purpose as determined by "The Club" provided two financial members of "The Club" nominate such person. k) Membership of "The Club" shall entitle that

person to only one (1) vote on any issue.

## 5. PATRON

"The Club" may from time to time appoint one or more Patrons and may also cancel any such appointment.

## 6. MEMBERS' LIABILITY

Members of "The Club" shall have no liability of debts and liabilities of "The Club" or the costs, charges and expenses of dissolving "The Club" except the payment of any unpaid membership fees.

## 7. EXECUTIVE COMMITTEE

- a) "The Club" shall have its' business controlled and managed by the Office Bearers and members known as The Executive Committee, which is subject to ratification at the next Club meeting.
- b) The ballot for the election of the Office Bearers to form the Executive Committee shall take place at the conclusion of the business of the Annual General Meeting and they shall hold office for the ensuing year.
- c) No member of the Executive Committee shall be entitled to receive any salary for duties.
- d) The following Office Bearers shall be elected:
  - i) President
  - ii) Vice-President
  - iii) Secretary
  - iv) Treasurer
  - v) Assistant Treasurer
  - vi)Registrar
  - vii) Umpire Convenor
  - viii) Assistant Umpire Convenor
  - ix) Uniform Convenor
  - x) Assistant Uniform Convenor
  - xi) Senior Registrar
  - xii) Junior Registrar
  - xiii) Assistant Registrar
  - ix) Coaching Convenor
  - x) Assistant Coaching Convenor
  - xi) Publicity Convenor
  - xii) Committee Members
- e) Nominations for election signed by two (2) financial members and with the acceptance by the nominee may be lodged to the Secretary prior to or at the Annual General Meeting. In the event of insufficient nominations further nominations may be taken from the Annual General Meeting provided the nominated person accepts and the nomination is seconded. In the event of two (2) or more nominations received and accepted for a position a secret ballot is to take place.
- f) To be eligible for nomination the person must be a financial member of "The Club" or be eligible to and becomes a financial member of "The Club".

- g) The Executive is empowered to take disciplinary action pursuant to this Constitution and/or By- Laws against any member of “The Club”.
- h) A vacancy of the Executive Committee shall be filled by appointment by the Executive Committee and ratified at the next Club meeting.
- i) A vacancy shall be deemed to have occurred in respect of any member of The Executive who is expelled or suspended or if they tender their resignation in writing or if they have failed to attend three consecutive scheduled meetings without reasonable grounds, which shall be determined by the Executive Committee.
- j) Existing and retired Office Bearers shall be eligible for re-election.

## 8. POWERS OF THE EXECUTIVE COMMITTEE

The Executive shall be responsible for the execution of the objects of the Club and without in any way limiting this responsibility shall have power to:

- a) Control and manage the affairs of the Club
- b) Make or amend Rules and By-Laws not inconsistent with this Constitution.
- c) Fix fees payable by members and enforce payment thereof.
- d) Control the funds of the Club and for that purpose to:
  - i) open and operate banking accounts,
  - ii) invest funds in any manner authorised by law for the investment of trust funds,
  - iii) generally to carry out and attend to such matters as shall be necessary for the proper management and control of the property of the Club.
- e) Appoint any delegate or delegates to represent the Club for any purpose with such powers as may be thought fit.
- f) Take action in accordance with the Member Protection Policy pursuant to this Constitution and/or By-laws against any member.
- g) Ensure that the Club register each and every individual member using the Netball NSW membership registration system that is current at the time.
- h) Determine who shall be entitled to sign or endorse on the Club’s behalf contracts, receipts, acceptances, cheques, bills of exchange, promissory notes and other documents or instruments;
- i) Publish handbooks, manuals, electronic training and other aids, and other material, and disseminate information and publicity;
- j) Control the use of names of the Club, logos, colours, membership data and emblems;

k) Foster the activities of the Club and co-operation between Members and other groups in the interests of the Objects of the Club

l) Have general responsibility for the development of the Club and for the development of netball within the boundaries of the Club in accordance with the Objects and the wishes of the Members

#### 9. MEETINGS OF EXECUTIVE COMMITTEE

a) Regular Executive Meetings shall be held by the Office Bearers throughout the year.

b) The quorum for an Executive Meeting shall be at least half of the Office Bearers.

c) Should it be necessary to call additional meetings, all Office Bearers shall be notified at least twenty four (24) hours prior to the meeting being held.

d) Should a quorum of the Executive Committee be present, an emergency meeting may be convened.

#### 10. MEETINGS OF "THE CLUB"

a) Special meetings of "The Club" shall be called by the Secretary at the direction of the President or at the direction of the Executive Committee in addition there shall be an Annual General Meeting to be held November/ December each year

b) The President shall chair all General Meetings and Special Meetings and in the President's absence the Vice-President shall take chair. If neither the President or Vice-President is present within thirty (30) minutes of the time fixed for the commencement of the meeting, the members present shall elect a chairperson.

c) Not less than fourteen (14) days notice shall be given specifying the time and place of the meeting and any special business to be dealt with, other than that set out in the By-Laws.

d) The non-receipt of notice given to any member of "The Club" of a Club Meeting or Special Meeting shall not invalidate the meeting or any business of the meeting.

e) A quorum shall consist of half of the Office Bearers and five percent (5%) of financial members of "The Club".

f) If no quorum is present within thirty (30) minutes after the time fixed for the commencement of the meeting, it shall be adjourned to such time and place as the Chairperson shall decide.

g) Each financial member (including Office Bearers) shall have one vote to be taken in such manner as the Chairperson shall direct, except that a secret ballot shall be taken if any member request it.

h) In the case of an equality of votes, the President shall, in addition, have a casting vote.

- i) There shall be no voting by proxy.
- j) At each meeting of “The Club” each member shall sign an attendance book attesting to their financial membership and in the case of voting on behalf of a member under the age of fourteen (14) years advising who the member is.
- k) The order of business at a General Meeting shall be:
  - i) Apologies
  - ii) Confirmation of Minutes
  - iii) Business arising from Minutes
  - iv) Notices of Motion
  - v) Elections
  - vi) Correspondence and Business arising
  - vii) Delegates report from Association Meeting
  - viii) Reports as required to include: President Vice-President Secretary Treasurer Registrar Umpires Convenor Uniform Officer Equipment Officer Publicity Officer Fundraising Officer Marketing Officer Coaching Co-ordinator
  - ix) General Business

11. SUB COMMITTEES a) The following subcommittee’s may be elected or appointed each year: i) Grading Committee ii) Fundraising Committee iii) Social Committee

## 12. ANNUAL GENERAL MEETING

- a) The Annual General Meeting of “The Club” shall be held each year in November/ December.
- b) All financial members may attend and each voting member shall have one vote which shall be taken in such manner as the Chairperson shall direct, except that a secret ballot shall be taken if any member requests.
- c) There shall be no voting by proxy.
- d) The business of the Annual General Meeting shall be:
  - i) Confirmation of the minutes of the previous Annual General Meeting.
  - ii) Annual Reports of the Executive Committee.
  - iii) Adoption of audited Balance Sheet.
  - iv) Such business as the meeting thinks fit.
  - v) Election of Office Bearers and Committee members.
- e) 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.
- f) Not less than fourteen (14) days notice of the Meeting shall be given to members.



- g) The accidental omission to give any member such notice shall not invalidate the meeting or any business of the meeting.
- h) A copy of reports and balance sheet shall be available at the commencement of the Annual General Meeting.
- i) The quorum for the Annual General Meeting shall be at least half ( $\frac{1}{2}$ ) of the Office Bearers
- j) If not quorum is present thirty (30) minutes after the time fixed for the commencement of the meeting, it shall be adjourned to such time and place as the Chairperson shall decide. The Secretary shall give written notice thereof.
- k) The President shall chair the Annual General Meeting and in the President's absence the Vice- President shall take chair. If neither the President nor Vice-President is present within thirty (30) minutes of the time fixed for the commencement of the meeting, the members present shall elect a chairperson.

### 13. FINANCE

- a) All monies received by "The Club" shall be deposited to "The Clubs" account by the Treasurer at a bank approved by the Executive Committee as soon as practicable. Receipts shall be issued for all funds received.
- b) All cheques operating on the account shall be signed by any two (2) jointly of the following Office Bearers and two (2) Office Bearers can authorise: President, Secretary, Treasurer or Assistant Treasurer.
- c) All accounts for payment and any purchases shall be approved by the Executive Committee and ratified at the next Club's General Meeting.
- d) All bank statements together with a financial report are to be tabled at each Club Meeting.
- e) All accounts from Office Bearers and/or Committee Members are to be submitted with an itemised account to the Treasurer for ratification and payment before the Annual General Meeting.
- f) The financial books of "The Club" shall be audited each year by a qualified person who is not a member of "The Club".
- g) An Audited Balance Sheet is to be presented at each Annual General Meeting.
- h) If required both the Secretary and Treasurer may be provided with a petty cash advance of \$50.00 each. All accounts for \$20.00 and above rendered on "The Club" shall be paid by Club cheque or EFT.

#### 14. LIABILITY

“The Club” will not accept liability for any claims in respect of injury or loss of earnings or other monetary loss in respect of injury to any financial member (including, players, umpires, coaches, managers, committee members or Office Bearers) of “The Club” or former members of “The Club”.

#### 15. ENFORCEMENT OF CONSTITUTION

- a) The authority of “The Club” shall extend and be recognised by all members.
- b) The procedure for adjudicating on any disputes upon the Constitution, Rules and By-Laws shall be by the power of the Executive Committee.
- c) The Executive Committee may fine, expel, or suspend from membership for such period as it sees fit, any such person to whom this Constitution applies provided that at least fourteen (14) days notice in writing has been given to the member concerned.

16 ALTERATIONS TO CONSTITUTION AND BY-LAWS This Constitution, the By-Laws and Standing Orders of “The Club” may be altered by resolution passed by a majority of at least two thirds (2/3) of the executive members present and voting at an Annual General Meeting or a Special Meeting of “The Club” of which not less than fourteen (14) days written notice specifying the resolution/s to be proposed has been given.

#### 17. DISSOLUTION OF “THE CLUB”

- a) “The Club” shall not be dissolved except by resolution passed by a majority of at least two thirds (2/3) of the members present and voting at a Special Meeting of “The Club” of which not less than fourteen (14) days written notice specifying the resolution to be proposed has been given.
- b) On resolution of “The Club” any property whatsoever remaining after the determination and settlement of all debts and liabilities shall be paid or transferred to the Association with which “The Club” is presently affiliated.

Approved at Special General Meeting held on 1/12/2008