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**1. NAME**

 The name of the Club shall be the Wests Netball Club Inc.

**2. DEFINITIONS OF INTERPRETATION**

 2.1 “the Act” means the Associations Incorporation Act 1984.

 2.2 “ Calendar Year” means the year beginning on 1 January of any year and end on 31 December of that same year.

 2.3 “the Club” means the Wests Netball Club Incorporated.

 2.4 “this Constitution” means this Constitution that applies to the Club.

 2.5 “the Executive” means the Executive Committee of the Club as defined in Rule 25.1 of this Constitution.

 2.6 “IDNA” means the Illawarra District Netball Association Incorporated.

 2.7 “Member” means and includes any person who has been approved as a member of the Club in accordance with the provisions of this Constitution.

 2.8 “Membership Fee” means the fee applicable for the class of membership of the Club applicable to the applicant.

 2.9 “Netball” means the sport of Netball.

 2.10 “Players” means those persons who competitively participate in the sport of netball as a representative of the Club.

 2.11 “Registration Fee” means the fee for registration as a player of Netball as referred to in Rule 8.1 of this Constitution.

 2.12 “Rule” means a rule as contained in this Constitution.

 2.13 “Voting Members” means Life Members and those members of the Club who are over eighteen (18) years of age and have paid their Membership Fee in full and who are in attendance at the meeting.

 2.14 References to specific statutes herein will include any statutory amendments, re-enactments or consolidations thereof.

 2.15 Words importing the singular will include the plural and vice versa and words importing one gender will include the other gender.

**3. CLUB COLOURS**

 The club's colours shall be predominantly; Bottle Green & White with Red (in sublimations)

 **NB:** The " Club'" Logo may not be permitted to be used on any unapproved merchandise.

**4. OBJECTS**

 The objects of the Club shall be;

 a) To provide registered players of the Club the means to participate in I.D.N.A Netball Competitions.

 b) To further the interests of the Club's members.

 c) To place each player into a team of their age and/or of ability.

 d) To provide the opportunity, the means and the coaches, to assist players to develop their netball playing skills and techniques to improve the standard of play.

 e) To provide assistance and help to coaches wishing to develop their netball coaching skills.

 f) To provide assistance and help Junior and Senior umpires wanting to develop their netball umpiring skills.

 g) To affiliate with the I.D.N.A annually.

**5. MEMBERS**

 The members of the club are;

 a) Senior Members

 b) Junior Members

 c) Life Members

 d) Non playing Members

 **MEMBERSHIP AND REGISTRATION QUALIFICATIONS**

 **5.1 Membership Qualifications**

 Any person is qualified to be a Member of the Club if, but only if that person;

 a) Is a natural person who will turn at least seven (7) years of age in the Calendar Year in which membership of the Club is being sought.

 b) Has not previously been expelled from the Club.

 c) Has lodged a written application for membership to the Registrar of the Club on the appropriate Club Registration or Membership Form.

 d) Has paid the applicable Membership Fee.

 e) The person is accepted by the Club as a Member provided that the Management Committee may in it’s absolute discretion refuse to admit any person as a Member of the Club.

 **5.2 Requirements for Registration with IDNA as a Player**

 A Member of the Club may be registered with the IDNA as a player if the person:

 a) Is a Senior, Junior or Life member of the Club.

 b) Complies with the requirements of the IDNA to become a registered player with the IDNA.

 c) Has lodged a written application for Registration as a player to the Registrar of the Club on an application form approved by the Club.

 d) Has paid the Player Registration Fee appropriate for the age of the member.

 **5.3 Requirements for Registration with IDNA as a Non-Player**

 A Member of the Club may be registered with the IDNA as a Non- player if the person;

 a) Is a Senior, Junior or Life member of the Club.

 b) Has lodged a written application for Registration with the IDNA to the Registrar of the Club on an application form approved by the Club.

 c) Has paid the Registration Fee specified by the IDNA for registration as a non-player, or, in the case of team coaches or committee members, has paid the appropriate membership fee.

 **5.4 Acceptance Of Constitution and By-Laws**

 Any person who lodges an application form for membership of the Club by virtue of that lodgement acknowledges and agrees to comply with all of the provisions of the Constitutions and By-Laws of the Club and the IDNA.

 **6. MEMBERSHIP CLASSIFICATION**

 **Senior Member**

 A Member shall be a Senior Member of the Club once they have reached eighteen (18) years of age.

 **Junior Member**

 A Member shall be a Junior Member of the Club until they have reached eighteen (18) years of age.

 **Life Member**

 Qualifications For Life Membership

 A Member of the Club may be awarded Life Membership of the Club if, but only if;

 a) The Member has been a member of the Club for a minimum of ten (10) aggregate years.

 b) The Member has rendered special services to the Club, given outstanding service to the Club or furthered the interests of Netball for at least ten (10) aggregate years while a member of the Club.

 c) The Member has been nominated, and such nomination has been accepted, as a Life Member in accordance with this Constitution.

 **Nomination & Voting**

 a) A nomination of a member for Life Membership shall be:-

 i) Submitted at any time prior to 1 June in any Calendar Year;

 ii) Proposed by and seconded by Voting Members of the Club;

 iii) Supported by relevant information and details, in writing, with the nomination.

 b) All nominations for Life Membership will be referred to the Executive Committee of the Club who will review and assess whether the nominee is qualified to be a Life Member and will then submit the nomination application and their assessment to the General Meeting for approval or otherwise.

 c) The approval or otherwise of nominations for Life Membership shall only be dealt with at the General Meeting held in July each year. Any nominations will be voted on in accordance with the provisions of this rule. (Life Members will be honoured by the Club at the annual presentation/s in September of the year).

 d) Voting on nominations for Life Membership will be conducted by a secret ballot and a 2/3 majority of members present and eligible to vote agreeing to admission of the candidate to Life Membership is required.

 **Privileges Of Life Membership**

 a) All Life Members will assume all of the benefits and privileges of a Senior Financial Member of the Club and shall be eligible to stand for a position as an Officer of the Club and to partake in all General Meetings and discussions and to vote on any motion at such meetings.

 b) All Life Members are entitled to display on their clothing the approved Life Member medallion of the Club.

 c) All Life Members registration/games fees for each year will be paid by the Club.

**7. AFFILIATION**

 To be, or remain eligible for membership;

 a) The Club must be incorporated. A copy of the appropriate Incorporation documents must be provided to IDNA, by the date specified for the close of team registrations for the coming season.

 b) The Club must re-affiliate annually with IDNA in accordance with procedures set down by the Association.

 c) The Club must lodge with the Association an updated copy of the Constitution (including any amendments) and provide any change in it Delegate/s and any other information reasonably required by the Association.

 d) The Club must ensure that its Constitution is amended to conform to any amendments made to the IDNA Constitution and/or to the Constitution of Netball NSW.

**8. REGISTER OF MEMBERS**

 8.1 The Registrar of the Club shall establish and maintain a register of Members of the Club, specifying the name, address, date of birth and member number of each person who is a Member of the Club together with the date on which the person became a Member.

 8.2 The Register of Members shall be kept at the principle place of the Registrar & Secretary.

**9. CESSATION OF MEMBERSHIP**

 A person ceases to be a member of the Club if that person;

 a) Dies

 b) Resigns that membership

 c) Has not renewed their membership on, or before the due date for the renewal of membership.

 d) Is expelled from the Club

**10. RESIGNATION OF MEMBERSHIP**

 10.1 A Member is not entitled to resign that membership except in accordance with this rule.

 10.2 A Member of he Club who has paid all amounts payable by the Member in respect of that Member’s membership and who has returned to the Club, all equipment in that Member’s possession, custody or control may resign by giving written notice of the intention to resign to an officer of the Club and such resignation will be effective from one (1) week after the giving of such notice.

 10.3 Where a Member ceases to be a Member of the Club in accordance with Rule 10.2 and in every other case where the Member ceases to hold membership, the Registrar of the Club shall make the appropriate entry into the register of members recording the date on which the Member ceases to be a Member.

 **MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE**

 A right, privilege or obligation, which a Member has by reason of being a member of the Club:

 a) Is not capable of being transferred to another person, whether that person be a member or Non-Member of the Club.

 b) Terminates upon cessation of that person’s membership.

**11. FEES, SUBSCRIPTIONS, ETC**

 11.1 Persons joining as a Senior member who intend to register as a Senior Player shall pay to the Club the Senior Player’s Membership Fee.

 11.2 Persons joining as a Junior member who intend to register as a Senior Player shall pay to the Club the Senior Player’s Membership Fee.

 11.3 Persons joining as a Junior member who intend to register as an Intermediate Player shall pay to the Club the Intermediate Player’s Membership Fee.

 11.4 Persons joining as a Junior member who intend to register as a Junior Player shall pay to the Club the Junior Player’s Membership Fee.

 11.5 Persons joining as a Junior member who intend to register as a Netta Player shall pay to the Club the Netta Player’s Membership Fee.

 11.6 Persons joining as a Senior member who intend to coach, or otherwise actively involved in the club’s activities, shall pay to the Club the Coach’s Membership Fee.

 11.7 Persons joining as a Non-Playing member (junior or senior) shall pay to the Club the General Membership Fee.

 11.8 Life Members shall not be required to pay a Membership Fee to the Club.

 11.9 The Management Committee shall determine Membership Fees at the first meeting after January 1 each year.

 11.10 The Club may from time to time request that Members contribute to the Club funds in addition to their Membership Fee as and when deemed necessary by the Club, provided that request is for a reasonable amount in the circumstances. Such funds will be used by the Club in the furtherance of the objects of the Club.

**12. LIABILITY OF MEMBERS**

 The liability of any member of the Club to contribute towards the payment of any debt or liability of the Club, or the costs, charges and expenses of the winding up the Club is limited to the amount, if any, due and unpaid by the member in respect of that membership of the Club as required by Rule 11.

**13. CODE OF CONDUCT**

 13.1 All Members of the Club shall comply with the provisions of this Constitution.

 13.2 All Members of the Club shall comply with the Codes Of Conduct as provided by the Australian Sports Commission for players, coaches and spectators and any other Codes Of Conduct recognised by the Club.

 13.3 All Members shall show respect to other players, coaches, game officials, club officials, IDNA officials and spectators and behave in a manner that does not bring disrespect to the team, the Club, the Association or the sport.

 13.4 If the Club receives a report of any alleged breach of this Rule, the member(s) concerned or involved shall be dealt with under the provisions of Rule 14 of this Constitution.

**14. MISCONDUCT**

 14.1 A complaint may be made by any Member of the Club that some other Member of the Club;

 a) Has persistently refused or neglected to comply with a provision or provisions of this Constitution.

 b) Has persistently refused or neglected to comply with a provision or provisions of the Rules or By-Laws of the Club.

 c) Has persistently and wilfully acted in a manner prejudicial to the interests of the Club.

 Any complaint made by a Member must be in writing, dated and signed and forwarded to the Secretary of the Club.

 14.2 A complaint may be made by another Netball Club or the IDNA that a Member of The Club;

 a) Has acted in a manner that is against the Code Of Conduct accepted by the Club.

 b) Has wilfully acted in a manner prejudicial to the interests of the Club, the Association or the sport.

 Any such complaint made must be in writing, dated and signed and forwarded to the Secretary of the Club.

 14.3 On receiving such a complaint the Secretary shall advise the Executive who shall then determine whether or not the complaint is warranted and in accordance with the conditions specified in 14.1 and/or 14.2.

 14.4 The Executive may take further action without a formal complaint being lodged should a member be required to front the IDNA Judiciary, Executive or Committee as a result of a complaint being lodged with the IDNA. The Executive shall take the results or findings of such deliberations by an IDNA body into consideration.

 14.5 A complaint may be made by a person against any Member of the Club in relation to the conduct of that Member where the Member is clearly identified as being a Member of the Club and the Member’s conduct brings the club, the Association or the sport into disrepute.

 14.6 Upon receiving a complaint in accordance with the provisions of this Rule the Executive shall inquire into an alleged breach of Rule 14 and examine all evidence reasonably available to it and may by a two-thirds majority vote:

 a) Dismiss the complaint

 b) Refer the complaint to the Management Committee.

 c) Call the Member before the Executive to provide an explanation of the incident giving rise to the complaint and to answer questions of the Executive or the Management Committee.

 d) Determine that there is sufficient evidence to support the complaint and the Secretary will give the Member written notice of such determination setting out the grounds on which the determination has been made, any penalty that may be imposed on the Member and the rights of appeal available to the Member.

 e) Impose any penalty referred to in Rule 14 on the Member and such penalty is to take effect on and from the date on which the Executive confirms the penalty unless the Member exercises a right of appeal contained in this Constitution and if the appeal is not successful the penalty will be imposed from the date of any determination of the appeal.

 14.7 The Secretary will give at least seven (7) days written notice to the Member of the meeting at which the Member is to appear before the Executive, stating the date, place and time of the meeting, setting out the grounds on which the Member has been called to appear by the Executive and stating that the Member may:

 a) Give oral representations at the meeting, or

 b) Submit to the Executive at or prior to the date of that meeting written representations relating to the complaint.

 Any Member who does not attend the meeting or provide written representations shall automatically be suspended until they appear.

 14.8 Not withstanding any other provisions of this Rule the Member against whom the complaint has been made has the right to give oral or written representations to the Executive in respect of the complaint.

 14.9 If the Executive refers the complaint to the Management Committee then the Management Committee shall have and may exercise all of the powers of the Executive as contained in this Rule.

 14.10 The decision of the Executive and when required, the Management Committee shall be final subject only to any rights of appeal as contained in Rule 16.

 14.11 Any determination made in accordance with Sub-Rules 14.6(d) or (e) shall be ratified at a Management Committee Meeting within seven (7) days of the determination being made.

 14.12 Where a Member of the Executive Committee or the Management Committee is the subject of a complaint pursuant to Rule 15 of this Constitution then that Committee Member will be disqualified from taking part in any discussion and any vote on the subject except for that provision whereby that member has the right togive oral or written representations to the Executive in respect of the complaint.

**15. PENALTIES FOR MISCONDUCT**

 15.1 If, as a result of a meeting to discuss a complaint or notification of action being taken by the IDNA, the Management Committee is of the opinion that a Member is guilty of misconduct then the Management Committee may,

 a) Expel the Member from the Club.

 b) Suspend the Member from membership of the club for a specified period.

 c) Suspend any or all of the rights and privileges of the Member by virtue of that Member’s membership for a specified period.

 d) Give the Member an official warning or monetary fine.

 e) Any other penalty that the Management Committee considers appropriate.

 15.2 Any penalty imposed is to take effect from the date on which the Committee Meeting was held unless the right of appeal is exercised.

 15.3 The decision of and any penalty imposed by the Committee shall be final, subject only to the right of appeal.

 15.4 The Secretary will give the Member written notice of the determination of the Committee, setting out the grounds on which the determination has been made, any penalty that may be imposed on the Member and the right of appeal available to the Member.

**16. MEMBER’S RIGHT OF APPEAL**

 16.1 Any senior member may appeal to the General Committee against any determination of or penalty imposed by the Management Committee resulting from a meeting that discusses a complaint or notification of action being taken by the IDNA, by lodging with the Secretary written notice of the appeal, setting out the grounds for the appeal.

 16.2 The Secretary shall only accept an appeal that has been received within seven (7) days from the date of the determination that is the subject of the appeal.

 16.3 The Secretary shall add to the agenda of the next General Meeting the appeal that has been lodged.

 16.4 Following the result of the General Meeting any senior member may appeal to the IDNA against the result of the General Meeting by lodging with the Secretary written notice of the appeal, setting out the grounds for the appeal.

 16.5 The Secretary shall only accept an appeal that has been received within seven (7) days from the date of the determination that is the subject of the appeal.

 16.6 The Secretary will forward the notice of appeal to the Secretary of the IDNA within three (3) days of receipt of the notice of appeal from the member.

**17. PATRONS**

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

**18. MANAGEMENT OF THE CLUB**

 The management and day-to-day administration of the Club shall be vested absolutely in a Management Committee, hereinafter called “the Committee”.

**19. MANAGEMENT COMMITTEE MEMBERS**

 19.1 The following offices shall be collectively make up the membership of the Committee of the Club:

 a) The Executive,

 i. President

 ii. Vice President

 iii. Secretary

 iv. Treasurer

 v. Registrar

 b) Other Committee members

 i. Assistant Secretary

 ii. Public Officer

 iii. Coaching Co-Ordinator

 iv. Umpire's Convenor

 v. Equipment Co-Ordinator

 vi. Fund Raising Co-Ordinator

 vii. Uniform Co-Ordinator

 viii. Additional Committee Members

 ix. Delegates to the IDNA

 19.2 Position as Committee Members is honorary.

 a) All Committee positions are honorary and no Committee Member shall receive remuneration for any services provided in such a function.

 b) Any expenses incurred out of pocket by any Committee Member in carrying out that Member’s designated duties may be recompensed by the Club upon a claim being submitted to the Treasurer by that Member and such claim being accompanied by appropriate documentation.

**20. ELECTION OF MANAGEMENT COMMITTEE**

 Qualification Of Committee Members

 A member of the Club is eligible to be elected to the Committee of the Club only if:

 a) That Member is eighteen (18) years, or older, at the time of being nominated for a position on the Committee.

 b) That Member is a Voting Member of the Club.

 c) For the position of Coaching Co-Ordinator, nominees must have a Level 1 Netball Coaching Qualification. If none of the nominees have such qualifications then the minimum acceptable qualification for nominees is an OTC Netball Coaching Qualification with a minimum of five (5) years netball coaching experience.

 d) For the position of Umpires Co-Ordinator, nominees must have a current National “C” badge, or higher. If none of the nominees have a National badge, then nominees must be active umpires within the Club, with experience at senior level netball.

 **Nominations**

 a) Nominees for positions on the Committee shall be nominated in writing and signed by two (2) Voting Members of the Club and will be elected at the Annual General Meeting or at such time as an office becomes vacant.

 b) Nominations will not be accepted unless the nominee is present at the Annual Meeting or, the Member’s written authority has been provided to the Secretary if they are absent.

 c) Nominations shall be forwarded to the Secretary prior to the start of the Annual General Meeting. Such nominations to include the position for which the nominee is being nominated.

 **Election Of Committee Members**

 a) The positions on the Committee shall be filled at the Club’s Annual General Meeting.

 b) Where the nominations received for a position isequal to the number of vacancies to be filled, the nominated persons will be deemed to be elected.

 c) Where the number of nominations for a position exceeds the number of vacancies then voting by a secret ballot will be conducted to determine the nominee who will be elected to the position.

 d) Where secret ballot voting is required each Member shall record a valid vote by writing the name of the person(s) they wish to see elected to the vacant position(s).

 e) At least, two (2) persons shall be appointed by the Chairperson of the meeting, prior to the election, to act as scrutineers.

 Should any nominee wish to challenge the chairperson’s appointments of scrutineers then the Committee shall appoint the scrutineers. Scrutineers must be at least eighteen (18) years of age.

 f) The appointed scrutineers shall examine each valid vote and record one vote for each nomination that has been indicated with a tick, cross, signifying mark or other similar indication. The person with the greatest number of votes shall be deemed the elected to the position.

 g) If insufficient nominations are received to fill all vacancies for a Committee position, the candidates nominated shall be deemed to be elected and further nominations shall be received from the floor of the Annual General Meeting.

 h) The President, Vice President, Secretary, Treasurer and Registrar shall hold no other positions on The Executive Committee.

 i) A Member of the Committee may hold more than one position on the Committee.

**21. CASUAL VACANCIES & INSUFFICIENT NOMINATIONS**

 21.1 Election Of Committee Members - if a Member of the Committee;

 i. Dies.

 ii. Resigns from the position by giving the Secretary fourteen (14) days written notice of the intention to resign.

 iii. Is expelled from the Club.

 iv. Is removed from that particular position before the expiration of the term of the position by a two-thirds (2/3) majority resolution at a General Meeting. At such a meeting the Officer may make written or oral representation to those members present at the meeting.

 v. Is declared Bankrupt or becomes financially insolvent.

 vi. If there are insufficient nominations are received for any vacant Committee position.

 vii. If a new Committee position is created in accordance with the provisions of this Constitution then the Committee shall be permitted to appoint a person to fill the vacancy until the next General Meeting, subject to that person complying with the requirements referred to in “Qualifications Of Committee Members”.

 21.2 Any vacant position referred to in Sub-Rule 21.1 will be declared vacant at that next General Meeting and nominations to fill the position will be called for and election to the position will be conducted in accordance with Rule 21.

**22. TERM OF OFFICE**

 Each Officer of the Club shall, subject to this Constitution, hold office from the conclusion of the Annual General Meeting at which they were elected until the conclusion of the Annual General Meeting following the date of the Member’s election to office, but is eligible for re-election.

 In the event of a casual vacancy of a position of an Officer of the Club, the Member appointed to fill such casual vacancy in accordance with the provisions of Rule 21, will hold office until the conclusion of the next General Meeting following the appointment to the casual vacancy.

 Each Officer of the Club shall immediately forfeit his/her position on all Committees upon resignation or expulsion from the Club.

 No Member of the Executive Committee may hold the same Executive position for more than three (3) consecutive years except where no nominations for the position have been received by the Secretary.

**23.** **POWERS AND DUTIES OF MEMBERS OF THE COMMITTEE**

 **Powers**

 Members of the Committee who have the responsibility to plan the details of a section of the Club’s Administration shall:

 i. Present such plans to Meetings of the Committee for its consideration and approval or otherwise.

 ii. Have the power to act on behalf of the Committee to implement such plans.

 iii. Form Sub-Committees from the Members of the Club when deemed necessary to assist in the preparation and implementation of plans.

 **DUTIES**

 **President**

 The President shall, in addition to any other responsibilities or rights contained in this Constitution, be the Senior Executive Officer of the Club and shall be responsible for all affairs as the nominal Head of the Club.

 The President additionally shall: -

 a) Preside at each Meeting of the Club and any other Meetings organised by the Club.

 b) Ensure that all members of the Committee keep him/her informed of all Club matters under their control.

 c) In the case of a tied decision, shall have the casting vote.

 d) Represent the Club as a delegate to the IDNA Council.

 e) Represent the Club at all functions, Meetings and other occasions requiring the presence of a representative of the Club either personally or by delegation to a Member of the Committee or any other person deemed appropriate by the President.

 f) Perform such duties as may be required from time to time by the Club.

 **Vice President**

 The Vice President shall, in the absence of the President, assume the duties and rights of the President.

 **Secretary**

 a) The Secretary shall, in addition to any other responsibilities or rights contained in this Constitution:

 i. Issue all notices of Meetings of the Club, and agendas, when required.

 ii. Attend all Meetings (Executive, Committee and General) and be responsible for keeping minutes of proceedings in a book kept for that purpose and for the keeping of all names of the Members present at the Meeting.

 iii. Attend to all necessary correspondence, books and vouchers (other than finance) and other papers relating to the business of the Club.

 iv. Keep on file, all correspondence received relating to the business of the club and a copy of all correspondence forwarded on behalf of the Club by any Member of the Committee.

 v. Keep a copy of the Constitution and By-Laws of the Club and any amendments made there to.

 vi) Keep a list of all Management Committee Members and the Members of any other Committees or Sub-Committees created by the Club or Committee Member.

 vii. Prepare the Annual Report and furnish the same to Members attending the Annual General Meeting as well as to the IDNA.

 viii. Compile all agendas’ for Meetings with the assistance of the Executive.

 ix. Assist all Members of the Committee where required.

 x. Maintain a list of all recipients of all Perpetual Trophies of the Club.

 xi. Represent the Club as a delegate to the IDNA Council.

 xii. Take all reasonable measures to notify Officers of a Committee Meeting at least forty-eight (48) hours prior to the time of the meeting.

 xiii. Forward notices of Annual General Meetings and Special General Meetings to those Members eligible to vote at least ten (10) days prior to the date of the meeting.

 xiv. Maintain a register of all Life Members of theClub

 xv. Act on behalf of the Club as directed by the Committee.

 xvi. Any other duty provided for in this Constitution.

 xvii. Perform such duties as may be required from time to time by the Club.

 b) Minutes of Proceedings at any Meeting shall be signed by the chairperson of the Meeting at the next succeeding Meeting.

 **Treasurer**

 The Treasurer shall in addition to any other responsibilities or rights contained in this Constitution;

 i. Ensure that all money due to the Club is collected and received and issue receipts for the payment of such money.

 ii. Ensure that all payments authorised by the Club are made in accordance with the provisions of the minutes of the Meeting authorising those payments.

 iii. Be responsible for all money paid into the banking account of the Club.

 iv. Keep correct books and accounts showing the financial affairs of the Club including full details of all receipts and expenditure connected with the activities of the Club.

 v. Present at each Meeting of the Club, a full summary of receipts and expenses, as well as the bank balance, for ratification by the Committee.

 vi. Table at any Club Meetings all current bank statements and/or passbooks and table all accounts payable and have payments approved at those Meetings with all such approvals being entered into the Meeting’s minutes.

 vii. Keep in his/her possession, custody and control the Club cheque books.

 viii. Present at each Annual General Meeting a financial statement and report of the Club finances.

 ix. Arrange for the President, Vice President, Secretary, Treasurer and Registrar to act as signatories, with any two (2) to sign on all Club cheques, (except where two (2) may be members of the same household or related to one another).

 x. Establish an account or accounts with a suitable Bank or Financial Institution.

 xi. At the completion of the Club’s financial year, arrange for the auditing of accounts.

 xii. Perform such duties as may be required from time to time by the Club.

 **Registrar**

 The Registrar shall in addition to any other responsibilities or rights contained in this Constitution;

 i. Receive all completed applications for registration and/or membership accompanied by the appropriate membership fee as set by the Club.

 ii. Sight proof of age of all new applications for registration as a player from Junior Members of the Club.

 iii. Notify the Treasurer of all membership applications received and forward all membership details and monies to the Treasurer.

 iv. Complete and forward a Register of members to the Secretary.

 a) Keep a register of Members of the Committee which must;

 i. Contain the name and residential address of each Committee Member and the date on which they become a Member of the Committee.

 ii. Be updated within one month of any change taking place.

 b) Keep a correct list and record of all Members of the Club which must;

 i. Include the Member’s name, residential address, date of membership and type membership.

 ii. Be updated within one month of any change taking place.

 iii. Complete and forward to the IDNA lists of registered players in the form required by the IDNA.

 iv. Submit a report to the Annual General Meeting of the Club.

 v. Present a list of all applicants for registration and/or membership to each Committee Meeting for approval, or otherwise.

 vi. Perform such duties as may be required from time to time by the Club.

 **Assistant Secretary**

 The Assistant Secretary shall in addition to any other responsibilities or rights contained in this Constitution:

 i. Assist the Secretary in the discharge of his/her duties and when the Secretary is absent shall exercise all of the powers and authority and assume all of the responsibilities of the Secretary.

 ii. Attend all Club and Committee Meetings and take minutes of proceedings.

 iii) Prepare minutes of Meetings for distribution to all Committee Members and those Members present at the following General Meeting.

 iv) Distribute copies of minutes of the business from all Committee and General Meetings to all Committee Members at least seven (7) days prior to the next Meeting.

 v) Perform such duties as may be required from time to time by the Club.

 **Public Officer**

 The Public Officer shall, in addition to any other responsibilities or rights contained in this Constitution:

 a) Notify The Department of Fair Trading by the prescribed form in the following circumstances;

 i. Appointment (within 14 days)

 ii. A change of residential address (within 14 days)

 iii. A change in the Club’s objectives or Constitution (within 28 days).

 iv. Of the Club’s financial affairs (within 28 days after the Annual General Meeting).

 v) A change in the Club’s Name (within 28 days)

 b) Act as and perform the functions of the Club’s Public Officer.

 c) Liaise with the Department of Fair Trading on all Incorporation matters.

 **Coaching Co-Ordinator**

 a) The Coaching Co-Ordinator shall in addition to any other responsibilities or rights contained in this Constitution;

 i. Liaise between the coaches and managers of Club teams and the Management Committee.

 ii. Be responsible for the distribution to all coaches and managers of Club teams and to the Management Committee, of all publications and other related information on the coaching of Netball.

 iii. Create and monitor the implementation of a coaching program for the Club.

 iv. Present to the Committee for approval, or otherwise, any coaching program created for the Club and intended for implementation within the Club.

 v. Receive all requests for coaching and/or management assistance and, where possible, implement or oversee the implementation of such assistance.

 **Umpires Convenor**

 The Umpires Convenor shall in addition to any other responsibilities or rights contained in this Constitution;

 i. Liaise between the Club’s umpires and the Committee.

 ii) Liaise between the Club and the IDNA Umpires Convenor on matters pertaining to Club umpires and umpiring.

 iii. Be responsible for the distribution to the Club’s Umpires and, where appropriate, to all coaches and managers of Club teams, all publications and other information relating to the umpiring of Netball.

 iv. For the IDNA Netta and Junior Competitions ensure that the umpiring obligations of the Club are fulfilled each week.

 v. Ensure that each team in the Intermediate Competition has an umpire of suitable standard allocated to umpire for them each week of the competition.

 vi. In conjunction with the coaches of the teams entering the IDNA or any other carnivals, ensure that there are an adequate number of Club umpires to satisfy the umpiring commitments of the Club.

 vii. Perform such duties as may be required from time to time by the Club.

 **Equipment Co-Ordinator**

 The Equipment Officer shall in addition to any other responsibilities or rights contained in this Constitution;

 i. Be responsible for the receipt and distribution of all equipment owned or in the possession or control of the Club. (here in after referred to as “Club Equipment”)

 ii. Maintain an inventory of all Club Equipment.

 iii. Arrange for the repair and/or replacement of Club Equipment as required by the Management Committee.

 iv. Maintain a register of recipients of perpetual trophies given the Club and collect same in preparation for annual presentations.

 v) Make recommendations to the Management Committee in respect of the purchase of equipment, and any other matter relating to equipment as and when required by the Management Committee.

 vi) Perform such duties as may be required from time to time by the Club.

 **Fund Raising Co-Ordinator**

 The Fund Raising Co-Ordinator shall in addition to any other responsibilities or rights contained in this Constitution;

 i) Examine possible fund raising activities for the Club and submit reports and any other relevant information on the same at Club Meetings.

 ii) Co-ordinate any fund raising activities as approved by the Club.

 iii) Perform such duties as may be required from time to time by the Club.

 **Uniform Co-Ordinator**

 The uniform officer shall in addition to any other responsibilities or rights contained in this Constitution;

 i. Maintain an inventory of all uniforms in stock.

 ii. Have in stock a selection of uniforms for sizing at the beginning of the season.

 iii. Take orders for new uniforms.

 iv. Liaise with suppliers for the ordering of new uniforms.

 v. Liaise with the Treasurer regarding the payments of ordered uniforms.

 vi. Distribute ordered uniforms after confirmation from Treasurer of no monies outstanding.

 vii. Be responsible for the sale of all uniform items in stock.

 viii. Perform such duties as may be required from time to time by the club.

 **Additional Committee Members**

 Five (5) Additional Committee members shall in addition to any other responsibilities or rights contained in this Constitution;

 a) Perform such duties as may be required from time to time by the Club.

 **Delegates To IDNA**

 Delegates to IDNA shall in addition to any other responsibilities or rights contained in this Constitution;

 i. Represent the Club, in its best interests, at all meetings of the IDNA and in all business transacted and affairs at such Meetings.

 ii. Present a report to the next Committee Meeting following any Meeting of the IDNA that has been attended. Such report shall contain all matters pertaining to or relevant to the Club and the actions or determinations of the IDNA on these matters.

 iii. If unable to attend such Meetings of the IDNA for any reason, you will notify the Club Secretary at least seven (7) days, if possible, prior to the date of such Meeting.

**24. ATTENDANCE AT MEETINGS**

 Any Member of the Management Committee who fails to attend three (3) consecutive meetings (Committee or General) without sufficient cause being shown, shall be reported to the Executive who may, in their absolute discretion, declare the position of that Member on the committee vacant.

**25.** **EXECUTIVE**

 **Powers Of The Executive**

 a) In addition to any other powers set out in this Constitution, the Executive Committee may exercise all or any of the powers of the Committee as contained in this Constitution where;

 i). Immediate action is required in any matter affecting the policy or interests of the Club.

 ii. It is not practical or convenient, in the opinion of the Executive to refer the matter to the Committee.

 b) All decisions and/or actions resulting from a Meeting of the Executive must be referred to the next Meeting of the Committee for ratification or otherwise.

 c) Any Member of the Executive can attend any Committee or Sub-Committee Meetings as an ex-officio member. An ex-officio member does not have the right to vote at these Meetings.

**26. MANAGEMENT COMMITTEE**

 **Powers Of The Management Committee**

 a) The Committee, having regard to this Constitution is responsible exclusively for the Management and Administration of The Club and as such shall be empowered to;

 i. Control the affairs of the Club in a manner that will attain the objects of the Club and maintain the powers of the Club.

 ii. Act on behalf of the Club in all matters pertaining to the conduct of the Club.

 iii. Administer the financial affairs of the Club through the Treasurer.

 iv. Set Club Membership Fees annually.

 v. Select, appoint, finance and control teams of netballers and other persons to represent the Club as may be deemed necessary.

 vi. Appoint delegates to represent the Club at any Meetings or discussions promoting Netball.

 vii. Create Sub-Committees and delegate to a Sub- Committee any matter for investigation and report.

 viii. Delegate from time to time the duties of any Officer of the Club.

 ix. Invest any money in any investment in which the Committee are authorised by Law to invest and to vary and realise any investment.

 x. Make, repeal, or amend Resolutions not inconsistent with this Constitution prescribing any matters necessary or convenient to be prescribed for giving effect to any part of this Constitution.

 xi. Plan and implement the activities of the Club in the best interests of netball and the Club.

 xii. Meet at such time and at such place as the Committee may determine from time to time and on any additional occasions as deemed necessary by the Executive.

 xiii. Take action on behalf of the Club after a majority of the Committee have voted in favour of the action.

 b) The Committee may exercise all or any of the powers of the General Committee as contained in this Constitution where;

 i. Immediate action is required in any matter affecting the policy or interests of the Club.

 ii. It is not practical or convenient, in the opinion of the Committee to refer the matter to the General Committee.

 c) All decisions and/or actions resulting from a Meeting of the Committee where immediate action was required or it was not convenient to call a General Meeting must be referred to the next General Meeting for ratification or otherwise.

**27. GENERAL COMMITTEE**

 **Constitution Of The General Committee**

 The General Committee of the Club shall consist of the Members of the Management Committee and all Members who are entitled to vote.

 **Powers Of The General Committee**

 Subject to the Act, the regulation, this Constitution and any resolutions passed by the Club at General Meetings the General Committee shall have the power to Control the affairs of the Club and do all such things as may be incidental orconducive to the attainment of any of the objects of the Club, and without limiting the generality of the foregoing, it may:

 a) Create Sub-Committees and delegate to a Sub-Committee any matter for investigation or report.

 b) Enter into and make agreements and employ persons on such terms and conditions, as it deems proper.

 c) Acquire, manage, deal with and dispose of any property of the Club.

 d) Borrow money and give security over any property of the Club.

 e) Make, repeal, or amend By-Laws or Resolutions not inconsistent with this Constitution prescribing any matters necessary or convenient to be prescribed for giving effect to any part of this Constitution. In the event of repealing or amending a By-Law a written notice shall be given to the Secretary of the Club where a majority vote is required to pass such motion.

 f) The powers vested in the General Committee do not include the power to overturn a decision of the Management Committee or to make anydecision that concerns or involves any aspect of the Management or Administration of the Club that is vested in the Management Committee

**28. GRADING COMMITTEE**

 **Constitution of the Grading Committee**

 The Grading Committee shall consist of five (5) Members of the Club.

 **Duties of the Grading Committee**

 a) Evaluate Coaches reports from the previous season and compile on court selection sheets from the current registration list.

 b) Make recommendations to the Management Committee in regard to the selectors for each grading panel.

 c) Ensure that at least one of its Member's is a part of each grading panel.

 d) Ensure all necessary equipment is available for grading days.

 e) Liaise with the Umpires Convenor to have umpires available for the grading days.

**29. DURATION OF BY-LAWS AND RESOLUTIONS**

 **By-Laws**

 By-Laws shall be deemed a rule of the Club. Such rules shall remain perpetual unless removed by a rescission motion of the General Committee.

 **Resolutions**

 Resolutions of the Management Committee or the General Committee shall be deemed a rule of the Club. Such rules shall remain valid only for the year in which the rule is approved unless, provided otherwise in the Resolution.

**30. CLUB AUDITOR**

 **Qualifications**

 Any person appointed as Auditor is to be an Accountant recognised by the appropriate Accounting regulatory body or a person qualified in business practice and is not to be a member of the Management Committee.

 **Appointment**

 An Auditor for the Club shall be appointed at the Annual General Meeting of the Club.

 Where no such appointment is made at that time the Committee shall be empowered to appoint an Auditor. Any such appointment shall be for the period up until the next Annual General Meeting.

 **Responsibilities**

 The Auditor shall audit the books as presented by the Treasurer prior to and in preparation for the Annual Report and shall submit an Auditor’s Report to the Annual General Meeting, which shall include any and all Special and Trust Accounts.

**31. ANNUAL GENERAL MEETING QUORUM:**

 **Holding Of Annual General Meeting**

 a) The Club shall, at least once each calendar year prior to 30 June, convene an Annual General Meeting of the Club.

 b) The Annual General Meeting shall be held in a place determined by the Management Committee.

 c) A quorum of five (5) voting members is required to hold an Annual General Meeting.

 **Calling Of /And Business at**

 a) The Annual General Meeting of the Club shall, subject to the Act and the provisions, be convened on a date and at such place and time, as the Management Committee deems appropriate.

 b) In addition to any other business that may be transacted at an Annual General Meeting, the business and the order of business at the Annual General Meeting of the Club shall be as follows;

 i. Chairperson’s opening address.

 ii. To confirm and adopt the minutes of the previous Annual General Meeting and of any Special General Meeting held since that meeting;

 iii. Business arising out of such minutes;

 iv. Apologies.

 v. To receive and adopt the Secretary’s report.

 vi. To receive and adopt the Treasurer’s report including audited financial statements.

 vii To receive from the Management Committee reports on the activities of the Club since the previous Annual General Meeting.

 viii. To receive and consider the statement required to be submitted to Member’s pursuant to section 26 (6) of the Act.

 ix. Election of Officers of the Club.

 x. Election of a Grading Committee for the ensuing year.

 xi. Appointment of an Auditor for the ensuing year.

 xii. Motions of which due notice has been given.

**32. GENERAL MEETING QUORUM**

 **Notice Of Meeting**

 a) The Secretary shall give at least forty-eight (48) hours notice of a General Meeting of the Club to all Voting Members of the Club.

 b) Such notice shall include the date, place and time and may be placed on the Club's website to all Voting Members of the Club.

 **Holding & Calling of**

 a) General Meetings shall be held at a time, place and date determined from time to time by the General Committee.

 b) A quorum of five (5) Voting Members must be present to hold a General Meeting and at least two (2) of these Members must be Members of the Executive.

 c) Any Member desiring to bring any business before a General Meeting may give notice in writing to the Secretary who shall include that business in the next notice calling a General Meeting given after receipt of the notice by that Member.

 **Business Of**

 In addition to any other business that may be transacted at a General Meeting, the business and the order of business at a General Meeting of the Club shall be as follows;

 a) Accreditation of Members and of all representatives who shall sign the attendance book provided by the Secretary.

 b) Confirm and adopt the minutes of the previous General Meeting and any Special Meetings held since the previous General Meeting.

 c) Business arising out of these minutes.

 d) Apologies.

 e) Correspondence read and dealt with since the previous General Meeting.

 f) Accounts of the Club.

 g) Receive the Treasurer’s financial statement.

 h) Receive reports where necessary from the Officer’s of the Club.

 i) Motions of which due notice has been given.

 j) Notice(s) of motion to be received.

 k) Questions.

 l) General Business.

**33. SPECIAL MEETING QUORUM**

 **Calling Of**

 The Secretary must convene a Special Meeting of the Club when;

 a) A resolution of the Club is carried at a General Meeting.

 b) On requisition signed by ten (10) financial members of the Club who are eligible to vote.

 c) On requisition signed by four (4) members of the Management Committee.

 **Requisition Of Members**

 A requisition of Members for a Special Meeting shall;

 a) State the purpose or purposes of the Special Meeting.

 b) Be signed by the Members making the requisition.

 c) Be lodged with the Secretary.

 **Timing Of Meeting**

 A Special Meeting must be convened, if possible, within four (4) weeks of receipt by the Secretary of notice of a requisition or resolution, and such notice must be given to the Secretary at least fourteen (14) days prior to the intended date of the Special Meeting.

 **Holding Of And Business At**

 a) A quorum of five (5) voting members is required to hold a Special Meeting.

 b) The following shall be the order of business for Special Meetings.

 i. Accreditation of Members and representatives who will sign the attendance book provided by the Secretary.

 ii. Apologies.

 iii. Business to be dealt with as specified in the notice of the Special Meeting. No business other than that stated in the business paper and/or notice of the Special Meeting shall be transacted.

**34. MANAGEMENT COMMITTEE MEETINGS**

 Management Committee Meetings shall;

 a) Be called at the discretion of the Executive.

 b) Only be attended by Members of the Management Committee except where otherwise provided in this Constitution.

 Any action taken as a result of a Management Committee Meeting shall be presented to the next meeting of the General Committee for ratification where possible.

 **Business Of**

 a) In addition to any other business that may be transacted at a Committee Meeting, the business and the order of business at a Committee Meeting of the Club shall be as follows;

 i) Accreditation of Members who shall sign the attendance book provided by the Secretary.

 ii) Confirm and adopt the minutes of the previous Committee Meeting.

 iii) Business arising out of these minutes.

 iv) Apologies.

 v) Correspondence read and dealt with since the previous Committee Meeting.

 vi) Accounts of the Club.

 vii) Receive Treasurer’s financial statement.

 viii) Receive reports from Committee members.

 ix) General Business.

 A quorum of five (5) is required for a Management Committee to be held and this shall include at least three (3) members of the Executive.

**35. EXECUTIVE MEETINGS**

 35.1 A meeting of the Executive shall;

 a) Be called at the discretion of the President.

 b) Only be attended by Members of the Executive except where otherwise provided in this Constitution.

 35.2 Any action taken at an Executive Meeting shall be presented to both the next Meeting of the Management Committee and General Committee for ratification where possible.

 35.3 A quorum of three (3) Members of the Executive is required to hold a Meeting of the Executive.

**36. RESOLUTIONS**

 36.1 Every resolution passed at any General Meeting, Special General Meeting or Annual Meeting of the Club shall be binding on all Members of the Club, whether present at such Meeting or not.

 36.2 Subject to any other rules in this Constitution, any resolution proposed at any Meeting can be passed by a simple majority of Members present and eligible to vote.

**37. PROCEDURE AND ADJOURNMENT**

 37.1 No item of business shall be transacted at any Meeting unless a quorum of Members entitled to vote and specified in this Constitution for that Meeting, is present during the time the Meeting is considering that item.

 37.2 If within thirty (30) minutes of the appointed time for the commencement of a General Meeting a quorum is not present;

 i. If convened upon the requisition of Members, is to be dissolved.

 ii.) In any other case is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the senior members at the Meeting, or, communicated by written notice to senior members giving the place before the day, to which the meeting is adjourned) at the same place.

 37.3 If at the adjourned Meeting a quorum is not present within thirty (30) minutes of the time fixed for the commencement of the Meeting the Members present (not being less than five (5)) shall constitute a quorum.

 37.4 a) The Chairperson of a Meeting may, with the consent of the majority of Members present, adjourn the Meeting from time to time and place to place but no business shall be transacted at an adjourned Meeting other than the business left unfinished at the Meeting at which the adjournment took place.

 b) Where a General Meeting or a Special Meeting is adjourned for fourteen (14) days or more, the Secretary shall give five (5) days written or oral notice of the adjourned Meeting to each Member of the Club entitled to attend that Meeting stating the place, time and date of the Meeting and the nature of the business being transacted at the Meeting.

 c) Where a Committee Meeting is adjourned for fourteen (14) days or more, the Secretary shall give each Committee Member twenty-four (24) hours written or verbal notice of the adjourned Meeting, stating the place, time and date of the Meeting and the nature of the business being transacted at the Meeting.

 d) Except as provided in Sub-Rule 37.4(a) and (b), notice of an adjournment of a General Meeting or a Special Meeting or of the business to be transacted at an adjourned Meeting is not required to be given.

**38. RULES OF MEETINGS**

 In addition to the rules specified in this Constitution, the following rules shall apply at all Meetings of the Club;

 a) The President shall occupy the chair at all Meetings and in the absence of the President, the Vice President shall preside. Should both the President and Vice President be absent the Members present shall by a two-thirds majority vote to appoint a chairperson from amongst the Voting Members present.

 b) The Chairperson shall have the power to vary the order of business.

 c) The Chairperson shall have a deliberate and a casting vote, and may speak to any question by vacating the chair pro tem.

 d) The Chairperson may in his or her discretion decide questions or order and any voting member may move a “Motion of Dissent” from the Chairperson’s ruling. The mover of the motion of dissent shall concisely state the grounds for his or her dissent. The seconder of the motion and the Chairperson only may speak to the motion and if a motion of dissent is carried by a simple majority of Voting Members present, the Chairperson may reverse his or her ruling or vacate the chair.

 e) At any time during debate a member who has not spoken may move “That the question be now put” and such motion being duly seconded shall be put without debate. If the question carried, the question shall be put to a vote and, if lost, the debate shall continue. It shall not be in order to move “That the question be now put” until at least two (2) Members have had an opportunity of speaking against the motion.

 f) When the motion is carried, “That the question be now put”, the mover of the original motion shall have the right of reply, but it shall not be competent for the mover of the original motion to move “That the question be now put”, unless he or she forfeits their right of reply.

 g) The mover of a motion or amendment must obtain the consent of their seconder and the Members before making any alteration to the wording of their motion or amendment.

 h) An amendment having been moved, it shall not be competent to move any further amendment, but notice must be given of intention to move such further amendment before the previous amendment has been disposed of. Only one (1) amendment can be considered at the same time.

 i) Any Member desiring to speak shall stand up and address the Chairperson respectfully.

 j) A reply shall be allowed only to the mover of the original motion.

 k) No Member may speak more than once to a motion except by leave of the Chairperson, or in explanation or reply or to ask a question.

 l) No Member shall use offensive or unbecoming words or that Member may be asked to retire from the Meeting.

 m) No Member shall digress from the subject under discussion and imputation of improper motives and all personal reflections on other Members shall be deemed disorderly.

 n) Whenever the Chairperson rises during a debate, the Member then speaking shall cease and sit down.

 o) No Members shall interrupt another Member whilst that Member is speaking, except on a point of order and any Member, during debate, may raise a point of order, and the Member then speaking shall cease debating and sit down until the point of order has been decided.

 The Member rising to order shall state concisely the “point of order” and the Chairperson may permit discussion on the point of order provided that the Chairperson may terminate the discussion whenever he or she considers himself or herself sufficiently informed. The Chairperson shall then give a ruling.

 p) The Chairperson has the right to limit the time occupied by any speaker during a debate and the Members present at the Meeting may, by resolution without debate, grant an extension of time to any speaker.

 q) No discussion shall be held, except by discretion of the Chairperson, upon any question until after it has been moved and seconded from the Chair and, when if required by the Chairperson, it has been reduced to writing.

 r) A motion or amendment which is not passed at a Meeting may not be brought forward again at the same Meeting. The matter may however, be raised again at a subsequent Meeting.

 s) Upon evidence of a mistake of fact that has been presented to the Meeting, or upon receipt of timely information, a motion may be rescinded atthe Meeting at which it was carried and minuted, provided that all Members who voted on the motion are present and agree to the rescission.

 t) Any ordinary motion, after having been duly carried and minuted, may be rescinded at any subsequent Meeting of The Centre without notice, provided that a Motion of Rescission is duly carried.

 u) A Member may move the adjournment of the debate. If the motion is resolved in the negative the mover shall not be allowed to speak onthe question under debate. If the motion is resolved in the affirmative, the mover shall have the right of resuming the debate at the next Meeting. No Member shall move the adjournment at the end of their speech.

**39. VOTING**

 39.1 All motions arising from any Meeting of the Club shall be determined, except as otherwise provided in this Constitution, by a simple majority of votes cast.

 39.2 Junior Members are not eligible to vote at any Meeting.

 39.3 There shall be no voting by proxy.

 39.4 Each Member eligible to vote shall have one (1) vote to be taken in such manner as the Chairperson shall direct, except that a secret ballot shall be taken if so requested by any Member eligible to vote.

 39.5 The Chairperson shall have a deliberate vote and, in the case of a tied vote, shall also have a casting vote and may speak to any question by vacating the chair pro tem.

**40. NOTICE OF MOTION**

 40.1 Notice of any motion intended to be moved in any Meeting shall be given in writing by the mover of the motion (after being duly seconded) to the Secretary at least fourteen (14) days prior to the date of such Meeting.

 40.2 Any notice of motion or resolution passed by the Club may be rescinded or altered provided such rescission or alteration has been given in accordance with this Rule.

 40.3 Leave may be granted, by resolution at the Meeting, to the mover of a notice of motion to amend any notice of motion, provided that the substance of the notice of motion remains unaltered.

 40.4 A notice of motion, of which due notice has been given, which has been defeated cannot be resubmitted and any notices of motion having similar effect cannot be resubmitted within three (3) months from the date of defeat.

**41. COMMITTEES**

 41.1 Committees Of The Club

 The Committee’s of the Club shall be the:

 a) Management Committee

 b) General Committee

 c) Grading Committee

 d) Any other committee elected by the General Committee for a specific purpose during the year.

 41.2 Report Of Committee Business

 A full report of all business transacted at Committee Meetings held between each General Meeting shall be given at the next General Meeting of the Club.

 41.3 The Executive shall attend to any urgent business of the Club in relation to the functions or purpose of a committee which may arise between Meetings of that Committee.

**42. SUB-COMMITTEES**

 42.1 Delegation To Sub-Committees

 The General Committee or the Management Committee may, by resolution, delegate to one or more Sub-Committees (consisting of such Members of the Club as the forming Committee thinks fit) the exercise of any of the functions of the Committee as are specified in the resolution, other than;

 a) The power of this delegation; or

 b) A function which is a duty imposed by the Act or any other law.

 42.2 Jurisdiction Over Sub-Committee

 When formed, a Sub-Committee will remain under the jurisdiction of the Club at all times and must be fully affiliated with the Club.

 42.3 Exercise Of Functions By Sub-Committees

 a) A function, the exercise of which has been delegated to a sub-committee under this Rule may, while the delegation remains unrevoked, be exercised from time to time by the Sub-Committee in accordance with the terms of the delegation.

 b) A delegation under this Rule may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.

 c) Not withstanding any delegation under this Rule, the General Committee may continue to exercise the function delegated.

 42.4 Decision Of Sub-Committees And Meetings

 a) All decisions made at meetings of Sub-Committees must be endorsed at the next General Meeting.

 b) A Sub-Committee may meet and adjourn as it thinks fit and copies of minutes of Sub-Committee Meetings shall be forwarded to the Secretary within fourteen (14) days of the Sub-Committee Meeting.

 c) Not withstanding the provisions (a) above, any act or thing done or suffered by a Sub-Committee acting in the exercise of a delegation under this Rule has the same force and effect as it would have had it been done or suffered by the General Committee.

 42.5 Revocation Of Powers Of Sub-Committees

 The Committee that formed the Sub-Committee may, by instrument in writing, revoke wholly or in part any delegation under this Section.

 42.6 Failure of Members to Attend Sub-Committee Meetings

 Any Member of a Sub-Committee, who fails to attend three (3) consecutive Sub-Committee Meetings without sufficient cause being shown, shall be reported to the Committee who may in their absolute discretion declare the position of that Member on the Sub-Committee vacant.

 Such declaration requires a two-thirds (2/3) majority in favour of the declaration.

 42.7 Report Of Sub-Committee Business

 A full report of all business transacted at Sub-Committee Meetings held between each General Meeting shall be given at the next General Meeting of the Club.

**43. REGULATIONS**

 **AMENDMENTS TO CONSTITUTION AND BY-LAWS**

 This Constitution shall be deemed to be amended only in accordance with the provisions of this Rule as follows:

 a) Written notice of a motion to amend or repeal shall be given to the Secretary in writing at least fourteen (14) days prior to the Meeting at which the proposed amendment is to be submitted and this notice shall specifically state that it is a notice of proposal to amend or repeal this Constitution.

 b) The motion must be submitted at either an Annual General Meeting or a Special General Meeting and the notice of such motion shall be included in the agenda paper for the Meeting as a “Notice of Motion to amend the Constitution”.

 c) Only financial voting Members shall be empowered to forward motions or to second motions to amend or repeal this Constitution.

 d) A motion setting out the proposed amendment(s) shall be signed by both the member proposing the amendment or repeal and the Member seconding the proposed amendment or repeal.

 e) The motion must be specific and refer to the Clause or Clauses concerned specifying the deletion, insertion or addition of words that are required and followed by the clause, as it would appear if amended.

 f) The proposed amendment or repeal must be submitted at either an Annual General Meeting or a Special Meeting and the notice of such proposed amendments shall be included in the agenda paper for the Meeting as a; “Notice of Motion to amend the Constitution”.

 g) A proposal to amend or repeal this Constitution will only be accepted by a required two-third (2/3) majority vote of those Members present at the meeting and eligible to vote.

 h) Any such amendment or repeal shall be promulgated and shall take effect when made and be incorporated in the book of the Club Constitution.

 i) The By-Laws appended to the Constitution shall be amended by Notice Of Motion as specified in this Constitution.

**44. OPERATION OF THE CONSTITUTION**

 44.1 The provisions of this Constitution and all regulations, By-Laws and decisions made by the General Committee and the Management Committee shall be binding upon all Members of the Club.

 44.2 The Club shall be deemed to be a constituent body of the IDNA with representation there on and this Constitution shall be construed subject to the Constitution of the IDNA to whose control the Club shall at all times be deemed to be subject.

**45. CONTRACTS AND PROPERTIES**

 45.1 All property of the Club, including it’s funds, shall be deemed to be vested for the time being in the Members of the Committee and they shall have the power to take proceedings, legal or otherwise, in respect thereof as they deem expedient, and all contracts and engagements entered into on behalf of the Club shall be deemed to be made in the names of the Executive who shall hold benefit thereof for and on behalf of the Club. The Members of the Committee and each of them shall be indemnified by the Club and each Member thereof in respect of all claims for damages or otherwise however arising out of or in any manner connected with any and every such contract or engagement.

 45.2 Membership in the Club does not confer upon any Member any right, title or interest whatsoever, whether legal or equitable, in any property of the Club.

**46. APPOINTMENT OF CLUB COACHES/ASSISTANT COACHES**

 46.1 Subject to the provisions of this rule, a Voting Member of the Club may submit to the Secretary an application for a club coaching position. Closing dates for coaching applications will be advised to all Members on the Club registration days.

 46.2 The Management Committee will appoint, in accordance with the provisions of Sub-Rules 46.3 and 46.4, coaches and assistant coaches for the current year at a Management Committee Meeting.

 That Meeting will be held after the annual Club registration day and after the advertised closing date for coaching applications.

 46.3 Current Senior Members, Life Members, and Junior Members, turning fifteen (15) years of age or over during that season, are eligible to be appointed as coaches or assistant coaches of club teams, unless otherwise determined by the Committee.

 46.4 Intermediate Players, turning thirteen (13) years of age or over during that season, are eligible to be appointed as assistant coaches of club teams.

 46.5 All Coaches of Club teams must hold, or make acommitment to obtain in their first year of coaching, an OTC Certificate as a minimum qualification.

 46.6 Where more than one Member submits an application to coach a particular team then a secret ballot will be conducted using multiple preference voting with each Management Committee Member entitled to one vote per team. If there is a tied vote, even after the distribution of preferences, then the following provisions will apply;

 a) If one of the tied applicants in consideration was the coach of the particular team in the previous year then that applicant is awarded the position, or

 b) Otherwise the successful applicant’s name is randomly selected from the pool of tied applicant’s names.

 46.7 Where a Member of the Management Committee is one of a number of applicants to coach a particular team then that Committee Member shall be disqualified from voting on the election of the Coach for the team in question.

 46.8 If at the conclusion of the Meeting there are still coaching positions unfilled then the Committee shall be empowered to appoint Members to fill such vacancies.

**47. UNIFORMS**

 The playing uniform of the Club shall be that approved by the Club and the IDNA from year to year.

**48. FUNDS MANAGEMENT**

 48.1 The banking accounts of the Club shall be kept at a bank or financial institution approved by the General Committee from time to time.

 48.2 Any person receiving money on behalf of the Club will give the money to the Treasurer within seven (7) days of receipt of the same and the money shall be accompanied by a statement showing who paid the money, to whom it was paid, and the reason for payment.

**49. FINANCIAL YEAR**

 The Club’s financial year commences on 1 October and concludes on 30 September of the following year.

 **50. MEMBERSHIP YEAR**

 The Club’s membership year commences on 1 February and concludes 31 January of the following year.

**51. COMMON SEAL**

 The Common Seal of the Club shall be kept in the custody of the Registrar/Secretary.

**52. CUSTODY AND INSPECTION OF THE BOOKS**

 a) Except as otherwise provided by this Constitution, all records, books and other documents relating to the Club shall be kept under the custody or control of the Registrar/Secretary.

 b) The records, books and other documents of the Club shall be open to inspection, with notice of at least twenty-four (24) hours.

**53. SERVICES OF NOTICES**

 a) For the purpose of the rules, a notice may be served by or on behalf of the Club upon any member either personally or by sending it by post to the Member at the Member’s address shown in the Register of Members.

 b) If a document is sent to a person by properly addressing, prepaying and posting to the person, a letter containing the document, the document is, unless the contrary is proved, taken for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

**54. WINDING UP**

 54.1 The Club may be wound up and dissolved if a special resolution passed by three-quarters (3/4) of the eligible Voting Members present at a Special Meeting called for the purpose of dissolving and winding up the Club.

 54.2 Fourteen (14) written days notice of a Special Meeting to dissolve and wind up the Club must be given by the Secretary to all current eligible Voting Members of the Club.

 54.3 If the Club is dissolved and wound up, any credit balance in the funds of the Club and any property remaining after the determination and settlement of all debts and liabilities of the Club shall be paid or transferred to the IDNA to be used for the purpose of the promotion of Netball.

 54.4 The provisions of the Act relating to winding up apply.

**55. COMPLIANCE**

The Club acknowledges and agrees that they shall;

 a) Be or remain incorporated in New South Wales.

 b) Nominate a Delegate/s in accordance with clause 19.1 (b)attend IDNA General Meetings, and shall inform the Association of the details of the delegate/s accordingly.

 c) Provide the Association with copies of the Club's audited accounts, annual financial reports and other associated documents as soon as practicable, following the Club's Annual General Meeting.

 d) Recognise the Association as the authority for Netball within the boundaries of the Association, Netball NSW as the authority in New South Wales and Netball Australia as the national authority for Netball.

 e) Adopt and implement such communications and Intellectual Property policies as may be developed by the Association and/or the Netball NSW from time to time.

 f) Have regard to the Objects in any matter of the Club pertaining to Netball.