



St Gerard's Netball Club Inc.

**Constitution (September
2013)**



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Part I: Preliminary

1. Title

- a) The name of the Club shall be St Gerard's Netball Club Incorporated. Throughout this document St Gerard's Netball Club Incorporated shall be referred to as "the **Club**".
- b) Throughout this document (the Constitution), the Rules, the Standing Orders and the By-Laws, reference to "Public Officer" is referring to the office bearer position of Treasurer.

2. Colours

- a) The Club's colours shall be purple, jade ,white and black.

3. Objectives of the Club

- a) To be affiliated with and support the current District Association.
- b) To further the interests of its members and promote the game of netball under affiliation with the current District Association.
- c) To select, coach and manage the Club's teams.
- d) To co-operate with other affiliated organisations to further the game of netball.
- e) To provide a court of appeal, in the form of a disputes panel, in cases of disputes connected with netball under the authority of the Club.

Part II: Membership

4. Membership

4.1 Member

- a) Membership is open to all persons wishing to participate in and promote the sport of Netball.
- b) Members shall adopt and obey this Constitution, the By-Laws, Standing Orders and Rules of the Club.

4.2 Members of the Club: Member (Voting)

- a) A voting member is:
 - (i) any player who is 18 years and over as at the 1st January in the year of play;
 - (ii) any non-player who is 18 years and over as at the 1st of January in the year of play and who pays the required Club fee of \$1; and
 - (iii) a Life Member.



4.3 Life Members

- a) Any member of the Club may be elected a life member of the Club in recognition of a minimum of ten (10) years of outstanding service to the Club.
- b) A candidate for election as a life member shall be nominated by two (2) Club members.
- c) Any nomination for life membership must be submitted to the Executive Committee at least one (1) month before the Annual General Meeting at which the nomination will be considered to enable the Executive Committee to check the candidate's eligibility.
- d) The nomination must be approved by a vote of at least three-quarters ($\frac{3}{4}$) of the members present and voting at the Annual General Meeting.
- e) Voting for candidates for life membership shall be by secret ballot.
- f) A life member shall be entitled to attend all Club Meetings and have full voting rights.

4.4 Associate Member

- a) An associate member is:
 - (i) any player who is 17 years and under as at the 1st January in the year of play.

5. Register of Members

- a) The Registrar of the Club shall establish and maintain a register of the members and associate members of the Club. For each person who is a member of the Club, the register shall specify:
 - (i) name;
 - (ii) date of birth;
 - (iii) address;
 - (iv) phone numbers;
 - (v) email address;
 - (vi) membership category;
 - (vii) team number;
 - (viii) Club record.
- b) This register shall include all of the Club's members, including life members, honorary members and associate members.
- c) This register shall be known as the Club's Membership List.
- d) The Registrar shall give the Register of Members list to the Secretary where it shall be kept on file with all other documents. A Club membership list shall be open for inspection, free of charge, by any member of the Club at a reasonable time. This list will not include



personal information, including contact details. Any request for personal information of Club members should be directed to the Club Secretary.

- e) The NSWNA Limited membership list and supplementary lists shall be forwarded to the Secretary of the current District Association on or before the date as set out by the current District Association.

6. Members' Liability

- a) The liability of a member of the Club to contribute towards 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 of the Club.

7. Fees

- a) All fees, subscriptions etc, to be paid by members shall be determined by resolution of a General Meeting.

8. Cessation of Membership

- a) A person ceases to be a member of the Club if the person:
 - (i) dies;
 - (ii) resigns that membership; or
 - (iii) is expelled from the Club.

9. Membership Entitlements not Transferable

- a) A right, privilege or obligation which a person has by reason of being a member of the Club:
 - (i) is not capable of being transferred or transmitted to another person; and
 - (ii) terminates upon cessation of the person's membership.

10. Resignation of Membership

- a) A member of the Club who has paid all amounts payable by the member to the Club in respect of the member's membership may resign from membership of the Club by first giving notice (being not less than 1 month or not less than such other period as the committee may determine) in writing to the Secretary of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.
- b) Where a member of the Club ceases to be a member and in every other case where a member ceases to hold membership, the Registrar shall make an appropriate entry in the register of members recording the date on which the member ceases to be a member.



Part III: Governing Body

11. Governing Body

- a) The members and active life members are the governing body of the Club.
- b) The governing body shall carry out the objectives of the Club and, without in any way limiting this responsibility, shall have power to:
 - (i) control and manage the affairs of the Club;
 - (ii) fix fees, subscriptions etc payable by members and enforce payment;
 - (iii) appoint any delegate or delegates to represent the Club for any purpose with such powers as may be thought fit; and
 - (iv) control the funds of the Club and for that purpose:
 - A. open and operate banking accounts;
 - B. acquire related sporting property of all descriptions and sell or otherwise dispose of it; and
 - C. generally carry out and attend to all such matters as shall be necessary for the proper management and control of the property of the Club.

12. Meetings

- a) The following clauses apply to all club meetings including general and special meetings:
 - (i) the accidental omission to give any person notice of a meeting shall not invalidate the meeting;
 - (ii) if no quorum is present thirty (30) minutes after the time fixed for the commencement of the meeting, then it shall be adjourned to such time and place as the Chairperson shall decide;
 - (iii) the Club Secretary shall give written notice of the revised date, time and place of the meeting;
 - (iv) all those in attendance at meetings shall sign the attendance sheets;
 - (v) each member of the Club, shall have one vote, either personally or by proxy but each member shall not hold more than 1 proxy;
 - (vi) appointment of proxies:
 - A. each member shall be entitled to appoint another member as their proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed;
 - B. the notice appointing the proxy shall be as the form set out in Appendix 1 to this Constitution, or similar; and



- (vii) each voting member present at a meeting (including Club office bearers and active life members) 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 any voting member requests it.

13. General Meetings

- a) The members shall meet at least four (4) times a year.
- b) Not less than seven (7) days written notice shall be given specifying the date, time and place of the meeting of the members.
- c) A quorum for general meetings shall consist of five (5) of the office bearers.
- d) The business shall include:
 - (i) apologies;
 - (ii) confirmation of the minutes of the previous General Meeting and of any Special General Meeting held since that General Meeting;
 - (iii) business arising from the minutes;
 - (iv) motions for which due notice has been given;
 - (v) elections;
 - (vi) correspondence;
 - (vii) Treasurer's report;
 - (viii) reports; and
 - (ix) general business.

14. Special General Meetings

- a) Special General Meetings may be called by the Club Secretary after consultation with the President or at the request in writing by ten (10) or more club members to consider a specific matter or matters.
- b) Not less than seven (7) (unless agreed to by the majority of the Executive) days written notice shall be given specifying the date, time and place of the special meeting of the members and the special business to be dealt with.
- c) A quorum for Special General Meetings shall consist of five (5) of the office bearers or two thirds ($\frac{2}{3}$) of the requesting members.
- d) If the Committee fails to convene a Special General Meeting to be held within one (1) month after the date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a Special General Meeting to be held not later than three (3) months after that date.



15. Annual General Meeting

- a) The Annual General Meeting of the Club shall be held at the end of the current financial season each year.
- b) Not less than twenty one (21) days written notice shall be given specifying the date, time and place of the Annual General Meeting of the Club.
- c) All members and associate members may attend, but voting shall be restricted to club members and active life members.
- d) A quorum for Annual General Meetings shall consist of five (5) of the office bearers and five members.
- e) The business of the Annual General Meeting shall include:
 - (i) apologies;
 - (ii) confirmation of the minutes of the previous Annual General Meeting and any Extraordinary Meetings held since the last Annual General Meeting;
 - (iii) consideration and adoption of the annual report, audited balance sheet, financial statement and budget;
 - (iv) other business as the meeting thinks fit; and
 - (v) election of Executive and Non-Executive members.

16. Extraordinary Meetings

- a) Extraordinary Meetings shall be called for a specific purpose.
- b) An Extraordinary Meeting may be called by the Secretary after consultation with the President or at the request in writing by three (3) or more Club members.
- c) Not less than twenty one (21) days written notice shall be given specifying the date, time and place of the Extraordinary Meeting of the Members and the special business to be dealt with.
- d) All members and associate members may attend, but voting shall be restricted to voting members and active life members.
- e) A quorum for Extraordinary Meetings shall consist of five (5) of the office bearers and five (5) club members.

Part IV: Committees

17. Election of Committees

- a) Nominations for all Executive and Non-Executive positions to be elected at the Annual General Meeting shall be lodged in writing with the Club Secretary by the second last general meeting of the season.
- b) To be eligible for nomination, a nominee shall be a member or life member of the Club.



- c) Existing officers shall be eligible for re-election.
- d) Nominations for election shall be signed by the nominated person, a proposer and seconder who are members or life members of the Club.
- e) If no nomination is received for a position by the closing date, late nominations will be accepted up to three (3) days before the Annual General Meeting.
- f) If a casual vacancy occurs nominations will be called for by the Club Secretary and will be accepted up to seven (7) days prior to the next General Meeting.
- g) No Committee member shall hold the same office for more than two (2) consecutive years, except by the will of the meeting.

18. Executive Committee

- a) The following are the office bearers and shall be elected as the Executive Committee:
 - (i) President;
 - (ii) Vice President;
 - (iii) Secretary;
 - (iv) Treasurer;
 - (v) Registrar;
 - (vi) Coaching Convenor; and
 - (vii) Umpires Convenor.
- b) No person shall be elected to more than one (1) executive position.
- c) The Executive Committee shall act on behalf of the members between meetings of the members and its decisions shall be subject to ratification by the members at its next meeting.
- d) A casual vacancy on the Executive Committee shall be deemed to have occurred if the member:
 - (i) dies;
 - (ii) ceases to be a member of the Club;
 - (iii) resigns by notice in writing given to the Club Secretary; and
 - (iv) fails to attend three (3) consecutive meetings of the Executive Committee without leave of absence.
- e) Any casual vacancy on the Executive Committee shall be filled by an executive office bearer until the vacancy is filled by election as soon as is practicable.
- f) The Executive Committee shall appoint, from multiple nominations, the coach and/or manager, within a team. The coach shall be consulted in regards to the choice of manager.



- g) Should any vacancy occur in the position of coach and or manager at any time, the Executive shall appoint a person to fill the vacancy.
- h) No office bearer shall be entitled to receive remuneration for performing the functions of his/her office.
- i) Each member of the Committee shall, subject to these rules, hold office until the conclusion of the Annual General Meeting following the date of the member's election, but will be eligible for re-election.

19. Meetings of Executive Committee

- a) The Executive Committee shall hold an Executive Committee meeting at least four (4) times between February and October.
- b) The accidental omission to give any member notice of such meeting shall not invalidate the meeting.
- c) Five (5) of the elected office bearers shall constitute a quorum.
- d) An emergency Executive Meeting may be convened if a quorum of the Executive Committee is present.
- e) The Executive Committee shall:
 - (i) carry out their responsibilities as set out in the By-Laws;
 - (ii) conduct their meetings in accordance with the Standing Orders; and
 - (iii) be answerable to the members.

20. Meetings of all Committee Members

- a) The full Committee shall hold meetings as required, consisting of Executive and Non-Executive members.

21. Sub-Committees

- a) The members have the power to appoint sub-committees when necessary.
- b) All sub-committees shall:
 - (i) be answerable to the members;
 - (ii) carry out their responsibilities as set out in the By-Laws;
 - (iii) conduct their meetings in accordance with the Standing Orders;
 - (iv) report to each General Meeting and the Annual General Meeting; and
 - (v) be dissolved upon completion of the original function.



Part V: Administration

22. Finance

- a) The funds of the Club shall be derived from donations and fees and other sources as determined by the members from time to time.
- b) The banking accounts of the Club shall be kept at a financial institution approved by the members.
- c) All cheques operating on the accounts shall be signed by any two (2) of the following office bearers:
 - (i) President;
 - (ii) Secretary;
 - (iii) Treasurer;
 - (iv) Vice President;
 - (v) or other Executive as nominated and agreed to by the Executive.
- d) Internet Banking require two (2) authorisations online by two (2) of the abovementioned office bearers holding the key.
- e) The financial year of the Club shall commence on 1 September and conclude on 31 August.
- f) The monthly bank statement shall be tabled at each meeting of the members, together with the written financial report.
- g) The books of the Club shall be audited on each year by a qualified person independent of signatories of club account.
- h) This report shall form part of the annual financial statement that shall be presented at each Annual General Meeting.
- i) All money received by the Club shall be deposited as soon as practicable and without deduction to the credit of the Club's bank account.
- j) The Club shall, as soon as practicable after receiving any money, issue an appropriate receipt.
- k) Treasurer will hold all financial records and books in relation to the current year.

23. Custody of Books

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

24. Inspection of Books

- a) Any member of the Club may inspect the books of account, the Club membership list and the members minute book at any reasonable time.



25. Service of Notices

- a) For the purpose of this Constitution, 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) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered by the ordinary course of post.

26. Enforcement of the Constitution, By-Laws, Standing Orders and Rules

- a) The authority of the Club shall extend to and be recognised by all members and associate members of the Club.
- b) The members shall have power to deal with and adjudicate upon all questions and disputes as to the interpretation of the Constitution, By-Laws, Standing Orders and Rules and of any complaint made to it of misconduct detrimental to the objectives, policy, interests or welfare of the Club by any person to whom this Constitution applies.

27. Alterations to the Constitution, By-Laws, Standing Orders and Rules

- a) The Constitution, By Laws and Standing Orders may be altered by a resolution passed by a majority of at least three quarters ($\frac{3}{4}$) of the members present and voting at an Annual General Meeting or Extraordinary Meeting of the Club of which not less than twenty one (21) days notice specifying the resolutions to be proposed has been given.
- b) The Rules may be altered by a resolution passed by a simple majority of the members present and voting at a General Meeting, Special General Meeting or Annual General Meeting of the Club of which not less than fourteen (14) days notice specifying the resolution(s) to be proposed has been given.

28. Dissolution

- a) The Club shall not be dissolved except by a resolution passed by a majority of at least three quarters ($\frac{3}{4}$) of the members present and voting at an Extraordinary Meeting of the Club of which not less than twenty one (21) days notice in writing specifying the resolution to be proposed has been given.
- b) On dissolution of the Club any property whatsoever remaining after the determination and settlement of all debts and liabilities shall be paid or transferred to the current District Association, to be used in the promotion of netball.



29. Appendix 1: [Constitution Part 3: 12(a)(v)] Form of Appointment of Proxy

I,
(full name)

of
(address)

being a member of **St. Gerard's Netball Club Inc**
(name of incorporated association)

hereby appoint
(full name of proxy)

of
(address)

being a member of that incorporated association, as my proxy to vote for me on my behalf at the General Meeting of the Association (Annual General Meeting, Special General Meeting or Extraordinary Meeting, as the case may be) to be

held on the day of 20 , and at any adjournment of that meeting.

*** My proxy is authorised to vote as follows:**

• in favour of/against the resolution that (insert details)
.....

• in favour of the following nominations for the following positions:

Name	Position
.....
.....

Signature of member appointing proxyDate

*NOTE: *A proxy vote may not be given to a person who is not a member of the association.*