

Willoughby United Netball Club Inc

Constitution

As at 4 December 2008

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CONSTITUTION OF WILLOUGHBY UNITED
NETBALL CLUB

1. **TITLE**

The name of the Club shall be the Willoughby United Netball Club Inc (hereinafter referred to as Willoughby United Netball Club or “the Club”).

2. **OBJECTS**

The objects of the Club shall be: -

- a. To further the interests of the Club members and others in the game of Netball.
- b. To select and manage teams.
- c. To affiliate with and support the Northern Suburbs Netball Association (Incorporated) (hereinafter referred to as “NSNA”) and such other organisations as decided by the Club from time to time.
- d. To encourage sportsmanship between Club members and towards members of other netball and similar organisations.
- e. To abide by the by-laws of NSNA.

3. **PATRON**

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

4. **MEMBERSHIP**

- a. Ordinary members (as defined by the New South Wales Netball Association Limited) shall be females and amateurs as defined by the Constitution of the International Federation of Netball Associations.
- b. Junior Members (as defined by the New South Wales Netball Association Limited) shall be females under the age of sixteen (16) years and shall become Ordinary members on attaining their sixteenth (16) birthday in the year of play.
- c.
 - (i) The Club shall allow males to become Associate Members of the Club.
 - (ii) Associate members, in addition to becoming members of the Club may:
 - A. Hold any position in the Club and
 - B. Become a Delegate to the Council of the Club and participate at all levels in the affairs of the Club.
 - (iii) An Associate Member shall be entitled to be elected as a delegate of the Club and attend and act as a delegate of the Club at a meeting of the Council of NSNA.
- d. **Life Members**
 - (i) Candidates for election as a Life Member shall be nominated by two (2) members. The nomination must be received by the Secretary at least 21 days before the Annual General Meeting.
 - (ii) Any person may be elected a Life Member of the Club in recognition of outstanding service to the Club. Outstanding service is defined as being seven (7) years of service to the club which includes but is not limited to Coaching, umpiring and having held an Executive position.

- (iii) The nomination shall be considered by the active Life Members prior to the Annual General Meeting and if a nomination is approved it shall be announced at the Annual General Meeting. The decision of the active Life Members shall be final.
 - (iv) An active Life Member shall be entitled to attend all meetings and shall have full voting rights. The Executive shall determine from time to time which Life Members are to be regarded as active. The criteria to be applied in making that determination, includes but is not limited to the following:
 - holding an executive position
 - umpiring
 - coaching
 - playing.
 - (v) An active Life Member will be entitled to one (1) free registration fee per calendar year which can be utilised at the active Life Member's discretion for any competition conducted by NSNA in that calendar year.
- e. Honorary Members
- (i) An Honorary Member is one who is invited by the Executive to join the Club for a specific time or purpose as determined by the Executive, provided such person is nominated by two (2) members of the Club.
 - (ii) An Honorary Member may be admitted to any Club meeting, without voting rights.

5. **REGISTER OF MEMBERS**

- a. The position of Public Officer shall be held by the Secretary of the Club.
- b. The Public Officer of the Club shall establish and maintain a register of members of the Club specifying the name and address of each person who is member of the Club, together with the date on which the person became a member.
- c. The register of members shall be kept at the principle place of administration of the Club and shall be open for inspection, free of charge, by any member of the Club at any reasonable hour.

6. **FEES, SUBSCRIPTIONS, ETC.**

- a. The fees, subscriptions, etc. to be paid by members, shall be determined by a resolution passed by a two-thirds majority of the Executive Committee at the last meeting of the Executive Committee held in each calendar year.
- b. There will be no refunds of subscriptions once the registration fee has been received by the Club.

7. **MEMBERS' LIABILITY**

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.

8. **ANNUAL GENERAL MEETING**

- a. (i) The Annual General Meeting shall be held on a date to be determined by the Executive but must be held prior to the Winter NSNA Competition commencing.
- (ii) All financial members, active Life Members and Office Bearers have voting rights.

- b. (i) Not less than twenty-one (21) days written notice of the date of the Annual General Meeting of the Club shall be given to each Office Bearer, active Life Member and delegates.
- (ii) A copy of the audited financial statements shall be available at the Annual General Meeting.
- c. The business of the Annual General Meeting shall be:
 - (i) Present
 - (ii) Apologies
 - (iii) Confirmation of the minutes of the previous Annual General Meeting.
 - (iv) The consideration and adoption of the Annual Report and audited Balance Sheet.
 - (v) President's Report
 - (vi) Vice President's Report
 - (vii) Treasurer's Report
 - (viii) Netta Co-Ordinator's Report
 - (ix) Junior Co-Ordinator's Report
 - (x) Senior Co-Ordinator's Report
 - (xi) Night Competition Co-Ordinator's Report
 - (xii) Coaching Co-Ordinator's Report
 - (xiii) Uniform & Equipment Co-Ordinator's Report
 - (xiv) Umpire Co-Ordinator's Report
 - (xv) General Business
 - (xvi) Election of Office Bearers.
- d. Office Bearers elected at the Annual General Meeting shall assume office at the conclusion of the Annual General Meeting and shall hold office for the ensuing year.
- e. Members are not entitled to appoint a proxy to vote on their behalf at general meetings.

9. **COUNCIL MEETINGS**

- a. Council shall consist of the Office Bearers of the Club, active Life Members and one (1) delegate from each registered team.
- b. The Council shall meet at least once a year.
- c. Not less than twenty one (21) days written notice shall be given specifying the time and place of the meeting of Council and any special business to be dealt with.
- d. The business of the meeting may include the following:
 - (i) Present
 - (ii) Apologies
 - (iii) Correspondence IN
 - (iv) Correspondence OUT
 - (v) Any Items for General Business
 - (vi) Business arising from previous minutes
 - (vii) President's Report
 - (viii) Vice President's Report
 - (ix) Treasurer's Report
 - (x) Netta Co-Ordinator's Report
 - (xi) Junior Co-Ordinator's Report
 - (xii) Senior Co-Ordinator's Report
 - (xiii) Night Competition Co-Ordinator's Report
 - (xiv) Coaching Co-Ordinator's Report
 - (xv) Uniform & Equipment Co-Ordinator's Report
 - (xvi) Umpire Co-Ordinator's Report
 - (xvii) General Business

- e. (i) The President shall take the Chair at all meetings and in the President's absence the Chair shall be taken by the Vice President.
- (ii) If neither the President nor Vice President is present within thirty (30) minutes of the time fixed for the commencement of the meeting, the members present shall elect a Chairman.
- (iii) The accidental omission to give any member the required notice shall not invalidate a meeting nor any of the business of the meeting.
- f. (i) A quorum for Council and Special Council Meetings shall consist of at least one half (1/2) of the Office Bearers and delegates representing at least one quarter (1/4) of the Club's registered teams.
- (ii) A quorum for Annual General and Special General Meetings shall consist of at least one half (1/2) of the Office Bearers and at least one third (1/3) of the delegates.
- (iii) If no quorum is present thirty (30) minutes after the time fixed for the commencement of a meeting, it shall be adjourned to such time and place as the Chairman shall decide.
- (iv) The Secretary shall notify each member.
- g. (i) Each eligible member (including Office Bearers) shall have one (1) vote to be taken in such manner as the Chairman shall have direct, except that a secret ballot shall be taken if any member requests it.
- (ii) In the case of an equality of votes, the Chair shall, in addition, have a casting vote.
- (iii) Members are not entitled to appoint a proxy to vote on their behalf at general meetings.
- h. (i) At each meeting each delegate present shall sign an attendance book and shall state therein the team which that delegate represents at that meeting.
- (ii) A delegate may represent one (1) team only at any meeting.
- i. Special Meetings shall be called by the Secretary:
 - (i) At the direction of the President, or
 - (ii) On a requisition signed by not less than one quarter (1/4) of the members of Council.
- j. Not less than twenty one (21) days written notice shall be given to all members specifying the time and place of a Special Meeting of Council and the nature of the business to be considered.

10. **POWERS OF THE EXECUTIVE**

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

- a. to control and manage the affairs of the Club,
- b. to control the funds of the Club and for that purpose to open and operate banking accounts, to invest funds in any manner authorised by law for the investment of trust funds, to acquire real and personal property of all descriptions and to sell or otherwise dispose of it, to borrow money on behalf of the Club and to give security therefore and generally to carry out and attend to all such matters as shall be necessary for the proper management and control of the property of the Club,
- c. to appoint any delegate or delegates to represent the Club for any purpose with such powers as may be thought fit,
- d. (i) to ensure that the records required by NSNA are completed and returned as specified.
- (ii) All fees that are payable to NSNA shall be forwarded by cheque, electronic funds transfer or in any other manner directed by NSNA.

11. **EXECUTIVE COMMITTEE**

a. **Election of Office Bearers**

- (i) The ballot for the election of the Office Bearers to form the Executive Committee shall take place at the conclusion of the business of the Annual General Meeting.
 - (ii) The following Office Bearers shall be elected:
 - President
 - Vice President
 - Secretary
 - Treasurer
 - Netta Co-Ordinator
 - Junior Co-Ordinator
 - Senior Co-Ordinator
 - Night Competition Co-Ordinator
 - Coaching Co-Ordinator
 - Uniform & Equipment Co-Ordinator
 - Umpire Convenor(s)
 - NSNA Delegates
 - NSNA Alternate Delegates
 - Hon. Auditor
- b. (i) Existing Office Bearers shall be eligible for re-election.
(ii) To be eligible for nomination for the Executive Committee a nominee must be an Ordinary/Associate member of the Club.
- c. Not less than two thirds (2/3) of the members of the Executive Committee shall constitute a quorum.
- d. (i) The Executive Committee may take disciplinary action pursuant to this Constitution against any member of the Club.
(ii) The member concerned shall have the right of appeal within seven (7) days of the date of notification of the disciplinary action to be taken.
- e. (i) The Executive Committee may appoint a member to fill a casual vacancy of the Executive Committee with a two-third (2/3rd) majority vote of the Executive Committee.
(ii) A vacancy shall be deemed to have occurred in respect of any member who has resigned or without leave of the Executive Committee, failed to attend two (2) consecutive meetings of the Committee.
- f. No Office Bearer shall be entitled to receive remuneration for any services as such.

12. **MEETINGS OF EXECUTIVE COMMITTEE**

- a. Regular Executive meetings shall be set by the Office Bearers throughout the year.
- b. Should it be necessary to call additional meetings, all Office Bearers shall be notified at least forty eight (48) hours prior to the meeting being held.
- c. Should a quorum of the Executive Committee be present, an emergency meeting may be convened.

13. **FINANCE**

- a. Source of funds – the funds of the Club shall be derived from annual subscriptions of members, playing and other fees, donations and fundraising and subject to any resolution passed by the Club in a general meeting, such other sources as the Executive Committee determined.
- b. The banking accounts of the Club shall be kept at a financial institution approved by the Council and all cheques operating on the accounts shall be signed by any two (2) of the following Office Bearers: -
President
Secretary
Treasurer
and/or one (1) other nominated person
- c. The financial year of the Club shall commence on 1st January and end on 31st December of the calendar year.
- d.
 - (i) All current financial statements shall be tabled at each meeting of Council, together with a written financial report.
 - (ii) The books of the Club shall be examined and reported on each year by a qualified person who is not a member of the Club.
 - (iii) This report to form part of the annual financial statement which shall be presented to each Annual General Meeting.
 - (iv) All New South Wales fees shall be paid by the due date.

14. **CUSTODY OF BOOKS**

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

15. **INSPECTION OF RECORDS**

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

16. **ENFORCEMENT OF CONSTITUTION**

- a. The authority of the Club shall extend to and be recognised by all individual members.
- b. The Executive Committee shall have power to deal with and adjudicate upon all questions and disputes as to the interpretation of the Constitution, Rules and By Laws and upon any complaint made to it of misconduct detrimental to the policy, interests or welfare of the Club by any person to whom this Constitution applies.
- c. Where it becomes necessary for disciplinary action to be taken, the Executive Committee shall have power to appoint a Disciplinary Sub-Committee. The Disciplinary Sub-Committee may fine, caution, expel or suspend from membership for such period as it thinks fit any such person to whom this Constitution applies PROVIDED HOWEVER that at least twenty one (21) days before the meeting at which such matter is to be considered the person concerned shall have been notified in writing and invited to be present at the meeting and that the member shall at such meeting and before any resolution is passed have had an opportunity of giving orally or in writing any explanation or defence the member may think fit.
- d. The member concerned shall have the right of appeal in writing to the Executive Committee, within seven (7) days of the date of notification of the disciplinary action to be taken.

- e. The Executive Committee must consider the member's written appeal and notify its decision to the member concerned no more than fourteen (14) days within receipt of the appeal in writing. The decision of the Executive Committee shall be final.

17. **ALTERATIONS TO CONSTITUTION AND BY LAWS AND STANDING ORDERS**

This Constitution, the By Laws and Standing Orders of the Club may be altered by resolution passed by a majority of at least three quarters (3/4) of the members present and voting at an Annual General Meeting or Special General meeting of the Club of which not less than twenty one (21) days written notice specifying the resolution/s to be proposed has been given.

18. **DISSOLUTION OF THE CLUB**

- a. The Club shall not be dissolved except by resolution passed by a majority of at least three quarters (3/4) of the members present and voting at a Special General Meeting of the Club of which not less than twenty one (21) days written notice 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 an organisation with similar objects to those set out in this constitution to be used in the promotion of Netball.