

# **CENTRAL NETBALL CLUB INC**



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## 1 STANDARDS

- 1.1 The name of the club shall be **CENTRAL NETBALL CLUB INCORPORATED** (referred to in these rules as 'the Club')
- 1.2 The club colours shall be blue and white.
- 1.3 All team names must begin with the letter C and be approved by the committee.

## 2 OBJECTS

- 2.1 To further the interests of its members and promote and control the game of Netball.
- 2.2 To affiliate with, support and co-operate with the Charlestown Netball Association.
- 2.3 To ensure all members follow Central Netball's policies, including but not limited to:
  - 2.3.1 Code of Behaviour Policy
  - 2.3.2 Child Pickup and Drop off Policy
  - 2.3.3 Fair Play Policy
  - 2.3.4 Social Media Policy
- 2.4 Administer all tribunals in accordance with the club's policies and Netball NSW Member Protection Policy.

## 3 PATRON

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

## 4 MEMBERSHIP

Membership to the club shall be as follows:

- 4.1 **PLAYER:**
  - 4.1.1 Membership is open to all individuals who accept the objects and rules of the Club
  - 4.1.2 Individuals and organisations wishing to become members of the Club shall apply to the general Assembly for membership.
  - 4.1.3 The General Assembly shall determine whether or not to accept an application for membership.
  - 4.1.4 Members shall pay such fees as are determined by the Club Committee.
  - 4.1.5 A register of members shall be kept by the Club showing the name, address and date of commencement of membership of each member.
  - 4.1.6 Membership shall cease upon resignation, expulsion, or failure to pay outstanding membership fees within three months of the due date.
  - 4.1.7 Membership fees shall fall due on the first day of each financial year of the Club. The financial year of the Club shall run from December 1 to November 30 or such other period as is determined by the General Assembly.
  - 4.1.8 Each individual member of the club shall be an amateur who does not and has never played Netball for money or material gains.
- 4.2 **LIFE MEMBERS:**
  - 4.2.1 Any person may be elected a Life Member of the Club in recognition of at least ten (10) years outstanding service to the Club.
  - 4.2.2 Candidates for election as Life Members shall be nominated by two (2) members of the Club at least 28 days prior to the meeting at which such nomination may be considered. Such nominations must be firstly approved and recommended by the executive before being referred to the next Annual General Meeting of members for their approval.
  - 4.2.3 The nomination must be approved by a majority of at least two-thirds (2/3) of the members present and entitled to vote at an Annual General Meeting, provided that the members may, by resolution from time to time, fix the maximum number of persons who may at any time hold Life Membership.
  - 4.2.4 A life member shall be entitled to be present and speak at General Meetings and Annual or Special General Meetings but shall not be entitled to propose or second and resolution or vote thereon unless they be a delegate or Office Bearer. Payment of all fees shall be waived by the Club.
- 4.3 **NON-PLAYER:**

An individual over the age of 16 years upon:

  - 4.3.1 Nomination in writing to the Club signed by two (2) members of the Club, not less than 14 days prior to the meeting at which the nomination will be considered, and

4.3.2 Acceptance by a three-quarter (3/4) majority of members present and voting.

4.3.3 A Non-Playing Member shall have all privileges of Active Membership so long as all obligations are fulfilled.

4.4 HONORARY:

4.4.1 An individual who is invited by the Club to be a member provided that the individual is accepted by a three-quarter (3/4) majority of members present and voting.

## 5 CESSATION OF MEMBERSHIP

A person ceases to be a member if the person

5.1 Dies

5.2 Resigns that membership

5.3 Is expelled from the Club

5.4 Fails to pay fees within three months of the due date.

## 6 MEMBERS' LIABILITY

The members of the Club shall have no liability to contribute towards the payment of debts and liabilities of the Club or the costs, charges and expenses of winding up the Club except to the amount of any unpaid membership fees.

## 7 MANAGEMENT

7.1 The Club shall have its affairs controlled and managed by the Club Committee comprising:

7.1.1 The Executive

7.1.2 General Committee Members

7.1.3 Any Life Member who have fulfilled the obligations of membership

7.2 The Executive shall consist of a President, Vice President, Secretary and Treasurer.

7.3 The General Committee shall consist of the following members:

7.3.1 Assistant Secretary

7.3.2 Assistant Treasurer

7.3.3 Umpires Convenor

7.3.4 Coaching Convenor

7.3.5 Registrar

7.3.6 Other Committee Members

7.4 The Club Committee shall be elected at each Annual General Meeting.

7.5 In the event of a casual vacancy occurring due to the resignation or death of a member of the committee the vacancy shall be filled by a member appointed by the Club Committee, to be ratified by the members at the next General Meeting.

7.6 Each member of the committee shall hold office from the date of their election or appointment until the next Annual General Meeting.

7.7 Retiring members of the committee are eligible for re-election.

7.8 The Club Committee shall meet as often as necessary to conduct the business of the Club and not less than four times a year.

7.9 A special meeting of the Club Committee shall be convened by the Secretary within seven days of receiving a written request to do so from either the President, the Executive or not less than six voting members of the Club Committee.

7.10 The quorum for meetings of the Club Committee shall be a minimum of five.

7.11 Questions arising at any meeting of the Club Committee shall be decided by the majority of votes of those present and voting. In case of an equality of votes the person appointed to chair the meeting shall have a second or casting vote.

**8 COMMITTEE**

- 8.1 The ballot for the election of the Office Bearers to form the Club Committee shall take place at the Annual General Meeting.
- 8.2 Should there be no nomination for an office then that office shall be declared vacant and shall be filled by a member appointed by the Club Committee.
- 8.3 No Office Bearer shall be entitled to receive any remuneration for his/her services as such.
- 8.4 The Club Committee is empowered by the members to take appropriate action under the Member Protection Policy pursuant to this Constitution against any affiliated Club or financial member of the Club.
- 8.5 Any member of the Club Committee shall cease to hold office upon
  - 8.5.1 Resignation in writing
  - 8.5.2 Removal as a member of the Association, or
  - 8.5.3 Absence from three consecutive committee meetings without prior written approval by the Club Committee.
- 8.6 The Club Committee may function validly provided its number is not reduced below its quorum. Should the Club Committee numbers fall below the quorum the remaining Committee members may act only to appoint new members onto the Club Committee.
- 8.7 The Executive shall be empowered to make decisions between meetings and shall report such decisions to the next meeting of the Club Committee.

**9 GENERAL MEETINGS**

- 9.1 An Annual General Meeting of the Club shall be held each year in the month of December. The date of the Annual General Meeting shall be determined by the Club Committee.
- 9.2 At least 14 days notice of all general meetings shall be given to members. In the case of general meetings where a special resolution is to be proposed, notice of the meeting shall be given to members at least 28 days before the meeting.
- 9.3 In the case of the Annual General Meeting the following business shall be transacted:
  - 9.3.1 Election of Club Committee
  - 9.3.2 Confirmation of the minutes of the last Annual General Meeting and any recent Special General Meeting
  - 9.3.3 Receipt of the Annual Reports of the activities of Club in the last financial year
  - 9.3.4 Receipt and consideration of the accounts of the Club which gives a true and fair view for the last financial year of the club's Income and Expenditure
  - 9.3.5 Notices of Motion of which written notice of not less than twenty-eight days prior to the Annual General Meeting shall have been given to the Secretary.
  - 9.3.6 Such other business as the meeting deems appropriate to be dealt with at this meeting.
- 9.4 The quorum for the annual general meeting and a general meeting shall be a minimum of five.
- 9.5 Voting at the general meeting shall be by a show of hands unless a secret ballot is demanded. Decisions shall be made by a simple majority vote except for those matters which must be decided by special resolution where a three-quarter majority is required.
- 9.6 All votes shall be given personally and there shall be no voting by proxy.
- 9.7 In the case of an equality of votes the person appointed to chair the general meeting shall have a second or casting vote.
- 9.8 Nominations of candidates for election onto the Committee shall be made at the Annual General Meeting, nominated by two members of the Club. Should there be no nomination for an office then that office shall be declared vacant and shall be filled by a member appointed by the Club Committee.

**10 OFFICE BEARERS**

- 10.1 The President or, in the President's absence, Vice-President, shall act as chairperson at each general meeting.
- 10.2 If the President and Vice president are absent from a meeting or unwilling to act, the members present at the meeting shall elect one of their number to act as chairperson.

- 10.3 The Secretary shall keep records of the business of the Club including the rules, register of members, minutes of all meetings and a file of correspondence.
- 10.4 The Treasurer shall ensure that all money received by the Club is paid into an account in the Club's name. Payments shall be made through a petty cash system, EFT or cheques signed by two signatories authorised by the Club Committee. Major or unusual expenditures shall be authorised in advance by the Club Committee or a general meeting.
- 10.5 The Treasurer shall ensure that correct books and accounts are kept showing the financial affairs of the club. These records shall be available for inspection by any member and shall be held in the custody of the Treasurer.

## **11 POWERS OF THE CLUB COMMITTEE**

The Club Committee shall control and manage the affairs of the Club and, without in any way limiting this responsibility, shall have the power to:

- 11.1 Enforce the payment of any money due to the Club;
- 11.2 Control the funds of the Club and for that purpose to raise funds and to open and operate banking accounts.
- 11.3 Maintain affiliation with the Charlestown Netball Association Incorporated
- 11.4 Maintain affiliation with the N.S.W. Netball Association Limited
- 11.5 Make, amend and rescind Rules and policies and for the benefit of the Club.
- 11.6 Invite, or permit attendance of any person at any meeting of the Club, provided that such person shall not have the right to move or second any motion nor the right to vote.
- 11.7 Where the club committee is advised or considers that a member or affiliate has allegedly:
  - 11.7.1 Breached, failed, refused, or neglected to comply with a provision of this constitution or related Policies,
  - 11.7.2 Acted in a manner unbecoming of a member, or prejudicial to the objects and interests of the club, the association, and/or netball,
  - 11.7.3 Brought the club or association into disrepute,The club committee may commence disciplinary proceedings against that member/affiliate.
- 11.8 The committee may appoint a judiciary committee to deal with any disciplinary matter referred to it.
- 11.9 The committee may appoint a appeals committee to deal with any disciplinary matter referred to it.

## **12 FEES / SUBSCRIPTIONS**

- 12.1 The annual affiliation fee payable by each Club and annual subscription payable by each individual member shall be as determined from time to time by the Club Committee.
- 12.2 The annual subscription and affiliation fees shall fall due on the 1st March annually and shall be payable in advance.

## **13 INSURANCE**

- 13.1 The Club shall effect and maintain insurance pursuant to section 44 of the Act.
- 13.2 In addition to the insurance required under clause one the Club may effect and maintain other insurance.
- 13.3 Other than as contained in one and two herein neither the committee or any member or members of the committee acting in that capacity nor the Club is under any liability for any player, team official spectator or umpire for any injury/loss occurring from any organised game under their jurisdiction.

## **14 CUSTODY OF RECORDS**

Except as otherwise provided in 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 ENFORCEMENT OF CONSTITUTION**

- 15.1 The authority of the Club shall extend to and be recognised by all individual members.
- 15.2 The Committee shall have power to deal with all matters in relation to breach of club or state Policies.

## **16 ALTERATIONS TO CONSTITUTION**

- 16.1 A special resolution must be passed by a general meeting of the Association to effect the following changes:
- 16.1.1 A change of the Club's name
  - 16.1.2 A change of the Club's rules.
  - 16.1.3 A change of the Club's objects.
  - 16.1.4 Voluntarily wind up the club.
- 16.2 A notice must be sent to all members advising that a General Meeting is to be held to consider a special resolution.
- 16.3 The notice must give details of the proposed special resolution and give at least 28 days notice of the meeting.
- 16.4 A quorum must be present at the meeting
- 16.5 At least three-quarters of those present must vote in favour of the resolution
- 16.6 In situations where it is not possible for a resolution to be passed as described above, a request may be made to the Corporate Affairs Commission for permission to pass the resolution in some other way.

## **17 DISSOLUTION OF THE CLUB**

- 17.1 The Club shall not be dissolved except by special resolution passed by a majority or at least three-quarters of the members present and voting at a Special General Meeting of the Association of which not less than twenty-one days written notice specifying the resolution to be proposed has been given.
- 17.2 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 Charlestown Netball Association Incorporated to be used in the promotion of Netball within the boundaries of the area of Charlestown Netball Association Incorporated.

## **18 SURPLUS**

In the event of the winding up or cancellation of the incorporation of the Club the surplus property of the Club shall be determined and distributed in accordance with the provisions of the Act PROVIDED THAT the recipient of the surplus property:

- 18.1 Must have a provision in its constitution the prohibits the distribution of income and property amongst its members to an extent at least as great as is imposed by clause 28;
- 18.2 Must have such other features as maybe required by any government or public authority that has granted an exemption concession or benefit to the Club; and
- 18.3 Must be exempt from income tax under the Income Tax Assessment Act 1936 [C'th].

## **19 DEFINITIONS**

In these rules except in so far as the context of subject matter otherwise indicates or requires:

- 19.1 'Senior', 'senior player' or 'senior team' shall be in accordance with the definition of the New South Wales Netball Club Limited.
- 19.2 'Junior', 'junior player' or 'junior team' shall be in accordance with the definition of the New South Wales Netball Club Limited.
- 19.3 'N.S.W.N.A. Limited' shall mean the New South Wales Netball Club Limited, or its successor as may be from time to time.