



JANNALI NETBALL CLUB INC. CONSTITUTION

1. GENERAL

- a) Definitions
- b) Interpretation
- c) Title
- d) Type of Organisation
- e) Colours
- f) Objects
- g) Patron

2. AFFILIATION WITH SUTHERLAND SHIRE NETBALL ASSOCIATION

- a) Club Delegates to SSNA

3. MEMBERSHIP

- a) Ordinary Membership
- b) Life Membership
- c) Membership Fees and Miscellaneous Fees
- d) Register of Members
- e) Members' Liability

4. MEETINGS

- a) Meetings – General Procedure
- b) Annual General Meeting
- c) Special Executive Meetings

5. ORGANISATIONAL STRUCTURE

- a) Executive Committee
- b) Executive Meetings
- c) Duties of Executive Committee
- d) Income and Property

6. ADMINISTRATION

- a) Finance
- b) Custody of Books
- c) Inspection of Records
- d) Effect of, and Altering, this Constitution
- e) Dissolution of the Club

7. POLICIES AND BY-LAWS OF THE CLUB



1. GENERAL

a) DEFINITIONS

For the purposes of this Constitution:

'Annual Reports' means the reports provided annually by each nominated position and sub-committee of the Club at the Annual General Meeting.

'Club' means Jannali Netball Club.

'Executive Committee' means those members elected in accordance with clause 4 b) of this Constitution.

'Instrument' means any document pertaining to the governance of the Club, and includes, but is not limited to, this Constitution, and the associated policies, guidelines and by-laws of the Club.

'Life Member' means any member of the Club elected to such membership in accordance with this Constitution.

'Member Protection Policy' means the Netball NSW Member Protection Policy.

'Netball NSW' means the controlling body for Netball in New South Wales.

'President' means the person elected to the position under clause 4 b) of this Constitution.

'Public Officer' means the person appointed to that role by the Club in accordance with any relevant policy.

'Registered Member' means any financial member or Life Member of the Club.

'Returning Officer' means the person appointed to the position as per clause 4 b) of this Constitution.

'Secretary' means the person elected to the position under clause 4 b) of this Constitution.

'Senior Member' means a Registered Member who has attained the age of 18 years.

'Sutherland Shire Netball Association (SSNA)' means the controlling body for netball in the Sutherland Shire.

'The Office Bearers of the Club' means the members of the Jannali Netball Club, for example Executive Committee and other Office Bearers.

'Vice President' means the person elected to the position under clause 4 b) of this Constitution.



b) INTERPRETATION

- i) Where this Constitution conflicts with any other instrument of the Club, this Constitution shall prevail.
- ii) Where ambiguity exists between this Constitution and any other instrument of the Club, the natural interpretation of the Constitution shall prevail.
- iii) The Executive Committee shall hold the power to deal with and adjudicate upon all questions and disputes as to the interpretation of the Constitution, rules and associated policies.

c) TITLE

The name of the Club shall be the Jannali Netball Club Inc. and shall be known as the Jannali Netball Club.

d) TYPE OF ORGANISATION

The Club is a 'not-for-profit' organisation whose income and property is applied solely towards the promotion of the objects of the Club. No funds or property shall be paid or transferred directly or indirectly by way of dividend or bonus or by way of profit to or amongst the members.

e) COLOURS

The Club's colours will be green and gold.

f) OBJECTS

The objects of the Club are:

- i) to further the interests of its members and promote and control the game of netball;
- ii) to select and manage the Club's teams;
- iii) to affiliate with and support Sutherland Shire Netball Association and hence Netball NSW;
- iv) to co-operate with other affiliated organisations in New South Wales for the furtherance of Netball; and
- v) to adopt and adhere to the Netball NSW Member Protection Policy.

g) PATRON

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



2. AFFILIATION WITH SUTHERLAND SHIRE NETBALL ASSOCIATION (SSNA)

The Club shall affiliate with the SSNA annually as required.

The Club shall nominate two delegates and two reserve delegates to represent the interest of the Jannali Netball Club at all SSNA Delegates meetings and will abide by all SSNA constitution and policies relating to delegates.

3. MEMBERSHIP

a) ORDINARY MEMBERSHIP

- i) Registered Members shall adopt and obey this Constitution, policies and by-laws of the Club.
- ii) The Club may admit to membership, Registered Members as defined by the Constitution or any other relevant policy of the SSNA and Netball NSW.
- iii) A person ceases to be a Registered Member of the Club if the person:
 - a) dies;
 - b) ceases to be financial under Clause 3c) iii) below; or
 - c) is expelled from the Club in accordance with the Member Protection Policy.
- iv) The Executive Committee may reject any application for membership without assigning any reason therefor.

b) LIFE MEMBERSHIP

- i) Any person may be elected a Life Member of the Club in recognition of outstanding service to the Club for such minimum period of service as the Executive Committee deems appropriate.
- ii) Candidates for election as Life Members shall be nominated by two Senior Members of the Club, such nominations to be received at least two months before the meeting at which they will be considered.
- iii) Candidates' name(s) are to be circulated to members of the Executive Committee. Voting is restricted to members of the Executive Committee at any constituted meeting. The vote must be carried by a two-third majority.
- iv) A Life Member shall be entitled to attend all Club meetings and shall have full voting rights.
- v) A person ceases to be a Life Member of the Club if the person:
 - a) dies; or
 - b) is expelled from the Club in accordance with the Member Protection Policy.

c) MEMBERSHIP FEES AND MISCELLANEOUS FEES

- i) All Registered Members of the Club will be financial members between 1 January and 31 December of the year in relation to which membership is paid.
- ii) A Registered Member ceases to be financial if they:
 - a) fail to renew their membership; or
 - b) fail to pay to the Club money they owe to the Club within the required timeframe.

d) REGISTER OF MEMBERS

- i) The Secretary of the Club may also hold the position of Public Officer for the Club.
- ii) The Club shall establish and maintain a register of members of the Club specifying the name and address of each person who is a Registered Member of the Club, together with the date on which the person became a Registered Member.
- iii) The register of members shall be kept at the principal place of administration of the Club and shall be open for inspection by any Registered Member of the Club at any reasonable hour; however, such inspection shall be limited to viewing the names of Registered Members only.

e) MEMBERS' LIABILITY

The liability of a Registered 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.

4. MEETINGS

a) ALL MEETINGS – GENERAL PROCEDURE

- i) The President or their nominee shall take the chair at all meetings.
- ii) If neither the President nor their nominee is present within fifteen minutes of the time fixed for the commencement of the meeting, the members present shall elect a Chairperson.
- iii) A quorum for ordinary monthly meetings shall consist of half the total number of the Club's Executive Committee members plus one.
- iv) If no quorum is present fifteen minutes after the time fixed for the commencement of a meeting it shall be adjourned to such time and place as the Chairperson shall decide. The Secretary shall give written notice thereof to the Club.
- v) The accidental omission to give any member the required notice shall not invalidate a meeting or any of the business of the meeting.



- vi) Questions arising at an ordinary meeting of the Club or any sub-committee meeting are to be determined by a simple majority of votes cast by eligible members. Each eligible member shall have one vote to be taken in such a manner as the Chairperson shall direct, except that a secret ballot shall be taken if any member requests it.
- vii) In the case of an equality of votes, the President (or the person otherwise presiding) shall, in addition, have a casting vote.
- viii) There shall be no voting by proxy at any meeting of the Club.

b) ANNUAL GENERAL MEETING

- i) An Annual General Meeting of the Club shall be held in October or November of each year.
- ii) All Registered Members may attend but voting shall be restricted to Senior Members and Life Members.
- iii) Not less than twenty-one days' written notice of the Annual General Meeting of the Club shall be given.
- iv) A copy of the Club's Annual Reports and the audited balance sheet shall be tabled at the AGM.
- v) A quorum for an Annual General Meeting shall consist of half the total number of the Club's Executive Committee members, plus one. If half the total number of the Executive is a fraction then the quorum is the next greater whole number.
- vi) The business of the Annual General Meeting shall be:
 - a) confirmation of the minutes of the previous Annual General Meeting;
 - b) consideration and adoption of the Annual Reports and balance sheet;
 - c) appointment of an auditor for the following year;
 - d) appointment of a Returning Officer (where appropriate);
 - e) such other business as the meeting thinks fit;
 - f) election of Office Bearers.
- vii) The following Office Bearers shall be elected and shall form the Executive Committee:
 - President
 - Vice President
 - Secretary
 - Treasurer
 - Registrar

- viii) Nominations for election by two Senior Members with the consent of the nominee, either written or verbal, shall be lodged with the Returning Officer or Club Secretary at or before the meeting at which the elections are to be held.
 - ix) To be eligible for nomination as an Office Bearer a nominee must be a Registered Member the Club.
 - x) Current Office Bearers shall be eligible for re-election.
 - xi) 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, unless they are removed or resign in the interim.
 - xii) An Office Bearer may resign their position by providing written notice of their intention to do so to the Club Secretary. The Executive Committee shall, at its next meeting and by resolution, appoint a replacement to hold the position for the remainder of the resigned person's term of office.
- c) SPECIAL EXECUTIVE MEETINGS
- i) Special Executive Meetings shall be called by the Secretary:
 - a) at the direction of the President;
 - b) upon receipt of a requisition signed by not less than one-third of the members of the Executive.
 - ii) All Registered Members may attend but voting shall be restricted to Senior Members and Life Members.
 - iii) A quorum for a Special Executive meeting shall consist of half the total number of the Club's Executive Committee members plus one.

5. ORGANISATIONAL STRUCTURE

- a) EXECUTIVE COMMITTEE
- i) The Executive Committee shall consist of the following voting members:
 - President
 - Vice President
 - Secretary
 - Treasurer
 - Registrar
 - ii) Should it be necessary to call additional meetings, all Executive Committee members shall be notified at least forty-eight hours prior to the meeting being held.

- iii) Should a quorum of the Executive Committee be present, a meeting may be convened at any time.
 - iv) Any member of the Executive Committee who, without leave of the Executive Committee, has failed to attend three consecutive meetings shall be deemed to have resigned and shall be replaced in accordance with this Constitution.
- b) EXECUTIVE MEETINGS
- i) The Meeting shall consist of:
 - a) the Office Bearers of the Club, and
 - b) Life Members.
 - ii) The Executive Committee shall meet at least eight times each year on dates to be fixed by the Executive Committee.
 - iii) Not less than seven days' written notice shall be given specifying the time and place of the meeting, and any special business to be dealt with.
 - iv) Order of business at Club meetings shall be:
 - a) Apologies
 - b) Confirmation of Minutes
 - c) Business Arising from Minutes
 - d) Notices of Motion
 - e) Elections
 - f) Correspondence and business arising
 - g) Reports by:
 - President
 - Secretary
 - Treasurer
 - Umpires Convenor
 - Coaching Convenor
 - Registrar/s
 - Other Officer Bearers
 - Delegates
 - Sub-committees
 - Any other reports
 - h) General business.

c) DUTIES OF EXECUTIVE COMMITTEE

- i) The Executive Committee 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 fix fees payable by members and to enforce payment thereof;
 - c) 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 therefor 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;
 - d) to take action in accordance with the Netball NSW Member Protection Policy or relevant Club policies against any Registered Member;
 - e) to appoint two delegates and two proxy delegates to represent the Club at the SSNA delegates meetings and any other relevant SSNA meetings;
 - f) to appoint any delegate or delegates to represent the Club for any purpose with such powers as may be thought fit;
 - g) to ensure that the Secretary of the Club forwards to SSNA by the required date in each year, the names and addresses of existing members of Netball NSW together with the names and addresses of new applicants for Netball NSW membership who have paid their annual membership fee specifying the class of those members;
 - h) to submit supplementary names and addresses of new members to the SSNA specifying the class of those members;
 - i) upon receipt by SSNA of those names, grant to those persons listed in clause g) and h) membership for the relevant calendar year.

d) INCOME AND PROPERTY

- i) Application
The Club's income and property must be applied solely towards promoting the Club's Objects and the Club's income and property must not be applied for the profit or gain of its individual members.
- ii) No distribution
No part of the Club's income or property may be paid, transferred or distributed, directly or indirectly, by way of dividend, bonus, fee or otherwise, to any of the Members of the Club.



- iii) Exception
This clause does not prohibit making a payment approved by the Club for out-of-pocket expenses incurred by an Office Bearer in performing a duty as an Office Bearer of the Club.

6. ADMINISTRATION

a) FINANCE

- i) The funds of the Club shall be derived from annual membership fees, other fees and donations, levies and subject to any resolution passed by the Executive Committee.
- ii) The main banking accounts of the Club shall be kept at a financial institution approved by the Club and all cheques operating on the accounts shall be signed by any two of the President, Secretary or Treasurer.
- iii) The Financial Year of the Club shall commence on 1st October
- iv) The current bank statements shall be tabled at each monthly Club meeting.
- v) The books of the Club shall be audited each year by a qualified person who is not a member of the Club.
- vi) An audited balance sheet shall be presented to each Annual General Meeting.
- vii) All SSNA and Netball NSW fees shall be paid by the due date.

b) 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 Secretary.

c) INSPECTION OF RECORDS

Any Registered Member may inspect the books of account and minute book of the Club to the extent permitted by law at any reasonable time.

d) EFFECT OF, AND ALTERING, THIS CONSTITUTION

- i) Effect of Constitution

This Constitution will have effect as a contract:

- (a) between the Club and each Member;
- (b) between a Member and each other Member,

pursuant to which each Member agrees to accept the provisions of this Constitution, and comply with those provisions, so far as they apply to that Member.



ii) Altering the Constitution

This Constitution may be altered by special resolution passed by at least 75% of the votes cast at an Annual General Meeting or Special Executive Meeting of the Club, of which not less than twenty-one days' written notice specifying the resolution/s to be proposed has been given.

Any alteration made to the Constitution of the Club shall be forwarded to SSNA within twenty-eight days of the meeting at which such alteration was made.

e) DISSOLUTION OF THE CLUB

The Club shall not be dissolved except by special resolution passed by a majority of at least 75% of the votes cast at a Special Executive Meeting of the Club of which not less than twenty-one days' written notice specifying the resolution to be proposed has been given.

Upon dissolution of the Club, any property and monies whatsoever remaining after the determination and settlement of all debts and liabilities shall be paid or transferred to Sutherland Shire Netball Association to be used for the promotion of netball.

7. POLICIES AND BY-LAWS OF THE CLUB

The Club may implement appropriate policies and by-laws in relation to such matters as arise for the administration of Netball in the Club.