

# CONSTITUTION OF THE ST MICHAEL & ALL ANGELS NETBALL CLUB INC.

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## 1. NAME

The name of the Club shall be hereinafter called "St Michael & All Angels Netball Club Inc"

## 2. OBJECTS

The objects of the club shall be:

- 2.1 To assist, support and encourage participation in and pursuit of netball interests amongst members of the community
- 2.1 To provide coaching, training, skills development and general facilities to assist in the fulfilment of the above objective to each participants maximum potential
- 2.3 To give all players equal opportunities and to encourage a spirit of enjoyment, fellowship, cooperation, teamwork and fair-play

## 3. MEMBERSHIP

3.1 Members shall be persons who have agreed to accept the above objects, paid the prescribed membership fee if any, and who

3.1.1 are the parent or legal guardian of an Associate Member; or

3.1.2 are 16 years of age or older and play, coach, umpire or manage a team on behalf of the club; or

3.1.3 have applied in writing for membership and who are accepted as members by majority vote of the Committee or of a General Meeting.

3.2 Associate Members shall be persons under 16 years of age who have agreed to accept the above objects, paid the prescribed membership fee if any and who currently play, coach, umpire or manage a team on behalf of the club. Associate Members shall be ineligible to vote.

3.3 Organisation members shall be organisations, which have applied in writing for membership, expressed support for the above objects and paid the prescribed membership fee if any, and which are accepted as members by majority vote of the Committee or of a General Meeting.

3.3.1 An organisation member may appoint from its members a representative who may speak and vote on its behalf

3.4 Life Membership may be determined by the Committee and conferred at a General Meeting on a member or members for outstanding service to the Club. A member appointed as a Life Member shall not be liable for payment of membership

fees but shall be deemed to be a financial member. No more than 2 life members may be appointed in any one year.

3.5 The Committee may appoint a Patron or Patrons from time to time for such period as may be determined in each case. The appointment of such Patron or Patrons shall be ratified at a General Meeting.

3.6 Membership may be suspended by not less than two-thirds vote at a Committee or General Meeting.

3.6.1 Any suspended member may on not less than 2 weeks written notice require the suspension to be reconsidered at one subsequent General Meeting.

3.6.2 The Club shall not be required to accept the renewal of membership of a suspended member when renewal next falls due.

3.7 Membership shall cease on:

3.7.1 Resignation in writing delivered to the Secretary of the Club; termination of employment by the Club,

3.7.2 Non renewal of membership within 2 months of expiry

#### **4. FEES**

4.1 All categories of Membership shall pay the annual fee, if any, or proportion thereof as fixed by the Committee and such other amounts as prescribed by the Committee from time to time for any purpose.

4.2 The annual fee shall be declared by the Committee as soon as reasonably practical after the commencement of each financial year.

4.3 Fees shall be due and payable within 30 days of being declared or upon admission as a new member. If not paid within this time, such member will be deemed unfinancial and ineligible to vote at any Meeting.

4.4 Any member or associate member remaining unfinancial 60 days after fees have been declared will be ineligible to play for the Club unless prior arrangements have been made with the Committee.

#### **5. MANAGEMENT**

5.1 Management shall be vested in the Committee of not less than 6 members nor more than 14 members comprising:

5.1.1 Not less than 6 members of the club elected at the Annual General Meeting as hereinafter provided.

5.1.2 The Parish Priest of St Michael & All Angels Anglican Church or his/her nominee

5.1.3 Not more than 2 persons co-opted by the Committee subsequent to the Annual General Meeting.

PROVIDED THAT not less than 6 of the Committee shall be players, coaches, umpires or team managers or parents/legal guardians of players, coaches, umpires or team managers within the club.

5.2 The Office Bearers of the Club shall be the Chairperson, Secretary and Treasurer who shall be elected by the members at the Annual General Meeting prior to the election of the remainder of the Committee members or failing such election shall be chosen by the Committee from its members at a Committee meeting held within 1 month following the Annual General Meeting.

5.3 The Committee shall meet as often as may be required to conduct the business of the Club and not less than 6 times each calendar year.

5.4 The quorum shall be one-half of the number of Committee members.

5.5 The Chairperson or 2 other members of the Committee shall have power to call a meeting of the Committee.

5.6 Notice of meetings shall be given at the previous Committee Meeting or by 7 days' written notice distributed to all Committee members or in an emergency by such other notice as may be ratified by the Committee.

5.7 The positions of Office Bearers and members of the Committee shall be declared vacant at each Annual General Meeting.

5.8 Notwithstanding 5.8, an Office Bearer or member of the Committee shall cease to hold such office upon :

5.8.1 Resignation in writing; or

5.8.2 Suspension as a member of the Club; or

5.8.3 Absence for three successive Committee meetings without explanation acceptable to the Committee; or

5.9 Notwithstanding the provisions of 5.1.3, vacancies unfilled or arising in the Office Bearers or other Committee Members may be filled by the Committee by co-opting members for the unexpired remainder of the term.

5.10 The Committee may function validly notwithstanding any vacancies so long as its number is not reduced below the quorum,

5.11 The Committee may appoint sub-committees of members and non-members for special purposes who shall meet as they see fit or as directed by the Committee and who shall report to the Committee.

5.12 The Committee may appoint an Executive of the Office Bearers together with one other Committee member who shall meet to carry out day-to-day business delegated by the Committee and who shall report to the subsequent Committee meeting.

5.13 The Committee shall appoint a Public Officer who shall notify the Corporate Affairs Commission of such appointment and who shall file such other returns and notices as shall be required by law. The Public Officer shall hold office until another person is appointed to the position by the Committee.

5.14 Committee members shall upon election or nomination become members in their own right. They may express the views or interests of any organisation which they represent but must vote in the interests of the Club to carry out its objects.

5.15 Committee members must not vote in any decision in which they or a close associate have a financial interest and must not use their position to obtain any financial advantage for themselves or for a close associate.

5.16 No Office Bearer shall hold the same office for more than 3 successive years unless at the expiry of the three year term, no other nomination has been received for the position.

## **6. POWERS**

6.1 The powers of the Club shall be the powers contained in the Associations Incorporation Act and without limiting those powers the Club shall be entitled to hold real or personal property, open and operate bank accounts, invest in trustee securities, and enter any or desirable contract including a contract of employment.

6.2 The Committee shall be entitled to exercise the full powers of the Club, and without limiting those powers shall have the management and control of the funds and other property of the Club, provided that the Club must obtain the approval of a General Meeting before borrowing money or securing any payment by charging the property of the Club.

## **7. GENERAL MEETINGS**

7.1 The Annual General Meeting shall be held at least once in each calendar year and not more than 4 months after the close of the financial year.

7.2 The business of the Annual General Meeting shall be:

7.2.1 To confirm the minutes of the preceding Annual General Meeting;

7.2.2 To receive the Chairpersons Report for the previous financial year;

7.2.3 To receive the Treasurers Report and financial statements for the previous financial year together with the financial budget for the current financial year;

7.2.4 To elect or re-elect the Committee Members who must consent in person or in writing;

7.2.5 To conduct any other business placed on the agenda before the commencement of the meeting.

7.3 A Special General Meeting shall be called by the Secretary within 28 days of receipt of a directive of the Committee or a written request of 3 Committee members or 15 members' specifying the business to be conducted at the meeting.

7.4 Written notice of not more than 28 days and not less than 7 days of all General Meetings shall be displayed at the premises of the club and distributed to all members who do not visit the premises regularly, or if the club has no premises, by distribution to all members.

7.5 Members, Life Members and Patron(s) shall each be entitled to one vote at any General Meeting at which they are present.

7.6 A quorum at any General Meeting shall be 10 members or two-thirds of the members whichever is the less.

7.7 If at any General Meeting there is no quorum within 30 minutes of the time appointed for the meeting then a majority of members present may decide to adjourn the meeting for a period not exceeding 14 days. The quorum for such adjourned meeting shall be reduced to 8 failing which the meeting will lapse altogether.

## 8. VOTING

8.1 Voting shall be by show of hands except that:

8.1.1 Any contested election at an Annual General Meeting or otherwise shall be by secret ballot;

8.1.2 The meeting may by show of hands require any other vote to be by secret ballot.

8.2 Persons with special interests or knowledge relevant to the Club may be invited to attend any meeting and to speak at the discretion of the Chairperson but such persons may not vote.

## 9. CHAIRPERSON

9.1 The Chairperson shall ensure the safekeeping of the Common Seal, which shall be affixed only by resolution of the Committee or of a General Meeting and in the presence of two Committee Members including at least one Office Bearer.

9.2 The Chairperson shall chair Executive, Committee and General Meetings except that in the absence of the Chairperson or at the request of the Chairperson or of a majority of a meeting another member may be elected as Chairperson for that meeting.

9.3 The Chairperson at any meeting shall have a personal deliberative vote and shall in addition have a casting vote if votes are equal.

9.4 The Chairperson together with the Secretary shall prepare the agenda for Committee and General Meetings.

9.5 The Chairperson of a meeting shall encourage full balanced participation by all members and shall decide on matters of order.

9.6 The Chairperson shall act as Spokesperson unless an alternative Spokesperson has been appointed by the Committee or a General Meeting. The Spokesperson shall make statements in accordance with previously agreed policy, or in an emergency following consultation with at least 2 members of the Committee.

## **10. TREASURER**

10.1 The Treasurer shall ensure that all monies owed to the Club are received, and that all monies received are paid into an account authorised by the Committee in the name of the Club. Payments shall be as petty cash or by cheque signed by 2 authorised signatories of whom there shall be no more than 4 appointed by the Committee. In no case shall expenditure greater than \$100 be paid by way of petty cash, and any major or unusual expenditures shall be authorised in advance by the Committee or a General Meeting.

10.2 The Treasurer shall ensure that records are kept of all receipts and payments and other financial transactions. Such records shall be available for inspection by any member.

10.3 The Treasurer shall ensure that financial budgets and statements are prepared and shall submit a report on the finances to each Committee Meeting.

10.4 The Treasurer shall ensure that annual Financial Statements comprising either an account of receipts and payments and a statement of assets and liabilities or an account of income and expenditure and a balance sheet shall be prepared following the end of the Club's financial year, which shall commence on 1st October and end on 30th September unless altered at a General Meeting.

10.5 The Treasurer shall ensure that the annual Financial Statements are audited before presentation to the Annual General Meeting by an independent Auditor who shall be appointed by the Committee, provided that where the Auditor performing the audit is changed, the Treasurer shall so inform the Annual General Meeting in the Treasurers report.

## **11. SECRETARY**

11.1 The Secretary shall ensure that notice of meetings is given in accordance with provisions of this constitution.

11.2 The Secretary shall ensure that records are kept of the Club including the constitution and policies, records of members, a register of minutes of meetings and of notices, a file of correspondence, and records of submissions made by or on behalf of the Club.

11.3 In the absence of the Secretary or at the request of the Secretary or of a majority of the meeting another member shall be elected as minutes secretary.

## **12. AMENDMENT OF CONSTITUTION AND RULES**

12.1 This constitution may be repealed or amended by resolution of three-fourths of members present and voting at a General Meeting of which not less than 7 days' written notice including notice of the proposed repeal or amendment has been distributed to all members.

12.2 Rules for the proper administration of meetings or business may be made, repealed or amended by a General Meeting or by a Committee Meeting subject to subsequent disallowance at a General Meeting, providing that not less than 7 days' written notice including notice of the proposed new rule, repeal or amendment has been distributed to all members.

### **13. LIABILITY, PROPERTY AND DISSOLUTION**

13.1 Persons who with the authority of the Committee incur any debt or liability on behalf of the Club shall have such liability met by the Club such that they incur no personal loss.

13.2 The income property and funds of the Club shall be used solely towards the promotion of the objects and shall not be paid or transferred to any members or relatives of members provided that nothing herein shall prevent any payment in good faith to any person in return for services actually rendered or to any person in furtherance of the objects of the Club and without undue preference.

13.3 On dissolution all property remaining after payment of legal liabilities shall be transferred to such other body formed for promoting similar objects or for charitable objects as shall be approved by the Club provided that:

13.3.1 Such other body shall also prohibit the distribution of income and property to the members to the extent stated herein;

13.3.2 If the Club shall have been approved pursuant to Section 78 of the Income Tax Assessment Act then such other body shall also be so approved; and

13.3.3 The Club shall not be dissolved except by approval of not less than three-fourths of the members present and voting at a meeting called for that purpose of which not less than one calendar month's written notice including notice of the proposed dissolution has been distributed to all members.