

# BLYTH SNOWTOWN NETBALL CLUB INCORPORATED

## CONSTITUTION

Amended 20/10/2010

Changes lodged with Office of Business & Consumer Affairs on ??/??/2010

### 1. **NAME**

The name of this body be the BLYTH SNOWTOWN NETBALL CLUB INCORPORATED and it shall hereinafter be referred to as the "Club".

### 2. **OBJECTS**

- 2.1 Shall be to promote, encourage and advance the game of Netball.
- 2.2 To provide the necessary facilities for the playing of Netball by its members.
- 2.3 To promote the social and physical welfare of its members.
- 2.4 The acquiring and dispensing of monies for the operation of the club.

### 3. **AFFILIATION**

The club shall be affiliated with the North Eastern Netball Association. In the circumstances not covered by the club constitution and rules the club shall abide by the constitution and rules of the North Eastern Netball Association and also Netball SA and Netball Australia constitution and rules.

### 4. **AMENDMENTS TO THE CONSTITUTION**

The constitution shall not be repealed, added to, or amended unless and until:

- 4.1 Notice of intention to propose such repeal, by addition or amendment is given in writing by four (4) financial members to the Secretary of the Club not later than fourteen (14) days prior to the date of such Annual General Meeting or Special General Meeting and included in the Agenda for such meeting.
- 4.2 Such repeal, addition or amendment is proposed at such Annual General Meeting or Special General Meeting and is approved by not less than two thirds (2/3) of those present and voting thereon.

### 5. **COMMITTEE**

5.1 The Committee means the Management Committee for the time being of the club:

- 5.1.1 The business and affairs of the club shall be under the management and control of a committee.
- 5.1.2 The committee may, subject to the decision made at general meetings, exercise all the power of the club and do all such acts and things as may be done by the club or which it considers necessary or expedient to carry out the objects of the club.

5.2 The Committee shall consist of:

The President, Vice President, Secretary, Assistant Secretary, Treasurer and Junior Coordinator (hereinafter called the Officer Bearers) and six (6) other members, all of whom shall hold office for twelve (12) months, but eligible for re-election annually.

- 5.2.1 A general committee of eleven (11) members including the Office Bearers are to be elected at the Annual General Meeting. Such numbers shall include the President elected from the floor, 2 nominated members from each of Blyth Netball Club Inc and Snowtown Netball Club Inc.
- 5.2.2 In the event of a committee member being unable to attend a committee meeting, that club may send a proxy.

5.3 All members of the Committee must be financial members of the club.

5.4 Voting shall be by simple majority.

5.5 Should any vacancy occur in the Committee of Office Bearers of the Club other than in the normal course of elections, the Committee shall fill such vacancy from the financial members of the Club and such member duly elected shall hold office for the unexpired portion of their predecessor's term.

- 5.6 The Committee shall meet as often as may be required to conduct the business of the Club but at least once per month during the Netball season. The President or Secretary or 4 members of the Committee shall have the power to call a meeting of the Committee. The President of the Club shall have the power to call a meeting of the Committee. The President of the Club shall take the chair at all Committee meetings. Should the President not be present then the Vice-President shall be elected to the chair and if there be no Vice President the Committee shall elect one of its members to take the chair.
- 5.7 The time and place for the Committee meetings shall be decided by the Committee who shall take into consideration the convenience of all Committee members.
- 5.8 The Chairperson at all Committee meetings shall have a casting vote only.
- 5.9 All Committee members must be notified 4 days before the date of a meeting.
- 5.10 The accidental omission to give any member, or the non receipt by any member of any notice required by this constitution, shall not invalidate or affect any proceedings at such meeting.
- 5.11 The Committee shall have the power to delegate any of its powers to a sub-committee to deal with any particular matter or matters and upon such terms as the Committee may think fit. The President or Secretary shall be ex-officio members of all sub-committees.
- 5.12 All acts or decisions done or made by any meeting of the Committee or any member thereof, shall, notwithstanding that it be afterwards discovered that there are some defects in the appointment of such member or all or any members of the Committee, be as valid and effective as if they had all been properly appointed, unless it is proved that the appointment was made in fraud or bad faith.
- 5.13 The quorum for the Committee meetings shall be 7 members present in person.
- 5.14 No business shall be transacted by the Committee unless a quorum is present.
- 5.15 Should any member absent themselves from three consecutive meetings of the Committee without due cause or fail to fill their duties in the office which they hold, their seat shall be declared vacant and reappointed at the discretion of the Committee.

## **6. ELECTION OF COMMITTEE**

The election for the Office Bearers and the Committee members held at the Annual General Meeting shall be by show of hands unless a secret ballot be requested by any members of those eligible to vote. No ballot shall be required when the number of candidates nominated for each office does not exceed the number of vacancies and they shall be declared duly elected.

## **7. COMMON SEAL**

The Club shall have a Common Seal which shall be kept in the custody of the Secretary who shall be responsible for the safe custody and proper use of same.

## **8. DISSOLUTION AND DISPOSITION OF ASSETS**

The Club may be dissolved or wound up only on the resolution carried by a two thirds (2/3) majority of financial members present and voting at a General Meeting called for such a purpose.

If upon dissolution or winding up of the club there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same together with all funds, any assets are to be transferred to the Blyth Netball Club Incorporated and the Snowtown Netball Club Incorporated equally.

## **9. DUTIES**

- 9.1 The Secretary shall carry out their duties under the direction of the Committee and keep a true record of all minutes of all meetings, attend to correspondence, issue notices for meetings, keep records, be responsible for the safe custody and proper use of the Public Seal and carry out such duties as the Committee may from time to time direct.
- 9.2 The Treasurer shall receive all monies and bank same as soon as possible. The Treasurer shall also keep a correct account of the income and expenditure, submit an extract thereof to the Committee as and when required to do so, and see to the payment of all accounts when passed by the Committee.

## **10. FINANCE**

- 10.1 The financial year shall be from 1st October to 30th September.
- 10.2 All monies of the Club shall be paid into the account of the Club at such bank as the Committee may from time to time direct.
- 10.3 No monies shall be drawn from the Club's account save by cheque signed by the bank signatories authorised by the Committee. All cheques drawn on the Club's account shall be signed by any two (2) of the following: President, Secretary, Treasurer or any person nominated by the Committee. No cheque shall be signed or money withdrawn unless such withdrawal has been approved by the Committee or in case of urgency, by the President and the Secretary.
- 10.4 The books, accounts and all financial records of the Club shall be checked annually by a person appointed at the Annual General Meeting. An annual financial statement to be submitted to the Annual General Meeting by the Treasurer.  
The books and all financial records of the Club shall be available to all Committee members for their inspection at all Committee Meetings.

## **11. GENERAL MEETINGS**

"General Meetings" include both Annual and Special General Meetings. Minutes of such meetings shall be kept.

### **11.1 Annual General Meeting**

The Annual General Meeting shall be held no later than 1st November each year and notice of the Annual General Meeting shall be advertised at least fourteen (14) days prior to the meeting.

The Agenda for the Annual General Meeting shall be as follows:

- 1) Apologies
  - 2) Confirmation of the minutes of the previous AGM
  - 3) Presidents Report
  - 4) Treasurers Report
  - 5) Election of Officers – as per rule 5
  - 6) Election of Committee
  - 7) Appointment of Checker
  - 8) General Business
  - 9) Close
- 11.2 The General Meeting may make By-Laws necessary for the proper administration of the Club. Any By-Laws so made shall not be repealed, added to or amended unless and until:
- 11.2.1 Notice of intention to propose such repeal, addition or amendment is given in writing by two (2) financial member to the Secretary of the Club not later than fourteen (14) days prior to the date of such General Meeting and included in the Agenda for such meeting.
- 11.2.2 Such repeal, addition or amendment is proposed at such General Meeting as is approved not by less than two thirds (2/3) of those present and voting thereon.
- 11.3 The President of the Club shall be the Chairperson of all General Meetings.
- 11.4 At all meetings the Chairperson's decision on points of order shall be final.
- 11.5 The Chairperson shall have the casting vote in addition to their deliberative vote.
- 11.6 The quorum for a General Meeting shall be fifteen (15).
- 11.7 A Special General Meeting or General Meeting shall be called at the request of the President or Secretary or any four (4) members of the Committee or at the written request of ten (10) financial members of the club. Such meeting shall be held within thirty (30) days of such request and the meeting shall be advertised at least seven (7) days before such meeting.
- 11.8. If at any General Meeting there be no quorum within 30 minutes of the time appointed for the meeting then the meeting shall lapse unless a majority of the members present decide to adjourn the meeting for a period of exceeding fourteen (14) days. If there is no quorum within 30 minutes after the time appointed for such adjourned meeting then the meeting shall lapse altogether.
- 11.9 Only those present in person shall be entitled to vote (subject to Clause 17).

- 11.10 A simple majority shall rule in all matters except By-Laws and Constitution where 2/3 majority is required.
- 11.11 Any person wishing to be nominated to the incoming committee and unable to attend the Annual general Meeting shall notify the meeting in writing.

## 12. MEMBERSHIP

The Membership of the Club shall consist of:

- Junior Members: Those classified as juniors by the North Eastern Netball Association's Constitution (fee set annually).
- Senior Members: A full membership (fee set annually)
- Social Members: A fee set annually for interested persons.
- Life Members: Equivalent to full financial membership, but requiring no remuneration.

- 12.1 All players and supporters of the Club shall be eligible to become members.
- 12.2 Each member shall pay an annual membership fee to the Club. The annual membership fee for all classes of membership shall be determined at the Annual General Meeting in each year.
- 12.3 A member shall be considered financial from the 3rd game of the current season to 3rd game of the following season.
- 12.4 The Treasurer shall keep a register of members in which shall appear the name of each member and distinguishing between each category.
- 12.5 Any member may resign from the Club and such resignation must be in writing and forwarded to the Secretary of the Club. Upon any person ceasing to be a member of the Club for any reason whatsoever that person shall not be entitled to the return of their membership subscription or any part thereof.
- 12.6 Expulsion: The Management Committee may expel, punish or otherwise deal with any member whose conduct in their opinion is injurious to the interests of the Club. The decision of the Committee in any such case is final, unless revoked or varied by a Special General Meeting called for the purpose and held within thirty (30) days after notice of such decision shall have been delivered.

## 13. LIFE MEMBERSHIP

- 13.1 Life Membership may be conferred on any member of the Club who has been a BSNC member for a minimum of 10 years and has incurred 600 life membership points as outlined below:

| <b>Points Awarded</b> | <b>For</b>                                    |
|-----------------------|---|
| 50 points             | Playing (not per season, total)               |
| 40 points per season  | Coaching                                      |
| 40 points per season  | President / Secretary / Treasurer             |
| 40 points per season  | Association office bearer                     |
| 20 points per season  | Regular umpire (at least 12 games per season) |
| 20 points per season  | Umpire Coordinator                            |
| 10 points per season  | Juniors Coordinator                           |
| 10 points per season  | BSNC Committee Member (not an office holder)  |
| 10 points per season  | Association delegate                          |

In such cases a subcommittee of three (3) will be formed to investigate the eligibility of the nominee, with access to the records of the Club.

- 13.2 Life Membership may only be nominated at the Annual General Meeting.
- 13.3 The Blyth/Snowtown Netball Club Incorporated shall recognise Life Members of the Blyth and Snowtown Netball Clubs respectively.

#### **14. MINUTES**

The minutes of any meeting of the Club shall be open to inspection by all members of the Committee and Club on giving reasonable notice to the Secretary of their desire to inspect the Minute Book containing same.

#### **15. PATRONS**

Patrons shall only be appointed at a General Meeting by the members of the Club, and shall office during the pleasure of the members of the Club, or until they, or any of them shall die or retire.

#### **16. VESTING OF PROPERTY**

All real and personal property of the Club shall vest in the Club in its corporate names as is provided by the provisions of the Associations Incorporation Act 1956-1965.

#### **17. VOTING**

17.1 All financial members over the age of sixteen (16) years present at the Annual General Meeting are eligible to vote for the election of Officers, proposed alterations, repeal or addition to the Constitution, proposed alterations, repeal or addition to the By-Laws and general business.

17.2 In matters pertaining to Special General Meetings and Annual General Meetings voters must also be financial members of the Club. The official members roll shall be closed on 31st August in each year and only those names that appear on the roll on that date shall be entitled to vote at the Annual general Meeting or Special General Meeting following.

17.3 Voting shall be by show of hands unless a secret ballot be requested by any member.

#### **18. AMENDMENTS TO TERMS AND CONDITIONS OF AMALGAMATION**

The Terms and Conditions of Amalgamation shall not be repealed, added to, or amended unless and until:

18.1 Notice of intention to propose such repeal, by addition or amendment is given in writing by four (4) financial members to the Secretary of the Club not later than fourteen (14) days prior to the date of such Annual General Meeting or Special General Meeting and included in the Agenda for such meeting.

18.2 Such repeal, addition or amendment is proposed at such Annual General Meeting or Special General Meeting and is approved by not less than two thirds (2/3) of those present and voting thereon.

Adopted    BSNC AGM 1995  
Amended    BSNC AGM 20/10/2010