

# GUMERACHA NETBALL CLUB INCORPORATED CONSTITUTION

## NAME

The name of this body shall be the Gumeracha Netball Club Incorporated and it shall hereafter be referred to as “the Club”.

## ADDRESS

The address of the Club shall be that of the Honorary Secretary of the Club.

## OBJECTIVES

- (1) To promote interest in netball.
- (2) To arrange and manage the participation of the Club in accordance with the controlling bodies with which it is affiliated.
- (3) To promote good fellowship among those interested in netball.
- (4) To educate, train, coach and encourage members of the Club.

## MEMBERSHIP

- (1) Any person who is interested in netball shall be eligible for membership upon payment of the appropriate membership fee by the date set by the Executive Committee.
- (2) The classes for membership are:
  - Life Member**  
A Life Member is entitled to hold office.
  - Senior Member**  
A Senior member is entitled to hold office.
  - Junior Member**  
A Junior Member may nominate a Parent or Guardian as an Associate Member.
  - Provisional Member – Senior**  
A Provisional member – Senior is entitled to hold office.
  - Provisional Member – Junior**
  - Non-Players**  
Non-Players are entitled to hold office.
  - Associate Member**  
An Associate Member is not entitled to hold office but is entitled to vote.
- (3) Persons under the age of fifteen years shall be eligible to join as Junior Members or Provisional Member – Junior, but they shall not be entitled to hold office, or vote, or take part in business procedure at meetings of the Club.
- (4) Any member may resign from the Club and such resignation must be in writing and forwarded to the Secretary of the Club.
- (5) Upon any person ceasing to be a member of the Club for any reason whatsoever, they shall not be entitled to the return of their membership subscription or any portion thereof except at the discretion of the Executive Committee.

**Deleted:** at the Annual General Meeting.

## ANNUAL GENERAL MEETING

- (1) The Annual General Meeting of the Club shall be held not later than February in each year and shall be advertised in a local paper at least fourteen days before such meeting and notices displayed in prominent places within the town of Gumeracha and surrounding district.
- (2) The annual membership fees for all classes of membership shall be determined by the Executive Committee
- (3) The Annual Financial Report and audited balance sheet or financial statement shall be submitted at the Annual General Meeting.
- (4) The election of Officers for the ensuing twelve months shall take place at the Annual General Meeting together with any other business necessary for the proper administration of the Club.
- (5) The President shall submit an Annual Report to the Annual General Meeting.

**Deleted:** at the Annual General Meeting.

## SPECIAL GENERAL MEETINGS

The President or Secretary may summon a Special General Meeting by the Secretary receiving a written application from at least three members stating the business for which the meeting is to be called. No less than 48 hours notice shall be given for such meeting.

## ALL MEETINGS

- (1) (i) The President of the Club shall be the Chairperson at all meetings.  
(ii) Should the President not be present, then the Vice-President shall be elected to the chair and in the absence of the Vice-President, the members shall elect a member to take the chair.
- (2) At all meetings the Chairperson's decision on points of order shall be final.
- (3) The Chairperson shall have a personal deliberative vote and in addition shall have a casting vote if votes are equal.
- (4) The quorum shall be ten members for all Annual General Meetings, General Meetings and Special General Meetings.
- (5) Only members present in person shall be entitled to vote. Each member is entitled to one vote only.

## MANAGEMENT

- (1) The Office Bearers of the Club shall be President, Vice-President, Secretary and Treasurer.
- (2) (i) The Executive Committee shall consist of:  
President  
Vice-President  
Secretary  
Treasurer; and unless otherwise determined at the Annual General Meeting  
Association Delegate  
Umpire Delegate  
Community & Sporting Club Delegate  
and up to five (5) General Members. The Executive Committee shall have at least seven members

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(ii) At least two (2) Executive Committee positions shall be held by Senior players

- (3) The business and affairs of the Club shall be under the management and control of the Executive Committee, provided however, that except in the case of extreme emergency, the committee shall not take any action contrary to the decisions made at an Annual General Meeting or at a Special General Meeting.
- (4) The Executive Committee shall meet monthly during the official season and as often as may be necessary at other times to conduct the business of the Club. The President or the Secretary shall have the power to call a meeting of the Executive Committee.
- (5) All members of the Executive Committee shall be notified at least four days before the date of such meeting. However, the accidental omission to give notice to 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.
- (6) The Executive 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 Executive Committee may think appropriate.
- (7) Unless otherwise determined, the members of the Executive Committee shall hold any property, real and personal, belonging to the Club.
- (8) Should any vacancy occur in the Executive Committee other than in the normal course of elections, the Executive Committee shall fill such vacancy from the members of the Club and such member duly elected shall hold office for the unexpired portion of their predecessor's term.
- (9) The Executive Committee may function validly notwithstanding any vacancies so long as its number is not reduced below the quorum.
- (10) The President or Secretary shall be ex-officio members of all sub-committees.
- (11) The quorum for Executive Meetings shall be five members of the Executive Committee.
- (12) The Secretary shall ensure the safe keeping of the Common Seal which shall be affixed only by the resolution of the Executive Committee or of a General Meeting or Special General Meeting and in the presence of two committee members including at least one Office Bearer.
- (13) The Executive 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 required by law. The Public Officer shall hold office until another person is appointed to the position by the Executive Committee.
- (14) Delegates may be appointed to other Associations and other clubs with which the Club is affiliated, if so directed by such other Association or club.
- (15) No Office Bearer shall hold the same Office for more than three (3) consecutive years.

## **ELECTIONS**

- (1) The Chairperson shall call for nominations at the Annual General Meeting and such nominations shall be proposed and seconded.
- (2) When only one accepted nomination for a position is received, such candidate shall be declared duly elected.

- (3) If more than the required number of candidates are nominated for any position at the Annual General Meeting, an election by ballot shall be held and the Chairperson shall appoint a Returning Officer and two scrutineers for that purpose.
- (4) Any person not in attendance at the Annual General Meeting may nominate themselves for a position on the Executive Committee by giving written notice to the Secretary prior to the Annual General Meeting. Such nomination shall be received as if the person were present.

#### **FINANCE**

- (1) The financial year shall be from January 1<sup>st</sup> to December 31<sup>st</sup>.
- (2) Bank signatories shall be any two of three of the Office Bearers as directed by the Executive Committee.
- (3) All monies of the Club shall be paid into the account(s) of the Club at such banks as the Executive Committee may from time to time direct.
- (4) No monies shall be drawn from the Club account(s) unless such withdrawal has been approved by the Executive Committee. All payments shall be made by cheque.
- (5) The books and accounts of the Club shall be kept in a proper manner by the Treasurer and shall be audited annually by an independent auditor appointed by the Executive Committee, provided that where the auditor is changed, the Treasurer shall so inform the Annual General Meeting in the Treasurer's Report.
- (6) The Treasurer shall ensure that financial budgets and statements are prepared and shall submit a report on the finances to each Executive Committee meeting.
- (7) The Executive Committee may consider a member ineligible for membership if that member has been unfinancial in / from previous seasons.

**Deleted:** at the Annual General Meeting

#### **LIFE MEMBERSHIP**

Nominations are to be made in writing by any member of the Club and submitted to the Executive Committee for consideration.

#### **PATRONS**

- (1) Nominations for Club Patron(s) shall be called for at the Annual General Meeting.
- (2) Should such persons, having been nominated as Club Patron(s) accept such position, they shall be deemed to be a Patron of the Club for the ensuing twelve months.
- (3) The duty of a Club Patron is to assist the Club in any manner the Patron deems fit.

#### **DISCIPLINE OF MEMBERS**

- (1) The Executive Committee may expel from the Club or otherwise penalise any member whose conduct, in the opinion of the Executive Committee, is discreditable or injurious to the character or interests of the Club.

- (2) Before any member is expelled or otherwise penalized, their conduct shall be enquired into by the Executive Committee and the member shall be given the opportunity to defend themselves and to justify or explain their conduct.
- (3) Provided that the majority of the Executive Committee is of the opinion that the members has been guilty of such conduct or action as aforesaid, the Executive Committee may expel or suspend them from membership or otherwise penalise the member.
- (4) The member shall be notified in writing within 48 hours of the decisions made by the Executive Committee on the matter.

#### **AMENDMENTS TO THE CONSTITUTION**

This shall be the only Constitution of the Gumeracha Netball Club Incorporated and shall come into force forthwith and shall not be altered, varied, added to or repealed unless one month's written notice is given and two-thirds of members present at the Annual General Meeting or a Special General Meeting convened for that purpose are in favour of such alteration, variation, addition or repeal.

#### **LIABILITY, PROPERTY AND DISSOLUTION**

- (1) Persons who with the authority of the Executive Committee incur any debt or other liability on behalf of the Club shall have such liability met by the Club so that they incur no personal loss.
- (2) The income, property and funds of the Club shall be used solely towards the promotion of the objectives 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 objectives of the Club and without undue preference.
- (3) On dissolution all property remaining after payment of all legal liabilities shall be transferred to such other body formed for promoting similar objectives or for charitable objectives as shall be approved by the Club provided that:-
  - (i) Such other body shall also prohibit the distribution of income and property to the members to the extent stated herein;
  - (ii) 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
  - (iii) 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.

#### **OTHER MATTERS**

All matters not dealt with in this Constitution will be considered by the Executive Committee and brought into effect if necessary in the form of By-Laws of the Club.

#### **INTERPRETATION**

“In writing” or “written” means and includes printing or other means of representing or reproducing words in visible form.

Words importing singular include the plural and words importing plural include the singular where the context permits.

