

# **MYPONGA NETBALL CLUB INC.**

## **CONSTITUTION AND BY LAWS**

### INDEX

#### ITEM

1. TITLE
2. OBJECTIVES
3. AFFILIATION
4. MEMBERSHIP
5. VOTING
6. OFFICERS
7. MANAGEMENT
8. OFFICERS DUTIES
9. SOCIAL COMMITTEE
10. DISCIPLINE COMMITTEE
11. FINANCES
12. MEETINGS
13. NOTIFICATION OF MEETINGS
14. SUBSCRIPTIONS
15. AMENDMENTS TO THE CONSTITUTION
16. COMMON SEAL
17. DISSOLUTION
18. TROPHIES
19. UNIFORMS
20. BY LAWS
21. NON PROFIT CLAUSE

**1. TITLE & Powers of the Association:**

The name of the club **Myponga Netball Club Inc.**

Hereinafter referred to as the Club. The association shall have all the powers conferred by Section 25 of the act.

**2. OBJECTIVES:**

The objectives of the club are:

- a) To promote the sport of netball in the Myponga/Sellicks area.
- b) To provide facilities for playing the sport of netball
- c) To foster good fellowship between members of the club and good sportsmanship between them and members of other clubs.
- d) To do all such other lawful things as are incidental to or conducive to the attainment of the objects of the Club or any of them.

**3. AFFILIATION:**

The club shall be affiliated with the Great Southern Netball Association Inc.

**4. MEMBERSHIP:**

Definition of member shall be a financial member.

- a) Players :
  - I. Shall pay subs as decided each year at the AGM
  - II. Who do not play a complete season, subs to be left to the discretion of the committee
  - III. Membership shall be Senior, Student, Junior, Family and Social
  - IV. Shall have the use of Club facilities and equipment
- b) Non Players:
  - I. Interested persons who pay a full or social subscription may be elected to office or committee
  - II. Shall have the use of the club facilities and equipment
- c) Life Members:
  - I. Members who have fulfilled the conditions, I or II, set out below may be nominated for Life Membership of the Club. To be successful, the nomination must be carried by 2/3<sup>rd</sup> majority of those present and entitled to vote. The vote shall be by secret ballot. They shall have full use of the Club facilities without having to pay a sub.

Conditions:

- I. They shall have played 300 Senior games with a minimum of 8 years service to the club either as a Management Committee member, coach or umpire.
- II. They shall have held office, coached or umpired at least 8 matches per season for 15 years or at the discretion of the Executive Committee.

## **5. VOTING:**

- 1) Voting at Club committee meetings shall be restricted to those persons who are elected to positions on committee or as otherwise provided for and shall be able to exercise one vote per person only. Except in the case of the President, who may have a deliberative and a casting vote should she/he desire to exercise this right.
- 2) Voting at General meetings of the Club shall be restricted to one vote per financial member as set out herein, Life Members, active senior members and those persons elected to committee. President, who may have a deliberative and a casting vote should she/he desire to exercise this right.
- 3) At the Annual General Meeting only Life Members and Financial Senior members and those persons elected to immediate outgoing committee may vote.

## **6. OFFICERS:**

The officers of the Club shall consist of President, up to two Vice Presidents, Secretary, Treasurer, One or Two Delegates to Great Southern Netball Association Inc. One representative to the Myponga Memorial Community Centre Inc. And one Social Committee Convenor.

## **7. MANAGEMENT:**

The management of the Club shall be vested in a committee consisting of President, up to two Vice Presidents, Secretary, Treasurer, Delegates of the Great Southern Netball Association Inc. One representative to the Myponga Memorial Community Centre Inc., Social Committee representative, Publicity Officer, Umpire coordinator, senior coordinator, junior coordinator, Public Officer, plus other members not to exceed four elected at the Annual General Meeting, or subsequent general meeting.

- a) The term of office for members will be one year. The term of office of the Executive shall be for two years and to be split biannually. President and Treasurer one year followed by the Vice President(s) and Secretary the next.
- b) The executive committee shall consist of President, Secretary, Treasurer and one other appointed committee member. At least three to act when necessary under the jurisdiction of the President of the Club.
- c) It shall have the power to deal with all urgent matters in control and conduct of the Club members and the management of the Club, but shall report its action to the next meeting of the Club for confirmation.

## **8. OFFICER'S DUTIES:**

### **a) President:**

- i. The President shall preside as Chairperson over all meetings of the Club. In the absence of the President the Vice President shall preside, or in his/her absence a member of the committee shall be elected chairperson.

- ii. Compile an annual report to be submitted to the members for adoption at the Annual General Meeting.

**b) Secretary:**

- i. The Secretary shall record the business of all meetings which will be read and confirmed at the next general or Club meeting as the case may be
- ii. Keep records of expenses, e.g. phone calls, stationary, stamps etc. and present for payment at general meetings.
- iii. Maintain a file for all correspondence to and from the club.
- iv. Be responsible for score cards as per Great Southern Netball Association Inc. constitution.
- v. Record the names of all coaches and umpires of the Club and record name of player and number of games played.

**c) Treasurer:**

- i. The Treasurer shall receive and bank all monies on behalf of the Club and shall issue receipts on an official receipt form.
- ii. All accounts to be paid by cheque, electronic funds transfer (EFT) or petty cash after authorisation of the Committee.
- iii. Present a financial report to date at each club meeting
- iv. Keep proper books of accounts and shall annually prepare a duly balanced and audited statement of receipts and expenditure for presentation to the members with the annual report.
- v. Control items purchased for resale.
- vi. Keep up to date register of Club Members.

**d) Delegates to Great Southern Netball Association Inc.:**

- i. The Delegates shall be responsible to attend Great Southern Netball Association meetings and report back to the Club all relevant information, or arrange for a proxy to attend in his/her place.
- ii. Report to the Great Southern Netball Association on matters so directed by the Committee.
- iii. Represent the club in its best interest.

**e) Delegate to Myponga Memorial Community Centre Inc.-**

- i. The Delegate shall be responsible to attend all Myponga Memorial Community Centre Inc. meetings and report back to the Club relevant information.
- ii. Represent the club in its best interest

**f) Social Committee Convenor:**

- i. The Convenor shall be responsible to attend all Social Committee meetings and report back to the Club relevant information.
- ii. Represent the Club in its best interest

**g) Publicity Officer:**

- i. The Officer shall be responsible to assist Secretary with advertising and conveying club information to its members.

**h) Senior Coordinator:**

- i. The senior coordinator shall promote effective communication by all parties involved in the senior grades. When necessary assist coaches with their development.
- i) **Junior Coordinator:**
  - i. The junior coordinator shall promote effective communication by all parties involved in the junior grades.
  - ii. When necessary assist coaches with their development
- j) **Umpire Coordinator:**
  - i. The Umpire Coordinator shall be responsible for rostering umpires for the Club.
  - ii. Be responsible for keeping a record of all names of umpires and the amount of games umpired.
- k) **Public Officer:**
  - i. A public officer shall be appointed at the Annual General Meeting (AGM)
  - ii. In the event of the resignation of Public Officer, the committee shall, within 14 days of such a resignation, appoint another person to serve as Public Officer until the next AGM
  - iii. The office of Public Officer may be held by the President, Secretary or Treasurer of the Club.

**9. Social Committee:**

- i. The committee shall consist of up to 5 members and be supervised by the Social Committee convenor.

**10. Discipline Committee:**

- ii. Shall comprise of President, Secretary and Treasurer.
- iii. Shall deal with matters brought to their attention concerning the conduct of members of the Club.
- iv. Any complaints must be lodged in writing to the Secretary.
- v. Members have a right to appeal against a decision of the disciplinary committee within one week of that decision being made. Such appeal must be heard by the management committee.
- vi. In the event of a member of the disciplinary committee being in the incident they must stand down and another committee member be appointed.

**11. Finances:**

- a) The funds of the Club shall be under absolute control of the Club and shall be deposited in a bank nominated by the committee in the Club's name. All monies received shall be banked without due delay and payments made by cheque or EFT signed by two of the following officers: President, Secretary, and Treasurer.
- b) Books shall be balanced and checked annually and present at the Annual General Meeting.
- c) Treasury books to be balanced and checked in an Honorary capacity by an accountant or other nominated are creditable person.

- d) If the position of Treasurer is altered during the financial year the books must be balanced and checked before handing over to the new treasurer.

## **12. Meetings:**

### a) Annual General Meeting-

The Annual General Meeting of the Club shall be held not later than 31<sup>st</sup> October each year.

- i. Receive the report and financial statement for the past year
- ii. Elect officers and committee for the ensuring year
- iii. Transact any other business as may be brought forward
- iv. Eleven members shall be required to be present to form a quorum.

### b) Committee Meetings-

- i. The Committee shall meet the week after the Great Southern Netball Association delegates meeting or when business arises.
- ii. Five committee members shall be present to form a quorum.

### c) General Meetings-

- i. The Committee and all the members shall meet together to discuss matters of concern to the members so often as the President shall deem necessary and shall make recommendations to the Committee as may be appropriate
- ii. Nine members shall be required to be present to form a quorum.

### d) **Special General Meeting:**

- i. A special general meeting may be convened at any time by the Committee or by written requisition signed by at least five members, addressed to the Secretary and stating the business for which the meeting is required.
- ii. Eleven members shall be required to be present to form a quorum.

## **13. Notification of Meetings:**

- i. The Secretary shall give 14 days' notice of the Annual General Meeting by way of a notice on the Club notice board, Community newsletter or by social media
- ii. **General and Committee Meetings**  
The Secretary shall give members at least 7 days' notice
- iii. **Special General Meetings**  
The Secretary shall give members at least 7 days' notice of the date, time and place of a special meeting, stating the item of business for which the meeting is called, which shall be the sole business of the meeting.

## **14. Subscriptions:**

- a) Change to the annual subscriptions shall be decided at the Annual General Meeting on recommendations from the committee
- b) All subscriptions once paid will not be refunded, except in exceptional circumstances
- c) Any member whose subscription has not been paid by the due date shall cease to be a playing member, but may be reinstated at the committee's discretion on payment of the subscription.
- d) Subscriptions shall be due and paid by May 15<sup>th</sup> in the current season

- e) A written account shall be posted or handed to senior members, parent or guardian of junior members and associate members for all annual subscriptions, if not paid by the above date.

**15. Amendments to the constitution:**

- a) This is the only constitution of the Myponga Netball Club Inc. and it shall not be altered or amended in any way except by a resolution to that effect passed by a simple majority of members present and voting at the Annual General Meeting called to consider such alterations or amendment.
- b) Any proposal to alter or amend the constitution shall be forwarded in writing to the secretary at least 28 days prior to the date of the meeting at which it is to be considered and shall be included in the notice of such meeting.

**16. Common Seal:**

- a) The Club shall have a common seal, which will be held by the Secretary for safe custody.
- b) The seal shall not be affixed to any document without the prior authority of a recorded resolution of the committee.
- c) When the seal is affixed to any document it shall be in the presence of, any two of the President, Secretary or Treasurer who shall assist and sign the said document.

**17. Dissolution:**

The Club shall not be dissolved except by a resolution to that effect passed by a 4/5<sup>th</sup> majority of the financial members present at a special General Meeting of the Club called for that purpose, all members must be notified in writing and a notice of which has been posted in the clubrooms 28 days prior thereto.

Surplus assets shall, after full discharge of just liability, will be distributed in accordance with the Act and the Club's objectives. The Myponga Memorial Community Centre Inc. shall equally divide the remaining funds amongst the sporting bodies in Myponga.

**18. Trophies:**

- a) Any player found not to be financial shall be ineligible for a trophy award
- b) Trophies shall be presented at the Presentation Ceremony to each team. A minimum of one, maximum of three trophies shall be financed by the Club. Grand Premiership teams shall be presented with a medallion/trophy.
- c) The Most Promising Junior Trophy to be presented to the Most Promising Junior in the 12 to 13 age group annually. Criteria 'AAA' (attitude, ability and achievement)
- d) Encouragement awards to be presented to all players in the modified rules competition.
- e) The club may finance more than 3 trophies/awards to players aged 11 & under
- f) Memorial Trophy to be presented to the Best Club Person voted on by all committee members and coaches of that year.

**19. Uniform**

- a) The Uniform shall be approved by the Club management Committee.

## **20. By Laws**

- a) Any matter not covered by the constitution shall be decided at any executive meeting.
- b) All members shall abide by the constitution of the Myponga Netball Club Inc. Great Southern Association, S.A.N.A. and A.A.N.A.
- c) The coach of a team shall have the authority to take players off the court for indecent or offensive language or behaviour.
- d) A player who does not attend practice without a valid reason and does not let the coach or team manager know shall consider themselves reserve for the following match.
- e) Teams to consist of 8 players where possible and coaches decision is final on placement of players.
- f) Players to be given equal court time during minor rounds games where possible but best team may be played in finals with coaches decision is final.
- g) All members shall abide by the Club policy.

## **21. Non Profit Clause**

- a) The assets and income of the organisation shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to the members of the organisation, except as bona fida remuneration for services rendered or expenses incurred on behalf of the organisation.