

Myponga Netball Club Incorporated, Constitution approved on 5 February 2025



RULES



These Rules were created as per legislative requirements under the Association Incorporation Act 1985 South Australia

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1. Name

The name of The Club is Myponga Netball Club Incorporated
Herein after referred to as 'The Club'.

2. Address

The Club is located at 3 Oval Drive, Myponga, South Australia 5202.
The Club's mailing address shall be the Secretary's email address.

3. Definitions

In these Rules, unless the contrary intention appears:

'Act' means the Associations Incorporation Act 1985 (SA).

'Annual General Meeting' means a meeting which is held before the 31st October of each year.

'Board' means the body consisting of the Management Committee who are entrusted to manage the affairs of The Club.

'Common Seal' means a Rubber Stamp carrying the words Common Seal of Myponga Netball Club.

'Discipline Committee' means a Sub-Committee consisting of the President, Secretary and Treasurer.

'Executive Committee' means the President, Secretary, Treasurer and one other member as voted by the Management Committee.

'Financial Member' of the Club means that the required Annual Subscription has been paid in full by the member.

'Financial Year' means the year commencing 1st October through to the 30th September each year.

'GSNA' means Great Southern Netball Association Inc. (GSNA).

'Individual Member' means a registered, financial member of the club who turns 18 years of age during the season.

'Junior Member' means a registered member of the club who is younger than 18 years of age during the season.

'Life Member' means an Individual Member appointed as a Life Member of the Club under clause 9 of these Rules.

'Meeting' means either an Annual General Meeting, Special General Meeting or a Management Committee Meeting held at a place agreed upon to be held at the Club in person.



'Member' means a financial member of the Club.

'NSO' means National Sporting Organisation which is Netball Australia.

'Objects' means the Objects of the Club in clause 3 of this Constitution.

'Regulations' means any regulations made by the Board under clause 14 of these Rules.

'RSO' means Regional Sporting Organisation which is Great Southern Netball Association (GSNA) that conducts and manages competitions in Netball.

'Rules' means the Rules of The Club.

'Special General Meeting' means a meeting, other than a Management Committee Meeting or an Annual General Meeting to discuss extraordinary issues.

'Special Resolution' means a special resolution as defined in the Act.

'Sport' means the sport of Netball.

'SSO' means State Sporting Organisation which is Netball SA.

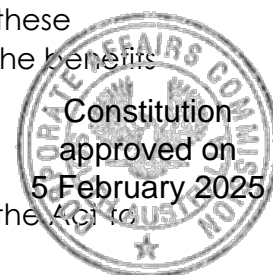
'The Association' means Great Southern Netball Association Inc (GSNA).

4. Objects of the Club

The objects of the Club are to:

- a) Promote the sport of netball in the Myponga and greater surrounding areas.
- b) Encourage and advance the skills of netball and umpiring for all its members.
- c) Provide adequate facilities for playing the sport of netball.
- d) Foster, maintain and enhance good fellowship, good behaviour, and good sportsmanship between members of the Club and members of other clubs along with upholding the Club's good reputation.
- e) Adopt and implement such policies as may be developed by the SSO or the NSO including (as relevant and applicable) Member protection, anti-doping, health and safety, player and child welfare.
- f) Affiliate and otherwise liaise with GSNA, Netball SA and Netball Australia and comply with the constitutions, regulations and rules of these bodies to further these objects

- g) Do all that is reasonably and lawfully necessary to enable these Objects to be achieved and enable Members to receive the benefits which these Objects are intended to achieve.



5. Powers of the Club

- a) The Club shall have all the powers conferred by section 25 of the Act to further the objects of the Club.

6. Affiliation

- a) The Club shall be affiliated with (GSNA) herein after referred to as 'The Association'.
b) The Club will abide by all rules and regulations as set by The Association.

7. Governing Body

The governing body will be Netball SA. The Club will abide by all rules and regulations as set by Netball SA and Netball Australia when necessary.

8. Patrons

Nominations for Patron may be made at the Annual General Meeting (AGM). This may be received either by way of a written nomination or by a verbal nomination at the AGM. The Appointment of the Patron shall be approved by a majority vote at the AGM.

9. Membership

- a) Membership of the Club shall be open to all persons interested in the playing and promotion of netball and shall consist of
- i. Players**
 - 1. Shall pay a subscription fee each year.
 - 2. Membership Subscriptions shall consist of Senior, Student, Junior and Family.
 - 3. Shall have the use of Club facilities and equipment.
 - ii. Non-Player**
 - 1. Interested person who pays a social subscription with fees being decided each year at the AGM.
 - 2. Can be elected to the Management Committee if their nomination is successful.
 - 3. Shall have the use of Club facilities and equipment.
 - iii. Life Membership**
 - 1. As outlined in clause 9 of this Constitution.
 - 2. Life Members have all the rights, including voting rights and privileges of membership without paying any subscription.
- b) Upon payment of the Annual Subscription as per clause 8.i.1 of these Rules, the applicant shall then become a financial member of the Club.
- c) All Members shall abide by and adhere to the Club's Code of Conduct.

- d) Should a member decide at any point that they would like to resign their membership, then, this may be done in writing only to the Secretary at myponganetballclub@outlook.com. Any resigning member shall be liable for any outstanding subscriptions which may not be recovered as a debt due to the club.



10. Life Membership

Any Member of the Club can be nominated for Life Membership, provided they have fulfilled conditions 9a. or 9b. To be successful, the nomination must be carried by a two-third majority vote of those who are present at the Management Committee Meeting and are entitled to vote. The vote shall be by secret ballot.

- a) They shall have played 300 Senior Club Games and undertaken a minimum of 8 years service to the club either as a Management Committee member, Coach or Umpire.
- b) They shall have held Office, Coached and/or Umpired at least 8 matches per season, for 15 years, or may be nominated at the discretion of the Executive Committee.

11. Subscriptions

- a) The Annual Subscription fees shall be decided upon by the Management Committee each year. These figures will be based on the amounts that are charged by GSNA, Netball SA and Netball Australia. The fees shall be decided upon at the Annual General Meeting or on such a date, as decided by the Management Committee.
- b) All Subscription fees once paid, will not be refunded, except in exceptional circumstances as agreed to by the Executive Committee.
- c) All Subscription fees are due by the 15th May in the current season, unless prior arrangements have been made with and agreed to by the Executive Committee.
- d) Any Member whose Subscription fee has not been paid by the due date, 15th May of each year, shall cease to be a playing member, but they may be reinstated at the Executive Committee's discretion on payment of their Subscription fees.

12. The Management Committee

12.1 Roles

- a) The Management and affairs of the Club shall be managed and controlled by a Committee comprising of no less than twelve (12) members and no more than nineteen (19) members and shall consist of the following;
 - i. President
 - ii. Vice President
 - iii. Secretary
 - iv. Treasurer
 - v. Assistant Secretary
 - vi. GSNA Delegates (Two)

- vii. Representative to the Myponga Memorial Community Centre
 - viii. Publicity Officer
 - ix. Umpire Coordinator
 - x. Senior Coordinator
 - xi. Junior Coordinator
 - xii. Public Officer
 - xiii. Social Activities Coordinator
 - xiv. Sponsorship Coordinator
 - xv. Uniform Coordinator
 - xvi. Patron
 - xvii. Plus, no more than three (3) other general members.
- b) The Term of office for the President, Vice President, Secretary and Treasurer shall be for two years and to be split biannually, with the President and Treasurer one year and the Vice President and Secretary the following year. All other terms of office are for one year only and all shall be elected at the Annual General Meeting.
- c) The Management Committee shall be elected at the Annual General Meeting.
- d) The Management Committee shall have the authority to interpret the meaning of these rules and any other matter relating to the affairs of the association on which these rules are silent.
- e) The Management Committee may appoint a person to fill a casual vacancy from the Club membership.
- f) The Management Committee has the management and control of the funds and other property of The Club.



13. The Executive Committee

- a) Shall consist of the following:
- i. President
 - ii. Secretary
 - iii. Treasurer and
 - iv. one other appointed Management Committee member.
- b) The Executive Committee shall have the power to deal with all urgent matters or unforeseen business should it occur in relation to the control and conduct of the Club members and the management of the Club. They will however, report and minute its actions at the next Management Committee Meeting of the Club.

11. Meetings

a) Annual General Meeting

- i. The Annual General Meeting of the Club shall be held no later than the 31st October each year.
- ii. The Secretary will give at least 14 days notice of the AGM to the members using electronic or social media or any other means of communication that is deemed appropriate.

- iii. Receive the report and financial statements for the past year as well as the Auditor's Report.
- iv. Elect Management Committee Members and General Members.
- v. Appoint the Auditor for the year ahead.
- vi. Appoint a Patron, if nominated.
- vii. Transact any other business such as the setting of Subscriptions and any other business that may be brought forward.
- viii. Twelve Members are required to be present to form a quorum.



b) Management Committee Meeting

- i. The Management Committee shall meet the week after the GSNA Delegates Meeting and at least once a month or when business arises as decided by the Executive Committee.
- ii. The Secretary will give at least 7 days notice of the Management Committee Meeting to the members using electronic or social media or any other means of communication that is deemed appropriate.
- iii. Twelve Committee members are required to be present to form a quorum.

c) Special General Meeting

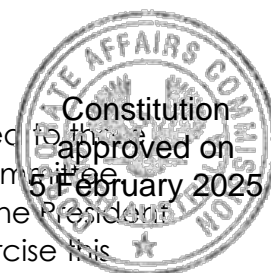
- i. A Special General Meeting may be convened at any time by the Management Committee upon receipt of a written request signed by at least five members, addressed to the Secretary, stating the business for which the meeting is required.
- ii. The Secretary will give at least 7 days notice of the Special General Meeting to the Management Committee members using electronic or social media or any other means of communication that is deemed appropriate.
- iii. Twelve Members are required to be present to form a quorum.

d) Executive Meetings

The Executive Committee shall meet as the need arises and shall minute and report its actions at the next committee meeting.

e) Chairperson

The President shall chair all meetings. In the absence of the President, the Vice President or an Executive Management Committee Member will become the Chairperson and is required to remain the chair for the entire meeting.



12. Voting

- a) Voting at Management Committee Meetings shall be restricted to those persons who are elected to positions on the Management Committee. Every Management Committee member has only one vote. The President may have a deliberative casting vote should they wish to exercise this right or the need arises.
- b) Voting at the Annual General Meeting shall be restricted to Life Members, Financial Senior members, Parents/Caregivers of Financial Junior members and those persons elected to the immediate outgoing Management Committee.

13. Quorums

For the purpose of carrying into effect any business a quorum shall consist of

- a) Management Committee Meeting – Twelve (12) committee members including one (1) Executive member.
- b) Executive Meeting – Three (3) executive members.
- c) Annual General Meeting, Special General Meeting – Twelve (12) Financial members which includes Management Committee members and parents/caregivers on behalf of their Financial junior player.

14. Minutes

- a) Accurate minutes of all meetings shall be recorded, kept and sent to all members within one week after the relevant meeting.
- b) The minutes kept pursuant to this rule must be confirmed as read and correct by the Management Committee members of The Club at the next Management Committee Meeting.
- c) Where minutes are recorded, they shall, until proved otherwise, be evidence that the meeting was convened and duly held.

15. Finances

- a) The Financial year of the Club shall be for the 12 month period commencing on the 1st October through to the 30th September.
- b) The funds of the Club shall be under absolute control of the Club and shall be deposited into a bank account nominated by the Management Committee in the Club's name.
- c) Payments made by EFT are to be approved by the following two officers, Treasurer and Secretary. Should either the Treasurer or the Secretary be unavailable then the President may approve the payment.
- d) Books are to be balanced and audited by an Auditor or Accountant annually and reports are to be presented at the Annual General Meeting.
- e) If the position of Treasurer is altered during the financial year, then the books must be balanced and audited before handing over to the new Treasurer.
- f) The Treasurer shall keep a record of all transactions and table a statement of balance at each Management Committee Meeting. These reports may

be sent electronically to Management Committee members prior to the meeting in order to be tabled.

- g) Payments of more than \$100 must be approved by the Management Committee before being paid or services rendered.
- h) The Club shall be financed by members' subscriptions, fundraising, donations, interest and from any other activities as approved by the Management Committee.
- i) The Club shall keep and retain such accounting records as are necessary to correctly record and explain the financial transactions and financial position of The Club in accordance with the Act.



16. Non-Profit Clause

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 the organisation.

17. Discipline Committee

- a) Shall comprise of President, Secretary and Treasurer.
- b) Shall deal with all matters brought to their attention concerning the conduct of members of the Club.
- c) Any complaints must be lodged in writing to the Secretary within three days (72 hours) of the incident occurring.
- d) The Discipline Committee will investigate with all parties concerned within 5 days of the complaint being received.
- e) The parties involved will be notified in writing of the outcome within 24 hours of a decision being made.
- f) The member(s) involved have a right to appeal against a decision of the Discipline Committee within two days (forty eight hours) of that decision being made. Such an appeal must be heard by the Discipline Committee.
- g) In the event of a member of the Discipline Committee being involved in the incident, they must stand down and another Management Committee Member be appointed.
- h) The Discipline Committee may seek advice and guidance from GSNA and Netball SA to assist with matters related to discipline should they feel the need to do so.

18. Public Officer

- a) The President shall take on the role of Public Officer and shall be appointed at the Annual General Meeting (AGM)
- b) In the event of the resignation of the President/Public Officer, the committee shall within 14 days of such a resignation appoint another person to serve as the Public Officer until the next AGM.

19. Common Seal

- a) The Club shall have a Common Seal upon which its corporate name shall appear in legible characters.
- b) The Common Seal of The Club must not be used without the express authorisation of the Management Committee and every use of the Common Seal must be recorded in the minutes at the next Management Committee Meeting of The Club.
- c) The affixing of the Common Seal of The Club must be witnessed by any two of the President, Secretary or Treasurer.
- d) The Common Seal of The Club must be kept in the custody of the Secretary or of such other person as the Management Committee decides.



20. Appointment of Auditor

- a) The Management Committee shall appoint at every Annual General Meeting a person to be the auditor of The Club.
- b) The Auditor shall hold office until the next Annual General Meeting and is eligible for re-appointment.
- c) If an appointment is not made at an Annual General Meeting, the Management Committee shall appoint an Auditor for the current financial year.

21. Winding up of The Club

- a) The Club may be wound up in the manner provided for in the Act, Part 5, 41—Winding up of incorporated associations.
- b) Surplus assets shall, after full discharge of just liability, be transferred to the Myponga Memorial Community Centre Inc to be held in trust for a period of five (5) years.
- c) If in the event of The Club not reforming within a period of five (5) years The Myponga Memorial Community Centre Inc shall divide the funds as it seems fit.

22. Alterations to the Rules

- a) The Rules can only be altered at the Annual General Meeting (AGM) or a Special General Meeting (SGM) requested for that specific purpose.
- b) Any proposal to alter or amend the Rules shall be forwarded in writing to the Club 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.
- c) The notice of resolution including the proposed amendments shall be notified to all members at least 14 days prior to the AGM or SGM.
- d) Such notice of the motion shall not affect the Rules unless carried by a majority at the AGM or SGM.

23. Previous Constitution

The previous Constitution is hereby rescinded and replaced by these Rules.