

Carlingford Netball Club Incorporated Constitution

September 2014 (As amended)



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The rules of the Carlingford Netball Club Incorporated, here in are in accordance with Section 11 and contain those matters specified in Schedule 1, of the Association's Incorporation Act of 1984.

Carlingford Netball Club Incorporated Constitution

1. Title

The name of the Club shall be the Carlingford Netball Club Incorporated (hereafter referred to as “the Club,”) a not for profit Club incorporated under the Associations Incorporations Act, 2009.

2. Colours

The Club’s colours shall be Navy, Green and White

3. Headquarters

The Club’s headquarters, shall be based at Murray Farm Public School. The Club’s teams shall train at Don Moore Reserve, North Rocks or some other place as may be determined convenient to the Coach(es) and/or Manager(s) from time to time.

Correspondence to the Club shall be addressed care of the Secretary, at the Secretary’s address as may be nominated from time to time or via the Club’s PO Box Addresses.

4. Boundaries

The Club’s boundaries shall not be defined by the suburb of Carlingford but shall extend to include any person(s) not residing within the suburb of Carlingford.

5. Objectives

The objectives of the Club shall be:

- a). to further the interests of its Members and promote and control the game of Netball under the New South Wales Netball Association (Netball NSW) and Hills District Netball Association (HDNA);
- b). to select and manage the Club’s teams;
- c). to affiliate with and support the New South Wales Netball Association and Hills District Netball Association and abide by the Constitution, Rules and By-Laws of these associations;
- d). to mediate and represent any Club teams or individual Members involved in any disputes connected with netball, in line with procedures as determined by Hills District Netball Association and New South Wales Netball Association.

6. Membership

- a). The Club is the controlling body for amateur netball played by its members and its authority shall be recognised by all members who shall adopt and obey this Constitution and the Rules and By-Laws of the Club.

- b). All Ordinary and Junior Members (as defined by the New South Wales Netball Association Limited) shall be amateurs as defined by the Constitution of the International Federation of Netball Associations.
- c). Membership is open to:
 - (i). Ordinary Members of NSW Netball Association Limited;
 - (ii). Junior Members of NSW Netball Association Limited;
 - (iii). Non-Playing Members of NSW Netball Association Limited
 - (iv). Life Members
- d). Definition of Members
 - (i). Ordinary, Junior and Non-Playing Members will be as defined by New South Wales Netball Association Limited.
 - (ii). Life Members
 - (i). Any person may be elected a Life Member of the Club in recognition of outstanding service to the Club for a period of at least ten (10) years
 - (ii). Candidates for election as Life Members shall be unanimously recommended by the Executive Committee and duly confirmed at the Annual General Meeting.
 - (iii). An active Life Member, shall be entitled to and shall have full voting rights.
 - (iv). The Club will pay the annual membership subscription for each Life Member while they are affiliated with the Club.
 - (v). The Executive Committee shall determine from time to time which Life Members are to be regarded as active and the criteria to be applied in making that determination.
 - (vi). By resolution of a Special General Meeting, following upon unanimous recommendations by the Executive, Life Membership may be cancelled.

7. Register of Members

- a). The Public Officer of the Club shall establish and maintain a register of members of the Club, specifying the name and address of each person who is a member of the Club, together with the date on which the person became a member.
- b). The Register of Members shall be kept at the principal place of administration of the Club.
- c). Members are also registered with Hills District Netball Association HDNA and records this membership on a Netball NSW online data base.

8. Fees, Subscriptions etc

The fees, subscriptions etc to be paid by Members shall be determined by resolution of the Executive Committee prior to registration for the season.

9. Members' Liability

The liability of a Member of the Club to contribute towards the payment of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the Member in respect of membership of the Club.

10. Executive Committee

a). Election of Office Bearers

- (i). The ballot for the election of the Office Bearers to form the Executive Committee shall take place at the conclusion of the business of the Annual General Meeting.
- (ii). The following Office Bearers shall be elected and will form the Executive team of the Club's committee.
 - President
 - Vice President
 - Secretary
 - Treasurer
 - Umpires Convenor
 - Registrar
 - Delegates to HDNA
- (iii). In addition to these Executive positions, the Club may also create other positions necessary for the operation of the Club. These positions are deemed non-executive and form part of the Club's overall committee. Individuals will be elected in line with the Club's Committee Election process (as outlined below).

b). Election Process of New Committee

- (i). At the AGM, all committee positions are to be declared vacant before the election of the new Committee
- (ii). No person who has served in any of the positions of President, Secretary, or Treasurer for three (3) consecutive years shall be eligible to stand for that same position at the following Annual General meeting.
- (iii). However, if any of the positions of President, Secretary or Treasurer remain vacant after the nomination process has been completed, then the current incumbent has the right to reapply or be renominated for their said position if they choose to do so, but they may only serve in that position for an additional 2 years. The maximum years of service in one position will not exceed 5 years.
- (iv). To be eligible for nomination for the Executive Committee a nominee must be a Member other than a Junior Member of the New South Wales Netball Club Limited. In the case of a Junior Member, a primary caregiver shall be eligible for nomination.
- (v). Should the Secretary, prior to the AGM, receive no nominations for a position then nominations for that position may be called for from the floor at the meeting at which the elections are to be held.

- (vi). Nominations for election are to be signed by one (1) Ordinary Member and with the written consent of the nominee, shall be lodged with the Secretary at least one (1) week prior to the Annual General Meeting.
- c). The Executive Committee shall exercise the functions and powers of the Club between meetings and its decisions shall be subject to ratification at the next general meeting.
- d). A vacancy of the Executive Committee shall be elected by the Executive and shall become vacant at the conclusion of the next Annual General Meeting.
- e). No office Bearer shall be entitled to receive remuneration for any services as such, except by way of reimbursement for expenses incurred on behalf of the Club.
- f). The Executive Committee shall at its first meeting following the Annual General Meeting appoint a Public Officer. The President/President elect shall hold the position of Public Officer until formal appointment of a Public Officer.

11. Powers of the Executive

The Executive shall be responsible for the execution of the objectives of the Club and without any way limiting this responsibility shall have power:

- a). to control and manage the affairs of the Club;
- b). to fix fees payable by Members and to enforce payment thereof;
- c). to control the funds of the Club and for that purpose to open and operate banking accounts, to invest funds in any manner authorised by law for the investment of trust funds, to acquire real and personal property of all descriptions and to sell or otherwise dispose of it, to borrow money on behalf of the Club and to give security therefore, and generally to carry out and attend to all such matters as shall be necessary for the proper management and control of the property of the Club;
- d). to appoint any delegate or delegates to represent the Club for any purpose with such powers as may be thought fit.
- e).
 - (i). to take disciplinary action pursuant to this constitution against any individual member;
 - (ii). the member concerned shall have the right to appeal within seven (7) days of the date of notification of the disciplinary action to be taken.

12. Sub Committees

- a). Sub-Committees endorsed by the Club at the Annual General Meeting shall be elected each year.

13. Meetings

- a).
 - (i). The President shall take the Chair at all meetings and in the President's absence, the Chair shall be taken by the Vice President.

- (ii). If neither the President nor Vice President is present within twenty (20) minutes of the time fixed for the commencement of the meeting, the members present shall elect a Chairman provided that the elected Chairman is a member of the Executive.
 - (ii). The accidental omission to give any member the required notice shall not invalidate a meeting nor any of the business of the meeting.
- b).
 - (i). A quorum for General and Special General Meetings shall consist of at least five (5) members of which two at least must be members of the Executive Committee.
 - (ii). If no quorum is present twenty (20) minutes after the time fixed for the commencement of a meeting, it shall be adjourned to such time and place as the Chairman shall decide.
- c).
 - (i). All Ordinary Members, and Life Members shall have one (1) vote to be taken in such manner as the Chairman shall direct, except that a secret ballot shall be taken if any member requests it.
 - (ii). In the case of an equality of votes the President shall, in addition, have a casting vote.
 - (iii). There shall be no voting by proxy.
- d). The Members of the Club shall meet not less than once a month during the Netball playing season. Meetings of the Club shall be called by the Secretary at any time and the Secretary shall call a meeting upon the demand of five members entitled to vote at such meetings and give all members fourteen days' notice of such meetings.

14. Annual General Meeting

- a).
 - (i). The Annual General Meeting shall be held within three months of the Club's End of Financial Year (31st August).
 - (ii). All financial members may attend excluding junior members.
 - (iii). Junior Members may be represented by a parent, legal guardian or primary Caregiver, whichever is appropriate to the Member.
- b). each member is entitled to one vote only.
- c). Not less than fourteen (14) days written notice of the date of the Annual General Meeting of the Club shall be given to each eligible member.
- d). the business of the Annual General Meeting shall be:
 - (i). Welcome Address
 - (ii). Apologies
 - (ii). Confirmation of the minutes of the previous Annual General Meeting
 - (iii). President's Report
 - (iv). Treasurer's Report
 - (v). Election of Office Bearers

- (vi). Any other business as the meeting decides
- e). Office Bearers elected at the Annual General Meeting shall assume office at the conclusion of the Annual General Meeting and shall hold office for the ensuing year.

15. Finance

- a). Source of funds – the fund of the Club shall be derived from annual subscriptions of members playing and other fees and donations, and, subject to any resolution passed by the Club in General Meeting, such other sources as the Executive Committee determines.
- b). The banking accounts of the Club, shall be kept at a bank approved by the Executive and all cheques operating on the accounts shall be signed by any two (2) of the following Office Bearers: President, Secretary, Treasurer or Registrar.
- c). The financial year of the Club shall commence on 1st September and end on 31st August each year.
- d).
 - (i). All current bank statements shall be tabled at each General Meeting together with a written financial report.
 - (ii). The books of the Club shall be presented to each Annual General Meeting
 - (iii). The accounts shall be submitted to NSW Fair Trading, thirty (30) days after the Annual General Meeting.
- e). All HDNA fees shall be paid by the due date.

15. Sponsors

The Club may from time to time accept sponsors for financial support in return for agreed advertising.

17. Common Seal

- a). Any Common Seal of the Club shall be kept in the custody of the Public Officer.
- b). I held, the common seal shall not be affixed to any instrument except by the authority of the Executive Committee and the affixing of the common seal shall be attested by the signatures either of two (2) members of the Executive Committee or of one (1) member of the Executive Committee and of the Public Officer or Secretary.

18. Custody of the Books

Except as otherwise provided by these rules, all records, books and other documents relating to the Club shall be kept under the custody or control of the Public Officer.

19. Inspection of Records

Any member may inspect the books of account and member's roll and minute books of the Club at any reasonable time.

20. Alterations to Constitution By-Laws

- a) This Constitution and the By-Laws of the Club may be altered by resolution passed by a majority of at least two-thirds (2/3) of the members present and voting at an Annual General meeting or Special General Meeting of the Club of which not less than fourteen (14) days written notice specifying the resolution/s to be proposed has been given.

21. Dissolution of the Club

- a). The Club shall not be dissolved except by special resolution, passed by a majority of at least three quarters (3/4) of the members present and voting at a Special General Meeting of the Club of which not less than twenty-one (21) days written notice, specifying the resolution to be proposed has been given.
- b). On dissolution of the Club, any property whatsoever remaining after the determination and settlement of all debts and liabilities shall be paid or transferred to the Hills District Netball Association.

22. Umpires

Umpires are to be paid when umpiring club games and for umpiring semi-finals, finals, and grand finals. The amount of remuneration to be paid to umpires for that season is to be determined by the Executive Committee prior to the Club's Annual Presentation Day and payment to umpires is to be made at the Club's Annual Presentation Day for that season.

Date approved by District Club:

Signature of Secretary