

# ADNA CONSTITUTION

## **1. TITLE**

The name of the association shall be the Armidale District Netball Association Inc.

## **2. COLOURS**

The Association's colours shall be Orange and Navy

## **3. HEADQUARTERS**

The Association's headquarters shall be at Lynches Road Courts, Armidale, 2350.

The Association shall have a post box in Armidale, NSW. 2350.

## **4. BOUNDARIES**

The Association's boundaries shall be Shire/Council – Walcha, Guyra, Uralla, Dumaresq, and Armidale

## **5. OBJECTIVES**

The Objectives of the Association shall be: -

- a. To further the interests of its members and promote and control the game of Netball within the boundaries of the Association.
- b. To promote, regulate and control competition matches between affiliated clubs and to control all premierships of the Association.
- c. To select and manage the Association's representative teams.
- d. To affiliate with and support the New South Wales Netball Association Limited.
- e. To co-operate with other affiliated organisations in New South Wales for the furtherance of Netball.
- f. To be a court of appeal in the case of dispute connected with Netball within the area controlled by the Association.

## **6. PATRON**

The Association may from time to time appoint one or more patrons and may also cancel any such appointment.

## **7. MEMBERSHIP**

- a. The Association is the controlling body for Netball within its boundaries and its authority shall be recognised by all members who shall adopt and obey this Constitution and the Rules and By-Laws of the Association.

- b.** All members shall be defined by the New South Wales Netball Association Limited and the constitution of the International Federation of Netball Australia.
- c.** Membership is open to:
  - i. Affiliated clubs comprising
    - 1. Ordinary members of NSWNA Ltd
    - 2. Junior members of NSWNA Ltd
    - 3. Intermediate members of NSWNA Ltd.
  - ii. Subgroups
  - iii. Life Members
  - iv. Subscriber Members
  - v. Honorary Members
- c. (i)** Affiliated Clubs: shall consist of one or more teams and shall have full rights of delegation to Council as provided for in Clause 12 ‘Council’.
- c. (ii)** Sub-Groups: subject to the approval of the New South Wales Netball Association Limited and of the Association, one or more sub-groups may be established within the boundaries of the Association, with the object of becoming a district association within two (2) years.

A Sub-Group shall consist of affiliated clubs participating in a separate competition within the boundaries of the Association.

1. Each SUB-Group shall pay to the Association a sum to be agreed upon from time to time, to cover the payment to the New South Wales Netball Association Limited of all fees, expenses associated with representative teams and administrative costs.
2. Teams to represent the Association shall be selected without having regard to whether or not any particular player is a member of a sub-group.
3. 1. The Association shall organise all approved carnivals.  
2. With agreement of a sub-group, a carnival or certain section of a carnival may be played at the home courts of a sub-group.
3. All carnival entries shall be forwarded though the Association.
4. 1. Umpiring shall be under the control of the Association.2. Provision may be made to conduct clinics at the home courts of a sub-group.

5. The same Rules and By-Laws shall apply to sub-groups as apply to all clubs under the control of the Association for the conduct of competitors.

1. The Association shall elect a liaison Officer who shall be a member of the executive of the Association

2. The Liaison Officer shall attend all meetings of the sub-group/s and shall liaise between the Association and the sub-groups/s.

**c. (iii) Life Members:**

**a.** Any person may be elected a Life Member of the Association in recognition of outstanding service to the Association for such minimum period, as the Council deems appropriate.

**b.** Candidates for election as Life Members shall be nominated by two (2) members of Council at least one (1) month before the meeting at which such nominations will be considered.

**c.** The nomination must be approved by a majority of at least two-thirds (2/3) of the members present and voting at an Annual General Meeting, provided that the Council may, by resolution from time to time, fix the maximum number of persons who may at any time hold Life Members.

**d.** An active Life Member shall be entitled to attend all meetings and shall have full voting rights. The Council 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.

**c. (iv) Subscriber Members:**

**a.** The Association may resolve to admit as Subscriber Member of the Association, Ordinary Members of the New South Wales Netball Association Limited who are not members of a club.

**b.** Persons wishing to become Subscriber Members of the Association shall be nominated by two (2) members of Council at least one (1) month before the meeting at which such nominations will be considered.

**c.** The nomination must be approved by a majority of at least two-thirds (2/3) of the members present and voting at an Annual General Meeting, provided that the Council may, by resolution from time to time, fix the maximum number of persons who may at any time be admitted as Subscriber Members.

d. A Subscriber Member shall be admitted for a period of twelve (12) months and shall have optional voting rights as determined by Council.

c. (v) Honorary Members:

e. An Honorary Member is one who is invited by Council to join the Association for a specific time of purpose as determined by the Council, provided such person is nominated by two (2) members of Council.

f. Honorary member may be admitted to Council, without voting power.

**8. REGISTER OF MEMBERS**

a. The Public Officer of the Association shall establish and maintain a register of members of the Association specifying the name and address of each person who is a member of the Association, 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 Association and shall be open for inspection, free of charge, by any member of the Association at any reasonable house.

**9. FEES, SUBSCRIPTIONS, ETC.**

The fees, subscriptions, etc. to be paid by members, shall be determined by resolution of Council at its first meetings following the Annual General Meeting each year.

**10. MEMBERS LIABILITY**

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

**11. MEETINGS**

a.

- i. The President shall take the Chair at all meetings and in the Presidents absence the Chair shall be taken by the Senior Vice President.
- ii. If neither the President nor Senior Vice President is present within thirty (30) minutes of the time fixed for the commencement of the meeting, the members present shall elect a chairperson
- iii. 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 Council and Special Council Meetings shall consist of at least one half (1/2) of the Office Bearers and at least one third (1/3) of the delegates.
  - ii. A quorum for Annual General Meetings and Special General Meetings shall consist of at least one half (1/2) of the Office Bearers and at least one third (1/3) of the delegates.
  - iii. If no quorum is present thirty (30) minutes after the time fixed for the commencement of a meeting, it shall be adjourned to such time and place as the Chairperson shall decide.
  - iv. The Secretary shall give written notice thereof to each member and to the Secretary of each affiliated club.
- c.**
  - i. Each eligible member (including Office Bearers) shall have one (1) vote to be taken in such manner as the Chairperson shall direct, except that a secret ballot shall be taken if any member requests it.
  - ii. In the case of equality of votes, the President shall, in addition, have a casting vote.
  - iii. There shall be no voting by proxy.
- d.**
  - iv. At each meeting each delegate present shall sign an attendance book and shall state therein the club which that delegate represents at that meeting.
  - v. A delegate may represent one club only at any meeting.

## **12. COUNCIL**

- a.** Council shall consist of the Office Bearers of the Association, active Life Members and two (2) delegates from each affiliated club who are members of that club, (one of whom should be a member of that club's executive committee).
- b.**
  - i. The club secretary shall notify the Association secretary of the names and addresses of the first meeting of Council each year.
  - ii. Persons appointed to Council shall assume office at the commencement of the first meeting of Council and shall hold office for the ensuing year.
- c.** Notwithstanding the provisions of the clause (b) a club has the right to withdraw a delegate and appoint another delegate in that delegates place.
- d.** Any casual vacancy shall be filled by a nominee of the affiliated club whose delegate has caused the vacancy.

- e. A vacancy shall be deemed to have occurred in respect of any delegate who has, without leave of Council, failed to attend three (3) consecutive meetings.
- f. The Council shall meet at least four (4) times each year on dates to be fixed by Council (at least three of those meetings shall be held at not less than monthly intervals between April and September inclusive).
- g. Not less than seven (7) days written notice shall be given specifying the time and place of the meeting of Council, and any special business to be dealt with, other than that set out in the By-Laws.
- h. Order of business at Council Meetings shall be:
  - i. Apologies
  - ii. Confirmation of minutes
  - iii. Business arising from minutes
  - iv. Notices of Motion
  - v. Elections
  - vi. Correspondence and business arising
  - vii. Reports
    - Executive Committee
    - Treasurer
    - Liaison Officer (if sub-group operating)
    - Coaching Co-ordinator
    - Umpires' Co-ordinator
    - Sub-Committee reports
    - Delegates to other organisations
    - Any other reports

General business
- i. SPECIAL MEETINGS shall be called by the Secretary
  - 1. At the direction of the President, or
  - 2. On a requisition signed by not less than one quarter (1/4) of the members of Council.
- j. Not less than twenty-one (21) days' written notice shall be given to members of Council and to the Secretary of each affiliated club, specifying the time and place of a Special Meeting of Council, and the nature of the business to be considered.

### **13. POWERS OF COUNCIL**

The Council shall be responsible for the execution of the objects of the Association and without any way limiting this responsibility shall have power:

- a. To control and manage the affairs of the Association;
- b. To fix fees payable by members and to enforce payment thereof;
- c. To control the funds of the Association 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 Association and to give security therefore, to enter into guarantees of indebtedness on behalf of any affiliated club 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 Association;

d. To appoint two (2) delegates and two (2) proxy delegates to represent the Association on the Council of the New South Wales Netball Association Limited;

e. To appoint any delegate or delegates to represent the Association for any purpose with such powers as may be thought fit;

f.

i. To ensure that the secretary of the Association forwards to the New South Wales Netball Association Limited, on or before APRIL 1 in each year, a list showing the names and addresses of new applicants for New South Wales membership, who have paid their annual subscription

ii. To ensure that supplementary lists with names and addresses of additional applicants for New South Wales Netball Association Limited.

iii. All such lists shall differentiate between classes of members

iv. With each list there shall be forward a cheque to cover the total payable as subscriptions by the persons so listed.

v. Upon receipt by the New South Wales Netball Association Limited of each list and payment of the subscriptions for the persons whose names appear thereon, those persons shall be deemed to have renewed their membership until March 31 next.

#### **14. ANNUAL GENERAL MEETING**

a.

i. The Annual General Meeting shall be held on the last Wednesday of November in each year.

ii. All financial members may attend but voting shall be restricted to Office Bearers, active Life Members and two (2) delegates from each club, who shall be members of that club.

b.

i. Not less than twenty-one (21) days' written Notice of the date of the Annual General Meeting of the Association shall be given to each Office Bearer, Life Member, delegate and the Secretary of each affiliated club.

- ii. A copy of the Annual Report and audited Balance Sheet shall accompany such notice.
- c. The business of the Annual General Meeting shall be:
  - i. Confirmation of the minutes of the previous Annual General Meeting
  - ii. The consideration and adoption of the Annual Report and audited balance Sheet
  - iii. Appointment of an auditor for the ensuing year
  - iv. Such other business as the meeting deems fit
  - v. Election of the Office Bearers
- d. Office Bearers appointed at the Annual General Meeting shall assume office at the conclusion of the Annual General Meeting and shall hold office for the ensuing year.
- e. A SPECIAL GENERAL MEETING shall be called by the Secretary:
  - 1. At the direction of the President, or
  - 2. On a requisition by not less than one quarter (1/4) of the members of Council.
- f. Not less than twenty-one (21) days' written notice shall be given to each Office Bearer, Life Member, delegate and the Secretary of each affiliated club, specifying the time and place of a Special General Meeting.

**15. 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 elected:
    - 1. President  
Vice President  
Secretary  
Treasurer  
Assistant Secretary  
Coaching Co-ordinator  
Umpires' Co-ordinator
    - 2. Registrar  
Grounds Supervisor  
Representative Team Liaison Officer  
Publicity Officer
- b.
  - i. Nominations for election signed by two (2) Ordinary Members and with the written consent of the nominee, shall be lodged with the Secretary at least twenty-eight (28) days prior to the meeting at which the elections are to be held.



- ii. Qualifications shall accompany each nomination.
- iii. Existing Office Bearers' shall accompany each nomination
- iv. To be eligible for nomination for the Executive Committee a nominee must be a Member of the New South Wales Netball Association Limited as defined in section 7(b)
- c. No person shall be elected to more than one (1) position on the Executive Committee
- d. Not more than four members of the Executive Committee shall be members of any one affiliated club.
- e.
  - i. The Executive Committee shall exercise the functions and powers of the Council between meetings of Council and its decisions shall be subjected to ratification by Council at its next meeting.
  - ii. Not less than two thirds (2/3) of the members of the Executive Committee shall constitute a quorum.
- f.
  - i. The Executive Committee may be empowered by Council to take disciplinary action pursuant to this constitution against any member of an affiliated club or any individual member.
  - ii. The club or member concerned shall have the right of appeal within seven (7) days of the date of notification of the disciplinary action to be taken.
- g.
  - i. A vacancy of the Executive Committee shall be filled by Council
  - ii. A vacancy shall be deemed to have occurred in respect of any member thereof who has, without leave of the Executive Committee, failed to attend three (3) consecutive meetings of the Committee.
- h. No Office Bearer shall be entitled to receive remuneration for any services as such.
- i. No Office Bearer of a District shall act as a club delegate at meetings of the Association

## **16. MEETINGS OF EXECUTIVE COMMITTEE**

- a. Regular Executive Meetings shall be set by the Office Bearers throughout the year.
- b. Should it be necessary to call additional meetings, all Office Bearers shall be notified at least forty-eight (48) hours prior to the meeting being held.

- c. Should a quorum of the Executive Committee be present, an emergency meeting may be convened.

#### **17. SUB-COMMITTEES**

- a. The following sub-committees shall be elected each year:
  - Kiosk
  - Carnival
  - Selection
  - Umpiring
  - Grading/Fixtures
  - Fundraising/social
- b. The President, Secretary and treasurer shall be ex officio members of all sub-committees with the exception of the Selection Sub-Committee
- c. The Council may, from time to time, appoint such additional sub-committees as it thinks fit and define the functions thereof.
- d. Each sub-committee shall submit a written report to each meeting of Council for ratification.

#### **18. FINANCE**

- a. Source of funds – the funds of the Association shall be derived from annual subscriptions of members, playing and other fees and donations, and subject to any resolution passed by the Association in general meeting, such other sources as the Executive Committee determines.
- b. The banking accounts of the Association shall be kept at a bank approved by the Council and all cheques operating on the accounts shall be signed by two (2) of the following Office Bearers:  
President, Secretary, Treasurer.
- c. The Association's financial year shall commence on October 1 and end on September 30 of the ensuing year.
- d.
  - i. All current bank statements/pass books shall be tabled at each meeting of Council, together with a written financial report.
  - ii. The books of the Association shall be audited each year by a qualified person who is not a member of the Association.
  - iii. An audited Balance sheet shall be presented to each Annual General Meeting.
- e. All New South Wales fees shall be paid by the due date.

#### **19. COMMON SEAL**

- a. The Common Seal of the Association shall be kept in the custody of the public officer.

- b. 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.

## **20. CUSTODY OF BOOKS**

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

## **21. INSPECTION OF RECORDS**

Any member of the Council may inspect the books of account and members' roll and minute book of the Association at any reasonable time.

## **22. ENFORCEMENT OF CONSTITUTION**

- a. The authority of the Association shall extend to and be recognised by all affiliated Clubs and individual members.
- b. The Council shall have power to deal with and adjudicate upon all questions and disputes as to the interpretation of the Constitution, Rules and By-Laws, and upon any complain made to it of misconduct detrimental to the policy, interest or welfare of the Association by any club or person to whom this Constitution applies.
- c. The Council may fine, caution or expel or suspend from membership for such period as it thinks fit any such club or person to whom this constitution applies PROVIDED HOWEVER that a least twenty-one (21) days before the meeting at which such matter is to be considered the club or person concerned shall have been notified in writing and invited to be present at the meeting and that the club or member shall at such meeting and before any resolution is passed have has an opportunity of giving orally or in writing any explanation or defence the club or member may think fit.
- d. The club or member concerned shall have the right of appeal in writing within seven (7) days of the date of notification of the disciplinary action to be taken.
- e. If a player/s or team/s is reported by an umpire and/or court official at any event under the control of the Association and action is to be taken, such player/s or team/s, both umpires and an official from each team shall be called before a disputes Committee.
- f. The Disputes' Committee Shall be casual committee and shall consist of the President or another member of the Executive Committee, a representative of the Umpires' Committee, a representative from each of two (2) clubs not involved in the dispute, plus one (1) other member appointed by the Executive Committee.

**23. ALTERATIONS TO CONSTITUTION BY-LAWS AND STANDING ORDERS**

- a. This Constitution, the By-Laws and Standing Orders of the Association may be altered by special resolution passed by a majority of at least three quarters (3/4) of the members present and voting at an Annual General Meeting or Special General Meeting of the Association of which not less than twenty-one (21) days written notice specifying the resolution/s to be proposed has been given.
- b. Any alteration made to the Constitution, By-Laws or Standing Orders of the Association shall be forwarded to the New South Wales Netball Association Limited within twenty-eight (28) days of the meeting at which such alteration was made.

**24. DISSOLUTION OF THE ASSOCIATION**

- a. The Association 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 Association 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 Association any property whatsoever remaining after the determination and settlement of all debts and liabilities shall be paid or transferred to the New South Wales Netball Association Limited to be used in the promotion of Netball within the boundaries of the area referred to in Clause 4.

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Date approved by District Association .....

Signature of Secretary .....