



# **CONSTITUTION**

**(Rules)**

# **South East Netball Association**

## **INTERPRETATION**

In this Constitution

'STNA' means Southern Tasmanian Netball Association

'Junior Member' as per Tasmanian Netball Association Ruling, is: '17 and under on December 31'

'Voting Member' means a member 15 and over as per Southern Tasmanian Netball Association ruling of '15 and over on December 31'

### **1. SOUTH EAST SUNS NETBALL ASSOCIATION**

- i. The club shall be called the South East Suns Netball Association Inc. and shall not be dissolved, or its name changed, without the agreement of three fourths of the Current Membership.
- ii. The management and control of the affairs of the Club shall be vested in the Committee of Management

### **2. OBJECTIVES**

- i. To foster and develop the highest levels of professionalism and excellence possible through the many facets of Netball participation, inclusive of playing, coaching, umpiring and administration.
- ii. To promote and provide pathways for the development of Junior and Senior players, coaches, umpires and other officials.
- iii. To recognise and promote the social aspect of participation in netball and its importance to club members.

### **3. COLOURS**

The club colours shall be Navy Blue, Orange and White and shall retain at least 5 (five) per cent of each colour.

### **4. FUNDS AND PROPERTY**

- i. The income and property of the club, from what ever source derived, shall be applied solely towards the promotion of the objectives of the Club, and no portion of the funds shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise, to members of the club.
- ii. No member shall derive any pecuniary gain whatsoever from the property or operations of the Club other than remuneration for services given by a member.
- iii. The Committee of Management must agree to any remuneration annually.

### **5. ALTERATION OF RULES**

- i. Alteration to any rules of the club shall be handed to the Secretary, in writing, fourteen days before any Special Meeting called for that purpose.
- ii. Any amendments to such notice shall be in writing and handed to the Secretary Fourteen (14) days before such meeting.
- iii. The club recognises and is bound by the Rules of the STNA Inc. and any alterations and amendments made by that body.

## **6. MEMBERSHIP**

- i. Any person may become a member of the club for the period expiring at the end of the next Annual General Meeting.
- ii. Will include Life Members, Senior and Junior Playing Members and Senior and Junior non-Playing Members.
- iii. The Committee shall set the subscriptions to be paid by the members at the first meeting following notification from STNA of the fees for the following year.
- iv. The Committee of Management shall have the power to appoint Life Members as per the South East Netball Association Guidelines (By-Laws)

## **7. ANNUAL GENERAL MEETING**

- i. The Annual General Meeting of the Club shall be held on a date determined by the Committee of Management but shall be no later than 3 months after the close of the financial year of the Club.
- ii. The purposes of the Annual General Meeting
  1. Receive the Report and Balance Sheet
  2. The Adoption of any Constitutional changes as may be deemed necessary
  3. The election of Officials, Committee and Public Officer for the ensuing year
- iii. The quorum for the Annual General Meeting shall be 10 voting Members.
- iv. A copy of the Report and Balance Sheet shall be available on application to the Secretary at least three days before the Annual General Meeting.
- v. The date of the Annual General Meeting shall be advertised at least 14 days prior to the Meeting
- vi. Only financial Members present at the meeting may vote. There shall be no proxy voting.

## **8. SPECIAL MEETING**

- i. The Committee or voting members have the power to call a Special General Meeting of the Club, whenever it may have matters under consideration which it deems necessary or desirable to obtain the opinion of members, or within fourteen days upon receipt of a

requisition, stating their reasons, signed by fifteen (10) financial voting members of the club. At any such meeting fifteen (10) voting members shall form a quorum.

- ii. Notice of Special meetings setting forth the purpose, time and place shall be given to each member of the Club by mail, email, personal delivery and /or in the daily newspaper.
- iii. Only financial Members present at the meeting may vote. No proxy voting permitted.

## **9. COMMITTEE AND EXECUTIVE MEETINGS AND QUORUMS**

- i. The Committee of Management shall meet at such times as may be deemed necessary for the transaction of the business of the club with a minimum of ten meetings per calendar year.
- ii. Two-thirds (2/3) of the Committee of management must be present at a Committee Meeting before any business can be transacted.
- iii. Upon any question arising at a Committee Meeting a committee member is entitled to one vote only.
- iv. The President shall preside at all Executive and General Committee Meetings and have a deliberate and casting vote
- v. Only Committee members and Club officials present at the meeting may vote. No proxy voting permitted.
- vi. The Committee of Management shall have the power to fill any vacancy occurring amongst its members during the year.
- vii. At any Executive Meeting three (3) shall form a quorum

## **10. NON ATTENDANCE AT COMMITTEE MEETINGS**

- i. If any member of the Committee shall remain absent from two (2) consecutive Committee of Management Meetings without having been granted leave of absence, they shall be deemed to have vacated office unless explanation, satisfactory of the committee is forthcoming within fourteen (14) days.
- ii. The Committee shall have the power at any meeting to grant leave of absence to any member.

## **11. STRUCTURE OF THE COMMITTEE OF MANAGEMENT, OFFICIALS AND SUBCOMMITTEES**

- i. The Committee of Management shall consist of:
  - Executive: President
  - Vice-President
  - Secretary

- General Committee: Treasurer  
 Director of Coaching & Player Development  
 Three (3) and up to five (5) general members if enough applications are received  
 Two (2) juniors (15 + years of age) with restricted voting rights who shall attend specified parts of the meeting
- ii. Club Officials: Coaching Convenor, Umpiring Convenor, Roster Convenor all of whom shall be the Southern Tasmanian Netball Association delegates to the appropriate Subcommittees
- Property and Uniform Officer/s (1 -2)  
 Social and Fundraising (1 -2)  
 Marketing and Sponsorship Convenor  
 Registrar  
 Parent Liaison  
 Public Officer  
 Member Protection Information (MPI) officer/s if qualified person /s are available
- iii. Subcommittees:
- (a) Junior Subcommittee  
 Up to 6 members with a Chair to be appointed from within the Committee
- (c) Coaching Subcommittee  
 Director of Coaching  
 STNA Club Coaching Convenor  
 Up to 3 other members
- (d) Umpiring Subcommittee  
 STNA Club Umpiring Convenor  
 Liaison for Mentors  
 Up to 3 other members
- (e) Other Subcommittees may be formed to aid or assist the functions of the Club

## **12. ELIGIBILITY AND ELECTIONS**

- i. Only Life Members, Senior Playing, Senior Non-Playing and two junior members shall be eligible for Committee of Management and Club Official positions. Junior members may be represented on subcommittees providing Junior members do not exceed more than half of the total number on the subcommittee.
- ii. Nominations for positions to be submitted in writing to the Secretary seven (7) days prior to the date of the Annual General Meeting bearing the signature of Nominator, Secunder and Nominee. Nominations will be accepted from the floor at the AGM where there are no previous nominations.
- iii. The Executive shall be elected Biennially.  
Vice-President and Secretary (even numbered years)  
President and Treasurer (odd number of years)
- iv. The General Committee and Club Officials will be elected annually.
- v. Membership of the Junior, Coaching and Umpiring Subcommittees will be approved by the Committee of Management from nominations received.

### **13. CONDUCT AND OR EXPULSION OF MEMBERS**

- i. Any member/s conducting themselves in a manner which the Committee may deem detrimental to the Club may be dealt with in whatever manner the Committee of Management shall determine.
- ii. Any such member/s may be expelled from the Club, by a two-thirds vote of the entire Committee of Management at an ordinary Committee of Management meeting.
- iii. The expulsion of a member pursuant to sub rule (iv) of this rule does not take effect.
  - (a) Until the expiration of fourteen days after the service on the member of a notice under sub rule (iv) of this rule, or
  - (b) If the member exercises their right of appeal under this rule, until the conclusion of the Special General Meeting convened to hear the appeal, whichever is the later date.
- iv. Where the Committee of Management expels a member from the Club, the Public Officer of the Club, without delay is to give notice in writing
  - (a) Stating that the Committee of Management has expelled the member.
  - (b) Detailing the grounds for the expulsion
  - (c) Informing the member of the right to appeal the expulsion within fourteen (14) days.

### **14. APPEAL AGAINST EXPULSION**

A member may appeal against an expulsion under Rule 13 by delivering or sending by post to the Public Officer of the Club, within fourteen (14) days after the service of a notice under Rule 13 iv, a requisition in writing

demanding the convening of a Special General Meeting for the purpose of hearing the appeal.

- i. On receipt of a requisition:
  - (a) The Public Officer is to immediately notify the committee of its receipt: and
  - (b) The committee is to cause a Special General Meeting of members to be held within 21 days after the date on which the requisition is received.
- ii. At a Special General Meeting convened for the purpose of this rule
  - (a) No business other than the question of the expulsion is to be transacted: and
  - (b) The committee may place before the meeting details of the grounds of the expulsion and the committee's reasons for the expulsion: and
  - (c) The expelled member is to be given an opportunity to be heard: and
  - (d) The members present are to vote by secret ballot on the question whether the expulsion should be lifted or confirmed.
- iii. If at the Special General Meeting a majority of the members present vote in favour of the lifting of the expulsion
  - (a) The expulsion is to be taken to have been lifted: and
  - (b) The expelled member is entitled to continue as a member of the Club.
- iv. If at the Special General Meeting a majority of the members present vote in favour of the confirmation of the expulsion-
  - (a) The expulsion takes effect: and
  - (b) The expelled member ceases to be a member of the Club.

## **15. INTERPRETATION OF RULES**

Should any question arise not provided for in the Rules or as to the interpretation thereof or in the Model Rules for Constitution, the opinion of the Committee shall be taken and acted upon. This decision is to be ratified at the next Annual General Meeting, or Special General Meeting if necessary.

## **16. BY-LAWS**

The Committee of Management shall have the power to make such By-Laws for carrying out the management or objects of the Club, and to vary and rescind such By-Laws from time to time if necessary.

## **17. AUDITOR**

- i. At each Annual General Meeting of the Club, the members present will appoint a person as the auditor of the Club

- ii. The Auditor is to hold office until the Annual General Meeting next after that at which he or she is appointed, and is eligible for re-appointment.
- iii. The first Auditor maybe appointed by the Committee before the first Annual General Meeting, and, holds office until the first Annual General Meeting, unless earlier removed by a resolution of the members at a general meeting, when that meeting may appoint an Auditor to act until the first Annual General Meeting.
- iv. If an appointment is not made at an Annual General Meeting, the committee of Management is to appoint an Auditor for the current financial year of the Club.
- v. Except as provided in sub rule iii. The auditor may only be removed from office by special resolution.
- vi. If a casual vacancy occurs in the office of Auditor during the course of a financial year of the Club, the committee may appoint a person as the Auditor to hold office until the next succeeding Annual General Meeting.

## **18. AUDIT OF ACCOUNTS**

- i. The Auditor is to examine the accounts of the Club at least once in each financial year of the Club.
- ii. The Auditor is to:
  - (a) Certify as to the correctness of the accounts of the Club: and
  - (b) Report to the Annual General Meeting.
- iii. In the report and in certifying to the accounts, the auditor is to state if-
  - (a) He or she has obtained the required information: and
  - (b) In his or her opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Club
  - (c) According to the information at his or her disposal and the explanations given: and
  - (d) As shown by the books of the Club: and
  - (e) The rules relating to the administration of the funds of the Club have been observed.
- iv. The Treasurer/Public Officer of the Club will give the Auditor a list of all the accounts, books and records of the Club.
- v. The Auditor may-
  - (a) Have access to the accounts, books, records, vouchers and documents of the Club: and
  - (b) Require from the (servants) members of the Club any information and explanations he or she considers necessary for the performance of the duties as Auditor: and
  - (c) Employ persons to assist in investigating the accounts of the Club: and
  - (d) In relation to the accounts of the Club, examine any member of the committee or any servant of the Club.



## **19. WINDING UP**

- i. The winding up of the Club must be in accordance with Part 12 of the Act
- ii. If the Club is wound up-
  - (a) Every member of the Club: and
  - (b) Every person who, within the period of 12 months immediately preceding the commencement of the winding up, was a member of the Club-
  - (c) Is liable to contribute-
    - To the assets of the Club for payment of the debts or liabilities of the Club: and
    - For the costs, charges and expenses of the winding up:and
    - For the adjustment of the rights of the contributories among themselves.
- iii. Any Liability under sub rule (i.) is not to exceed \$1.00.
- iv. A former member is not liable to contribute under sub rule (i.) in respect of any debt or liability of the Club contracted after he or she ceased to a member.
- v. If on the winding up or dissolution of the Club any property remains after the satisfaction of all its debts and liabilities and the costs, expenses and charges of the winding up that property
  - (a) must not be paid to or distributed among the members and
  - (b) must be given or transferred to an institution who has similar objects which has been chosen by the members of the Association at or before the time of the dissolution

## **20. FINANCIAL YEAR OF THE CLUB**

The financial year of the Club shall be from October 1st to September 30th in the following year.

