



# **TANUNDA NETBALL CLUB**

## Constitution

*Updated November 2018*

# Table of Contents

1	Name .....	3
2	Definitions.....	3
3	Colours .....	4
4	Affiliation .....	4
5	Objectives.....	4
6	Membership .....	4
7	Patron.....	7
8	Club Management .....	8
9	Public Officer.....	11
10	Elections and Meetings .....	11
11	Resolutions not in Meeting (Electronic Meetings).....	13
12	Quorum.....	13
13	Discipline.....	14
14	No confidence motion.....	14
15	Voting.....	14
16	Finance and Property .....	14
17	Appointment of Auditor .....	15
18	Alterations to the Constitution .....	15
19	Dissolution of the Club .....	15
20	Indemnity.....	16
21	Child Protection.....	16
22	By Laws.....	16
23	Common Seal.....	16
24	Club Powers .....	16

# ASSOCIATIONS INCORPORATION ACT 1985 (SA)

## CONSTITUTION

of

### TANUNDA NETBALL CLUB INC.

#### 1 Name

The name of the Club shall be Tanunda Netball Club Incorporated hereinafter referred to as "the Club".

#### 2 Definitions

In this constitution, unless the contrary intention appears:

**'Act'** means the *Associations Incorporation Act 1985 (SA)* (as amended)

**'AGM'** means the Annual General Meeting held by the Club

**'Club'** means the Tanunda Netball Club Incorporated

**'Committee'** means the body managing the Club and consisting of the members

**'Constitution'** means this constitution of the Club

**'Financial year'** means the 12 month period commencing on 1 November each year and ending on 31 October the following year

**'General meeting'** means an AGM or special meeting of the Club's members (excluding meetings of the Committee and the Executive)

**'Member' and 'Members'** means a Member or Members of the Club for the time being under Clause 6

**'Objectives'** means the objectives of the Club in clause 5

**'Officer' and 'Officers'** means Members who are elected as members of the Committee of the Club under this constitution

**'Ordinary resolution'** means a resolution as defined in clause 15

**'Regulations'** means any regulation, By Law or policy of the Club

**'Special resolution'** means a special resolution defined in sub-clause 10.12 and as amended by the Act from time to time.

### 3 Colours

The Club colours shall be black, white and silver.

### 4 Affiliation

The Club may affiliate each year with the Barossa Light & Gawler Netball Association (BLGNA) or other relevant State or National organisation as voted at a suitably convened General Meeting of the Club.

### 5 Objectives

The objectives of the Club shall be:

- 5.1 To promote, encourage and supervise competition and participation in the game of Netball as played according to the Rules adopted from time to time by the South Australian Netball Association;
- 5.2 To provide facilities for the members to play netball or any other lawful game or pastime approved by the Committee;
- 5.3 To foster good fellowship between members of the club and good sportsmanship between them and members of other clubs;
- 5.4 To do all things which the Club or Committee may think necessary or desirable for promoting the recreation, accommodation and comfort of its members and for the preservation upkeep and improvement of the Club's facilities or property;
- 5.5 To do all such other lawful things as are incidental to or conducive to the attainment of the objectives of the club or any of them.

### 6 Membership

All members will be subject to the regulations of the constitution and by joining the Club will be deemed to accept these regulations and any Codes of Conduct that the Club has adopted.

#### 6.1 Categories of Membership

The Membership of the Club shall consist of:

- 6.1.1 Playing Members (adult and child);
- 6.1.2 Social Members;
- 6.1.3 Associate Members
- 6.1.4 Life Members (playing and non-playing);
- 6.1.5 Honorary Members.

#### 6.2 Playing Members

A playing member is a registered member of the Club who plays netball in any division for the Club.

- 6.2.1 An adult playing member is a person over 18 years of age;
  - 6.2.1.1 An adult playing member has full voting rights at the Annual General Meeting and any general meeting of the Club and may stand for any elected position in the Club.
- 6.2.2 A junior playing member is a person under 18 years of age;
  - 6.2.2.1 A junior member does not have voting rights at the Annual General Meeting nor any general meeting of the Club and may not stand for any elected position in the Club;

- 6.2.3 All junior members must have at least one (1) parent or guardian nominated on the junior members' application for membership to the Club;
  - 6.2.3.1 The parent or guardian member will assume financial responsibility for the junior member;
  - 6.2.3.2 The parent or guardian member has full voting rights at the Annual General Meeting and other general meetings and may stand for any elected position in the Club.

### 6.3 Social Members

- 6.3.1 A social member is any person other than a playing member, parent, life or honorary member who is interested in becoming a member of the Club but does not wish to participate in the playing activities of the Club;
- 6.3.2 A social member must be over 18 years of age;
- 6.3.3 Social members will have full voting rights at the Annual General Meeting and other general meetings and may stand for any elected position in the Club.

### 6.4 Associate Members

- 6.4.1 An associate member is any person who is acting in the capacity of an umpire or coach who does not already hold a position in another form of membership within the club;
- 6.4.2 An associate member will not be required to pay any membership fees to the club;
- 6.4.3 An associate member will have full voting rights at the Annual General Meeting and other general meetings and may stand for any elected position in the Club.

### 6.5 Life Members

- 6.5.1 Life membership is the highest honour that can be bestowed by the Club for longstanding and valued service to the Sport in South Australia;
- 6.5.2 Any member (including Life Members) of the club may be the proposer or seconder of a nomination of a person for life membership;
- 6.5.3 The nomination shall provide details of the nominees' service to the Club, rendering outstanding or untiring and devoted service in the best interest of the Club for a period of not less than ten years;
- 6.5.4 Nominations are to be submitted to the Secretary by the end of August each year, and tabled at a meeting of the Executive Committee to accept the nomination, as passed by an ordinary resolution;
- 6.5.5 The Executive Committee shall, if it supports the nomination, arrange a citation to be presented at the final end of season presentation;
- 6.5.6 Life Members shall be issued with a suitable badge at such presentation;
- 6.5.7 Life members have full voting rights at the Annual General Meeting and other general meetings and may stand for any elected position in the Club;
- 6.5.8 Non-playing Life members are not required to pay any membership fees, but may be required to pay other fees as determined by the Committee;
- 6.5.9 Playing Life members will pay full membership fees.

## **6.6 Honorary Members**

- 6.6.1 The Committee may appoint Honorary members to the Club.
- 6.6.2 Honorary Members may include a sponsor, public figure or any other person or body who is interested in supporting the Club;
- 6.6.3 An Honorary Member does not have voting rights at the Annual General Meeting and other general meetings and may not stand for any elected position in the Club.
- 6.6.4 Honorary Members are not required to pay any Membership Fees, but may be required to pay other fees (such as sponsorship) as determined by the Committee.

## **6.7 Admission and renewal of Membership**

- 6.7.1 Application for membership of the Club shall be by completion of a membership application form (or registration form, either online or hard copy) and by payment of the relevant subscription fees as advised at the Annual General Meeting;
- 6.7.2 Members (other than Associate, Life and Honorary Members) must renew their membership annually.

## **6.8 Discretion to Accept or Reject Application**

- 6.8.1 The Committee, at its discretion, may accept or reject any application (whether or not the applicant has complied with the requirements in sub-clause 6.7);
- 6.8.2 The Committee shall not be required or compelled to provide any reason for such acceptance or rejection.
- 6.8.3 Where the Club accepts an application, the applicant shall become a Member. Membership shall be deemed to commence upon acceptance of the application by the Club. The register shall be amended accordingly as soon as practicable;
- 6.8.4 Where the Club rejects an application, it shall refund any fees forwarded with the application and the application shall be deemed rejected by the Club.

## **6.9 Membership of the Club shall cease**

- 6.9.1 On the date on which a member leaves the Club;
- 6.9.2 On failure to maintain payment of subscriptions;
- 6.9.3 Where a member has refused or neglected to comply with these rules or has been guilty of conduct unbecoming or prejudicial to the interests of the Club;
- 6.9.4 Where a member has brought the Club into disrepute;
- 6.9.5 Where a member notifies the Club of their resignation or withdrawal from the membership of the Club. Once the notice is received, within one (1) month, the register of members shall be updated to reflect the change in membership status.

## 6.10 Register of Members

- 6.10.1 The Club shall keep and maintain a register of members in each category in addition to their financial status. The register shall include the full name, address and date of entry of each member, and where applicable, the date of termination of membership of any member. Members are to provide notice of any change of their details to the Club within one (1) month of such change;
- 6.10.2 The Club shall respect and protect the privacy of all members of the Club and shall not divulge any personal information or images pertaining to members without prior authorisation or permission of the members individually or collectively.

## 6.11 Subscription/Fees

- 6.11.1 The subscription for members shall be such sum as the current Committee shall recommend to an Annual General Meeting which shall be passed by a majority of the members present at such meeting;
- 6.11.2 No subscription shall be payable by Associate, non-playing Life Members and Honorary Members;
- 6.11.3 No person shall be eligible to take part in the business of the Club or eligible for selection for any Club team unless the appropriate subscription has been paid by the specified date or membership has been agreed by the Committee;
- 6.11.4 On payment of the subscription a member submits to the rules of the Club and is deemed to accept the interpretation thereof by the elected Committee.

## 6.12 Refund of Membership Fees

- 6.12.1 Membership fees or subscriptions paid by the discontinued member may be refunded to the member upon discontinuance, at the discretion of the Committee;
- 6.12.2 In determining whether to grant a refund, the Committee may take into account any matter it considers fit, including:
  - 6.12.2.1 The reason for the resignation, discontinuance or rescission of membership;
  - 6.12.2.2 The member's contribution to the Club;
  - 6.12.2.3 Any costs or penalties incurred, or that may be incurred, by the Club as a result of the resignation, discontinuance or rescission of Membership; and
  - 6.12.2.4 If the member is a player, the Club's Fee Policy is to be referred to.

## 7 Patron

- 7.1 The Club may appoint at least one Patron at the Annual General Meeting;
- 7.2 The Patron does not have voting rights at the Annual General Meeting and other general meetings and may not stand for any elected positions in the Club, not unless such Patron is a current financial member under another category of Membership under clause 6 whereby they have such rights;

- 7.3 The Patron is not required to pay for any membership fees unless they are required to pay such fees under another category of membership;
- 7.4 Patrons may be invited to any club event.

## 8 Club Management

- 8.1 The management of the Club shall be vested in a Management Committee (referred to hereinafter as "the Committee") in conformity with this constitution.
- 8.2 The Management Committee shall:
  - 8.2.1 Be comprised of the officers and minimum of seven (7) general members elected at each Annual General Meeting of the Club;
  - 8.2.2 Have the power to make decisions relating to the affairs of the Club in accordance with the objectives and in the best interests of the Club;
  - 8.2.3 In the event of a casual vacancy occurring in the Committee, appoint a member of the Club to fill the vacancy and the member shall hold office until the conclusion of the Annual General Meeting next following the date of appointment;
    - 8.2.3.1 If the President resigns their position, the Vice President shall automatically take over the position until the elections at the next Annual General Meeting.
- 8.3 The Officers of the Club shall comprise of:
  - 8.3.1 President
  - 8.3.2 Vice President
  - 8.3.3 Secretary
  - 8.3.4 Treasurer
- 8.4 The Executive of the Club shall be comprised of the Officers of the Club;
  - 8.4.1 The Officers and general members shall have a term of one (1) year, except in the case of the President and Vice President who shall have a term of two (2) years. The President and the Vice President shall be elected in alternate years;
  - 8.4.2 The Executive is authorised to settle any urgent or unforeseen business as may occur from time to time subject to such ratification as may be necessary by the Committee;
  - 8.4.3 The Committee may appoint one or more of its members, or any other person or persons, to a sub-committee or to carry out on its behalf and subject to its control and discretion, any general or specific duties and may at any time alter or revoke such appointment;
  - 8.4.4 The Committee may appoint sub-committees to perform, from time to time, certain tasks. Members of such sub-committee shall carry out their duties in accordance with the directions of the Committee. The Committee may at any time alter or revoke such appointment;
  - 8.4.5 At least one officer of the Committee shall be an ex-officio member of the sub-committee and will report back to the Committee on any decisions made by the sub-committee;
  - 8.4.6 Minutes shall be taken at the meetings of the sub-committees and shall be forwarded to the Secretary within fourteen (14) days of the meeting taking place.
  - 8.4.7 Any member of the Committee who fails to attend three (3) consecutive meetings without apology, proper reason or leave from the Committee or is:



- 8.4.7.1 disqualified by the Act;
  - 8.4.7.2 expelled under these rules;
  - 8.4.7.3 permanently incapacitated by ill health;
  - 8.4.7.4 no longer the duly appointed representative of a corporate member;
- shall automatically cease to be a member of the Committee.

### **Duties of the Officers**

#### 8.5 The President shall:

- 8.5.1 Demonstrate leadership within the Club and oversee the overall direction of the Club;
- 8.5.2 Represent the Club when addressing stakeholders and the wider community;
  - 8.5.2.1 Have a sound knowledge of the Club;
  - 8.5.2.2 Lead and facilitate Club activities;
  - 8.5.2.3 Build and maintain strategic relationships.
- 8.5.3 Preside at all General meetings, committee meetings and meetings of the Executive;
- 8.5.4 Preserve order, and for that purpose may instruct any persons to withdraw, or to refrain from speaking, or may adjourn the meeting;
- 8.5.5 Determine that the minutes of each meeting are correct, and confirm by signing them as correct;
- 8.5.6 At meetings have a casting vote only, and in exercising the casting vote, shall vote in a manner which maintains the status quo.

#### 8.6 The Vice President shall:

- 8.6.1 Provide support to the President in carrying out their duties;
- 8.6.2 In the absence of the President, assume the powers, duties and responsibilities of the President.

#### 8.7 The Secretary shall:

- 8.7.1 Maintain Club records and ensure effective management of the Clubs records and historical records;
- 8.7.2 Manage minutes of the Committee meetings and ensure that action items are carried out for all directions given at any such meeting;
- 8.7.3 Ensure agenda and minutes are distributed in a timely manner before and after committee meetings;
- 8.7.4 Keep the books containing the minutes or records of proceedings of all meetings of the Club and of its Committee and produce them as required;
- 8.7.5 Manage the Club's communications between members, committee and all other parties as required;
- 8.7.6 Manage the Club's incoming correspondence both via mail, email, dropbox or other form of communication as required;
- 8.7.7 Keep an up to date register of the members of the Club;
- 8.7.8 Keep a written record of all By Laws and rescissions, alterations or amendments thereto, including the date on which they came into force, and advise members of additions and alterations thereto as required by the Constitution;
- 8.7.9 Have the power to call a Special General meeting if the need arises;

- 8.7.10 Obtain a direction from the committee before disposing of any Club property or records;
- 8.7.11 Carry out all such duties as may be required under the Constitution and By Laws;
- 8.7.12 Compile an annual report to be submitted to the members for adoption at the Annual General Meeting;
- 8.7.13 Give between seven (7) to twenty one (21) days' notice of the Annual General Meeting, or in the event of a Special General Meeting, give seven (7) days' notice to all of the Club members either by an advertisement placed in a newspaper circulating in the area, or by email, post or telephone.

8.8 The Treasurer shall:

- 8.8.1 Be responsible for the receipt of all monies on behalf of the Club and to deposit such monies without undue delay to the credit of the club account at the nominated financial institution;
- 8.8.2 Be responsible for all payments either via cheque or electronic banking that have been ratified by the Management Committee, to be paid as soon as practicable, with the approval being signed by any two of the following Executive: President, Vice President, Treasurer or Secretary;
- 8.8.3 Keep proper books and accounts and submit a report on the Club's financial position at each committee meeting:
  - 8.8.3.1 Providing particulars of income and expenditure since the last report;
  - 8.8.3.2 Providing amounts owing by the Club since the last report.
- 8.8.4 Prepare a draft annual budget and any other financial reports as requested;
- 8.8.5 Ensure the Club has the right financial policies and procedures in place;
- 8.8.6 Prepare an annual statement including income and expenditure and the balance sheets and submit same to the Annual General Meeting of the Club;
- 8.8.7 Ensure that appropriate insurance policies are in place for the Club and its members.

8.9 The Records Officer shall:

- 8.9.1 Maintain the Club's register of matches played, for all junior (excluding Netta) and senior players;
- 8.9.2 The register shall show:
  - 8.9.2.1 Weekly scores of all matches;
  - 8.9.2.2 Include a list of all registered players and the divisions/teams in which they play each week;
- 8.9.3 Be responsible for checking the official score cards of the Association for each match;
- 8.9.4 Be responsible for forwarding the official score cards, club voting slips and all Association voting slips or requirements for home games to the BLGNA Records Officer in the time required by the BLGNA.

## 8.10 Change in Executive personnel:

- 8.10.1 Any outgoing Executive members shall ensure that all relevant books and records belonging to the Club are brought up to date and handed to the incoming officer within fourteen (14) days of their appointment. In addition, the outgoing Executive member shall ensure that a relevant detailed handover of specific role requirements is completed within this time frame.

## 9 Public Officer

- 9.1 The Club shall appoint a Public Officer in accordance with the requirements of the *Associations Incorporations Act (SA) 1985*, or any equivalent State or Commonwealth legislation, at the Annual General meeting;
- 9.2 The Public Officer shall:
  - 9.2.1 Ensure the Club's operations comply with the statutory requirements relating to an Incorporated body;
  - 9.2.2 Upon the request of a member, provide advice on the interpretation of the constitution and By Laws and statutory requirements;
  - 9.2.3 Other duties as required by relevant State or Commonwealth legislation.

## 10 Elections and Meetings

### Annual General Meeting

- 10.1 The notice calling the Annual General Meeting shall include a call for written nominations for the elections of the Committee of the Club whose terms of office expire at the meeting;
- 10.2 The Chairperson may call for nominations at the Annual General Meeting for all vacant positions to be filled;
- 10.3 Nominations shall have a proposer and a seconder;
- 10.4 The proposer of the nomination may be the nominee;
- 10.5 A nomination shall not be accepted without the nominee indicating to the meeting of their acceptance of the nomination;
  - 10.5.1 In the event that the nominee is unable to attend the meeting, written acceptance of the nomination shall be accepted at the meeting;
- 10.6 If the number of nominations accepted does not exceed the number of positions vacant the chairperson shall:
  - 10.6.1 Give the meeting the opportunity to propose that any or all of the nominees be accepted;
  - 10.6.2 If a resolution that not all nominees be elected is carried, further nominations shall be called for;
  - 10.6.3 If no such resolution is made, declare the nominees elected;
- 10.7 If there are more nominees than vacancies, other than for the positions of general member, the election shall be determined by a show of hands;
  - 10.7.1 In the event that two or more candidates receive an equal number of votes the chairperson shall request a ballot of the members present;

- 10.8 If there are more nominees than vacancies for general members, the election shall be by ballot;
- 10.9 Where a ballot is necessary the responsible person overseeing the process shall be the Public Officer or a member of the Executive;
- 10.10 That the responsible person shall distribute and collect the ballot papers. The responsible person shall, as required, supervise the counting of votes of the ballot;
- 10.11 At the conclusion of the ballot, where two or more candidates receive an equal number of votes from that ballot, the Chairperson shall draw lots to decide the successful candidate;
- 10.12 When a ballot is taken, the results of each ballot shall be deemed to be a resolution of the Club adopted as such an Annual General Meeting or Special General Meeting;
- 10.13 The Annual General Meeting of the Club shall be held no later than the end of November each year;
- 10.14 Notice of Annual General Meetings and Special General Meetings shall be given to members (including Life Members) not less than seven (7) days or more than twenty one (21) days prior to the date of the meeting;
- 10.15 The order of business at the Annual General Meeting shall be:
  - 10.15.1 The confirmation of the minutes of the previous Annual General Meeting and of any Special General Meeting held since that meeting;
  - 10.15.2 President's Annual Report;
  - 10.15.3 Coaches Annual Reports;
  - 10.15.4 Treasurer's Annual Report, which shall include the annual financial statement including income and expenditure and balance sheets of the Club;
  - 10.15.5 Recognition of Awards and Life Membership for previous season;
  - 10.15.6 Election of Committee members;
  - 10.15.7 Appointment of Patron;
  - 10.15.8 Appointment of Public Officer;
  - 10.15.9 Appointment of Auditor;
  - 10.15.10 Announcement of fees for the upcoming season;
  - 10.15.11 General Business

### **Special General Meetings**

- 10.16 A Special General Meeting shall be called at the request of the President or the Secretary or at the written request of not less than ten (10) members of the Club;
  - 10.16.1 The Secretary shall give members at least seven (7) days' notice for such meeting to be held;
  - 10.16.2 The notice of a Special General Meeting, issued one (1) month of receipt of written requisition, shall set out clearly the business for which the meeting has been called. No other business may be dealt with at that Special General Meeting;
  - 10.16.3 Any person who may attend and take part in an Annual General Meeting may also attend and take part in a Special General Meeting;

- 10.16.4 If the Committee fails to convene the Special General Meeting within one (1) month of the request, the requisitionists may convene a Special General Meeting, in the same manner as if the meeting had been called by the Committee.

### **Committee Meetings**

- 10.17 The Committee shall meet together at least once per month in the period of January to October and then at the discretion of the Executive Committee as they shall deem necessary, to be held at such time and place as shall be determined by the Management Committee;
- 10.18 The Secretary shall give member at least seven (7) days' notice for such meetings to be held;
- 10.19 The Committee may at its discretion convene such other meetings as it thinks necessary to consider any matters pertaining to the affairs of the Club;
- 10.20 A committee member may put forward a motion of business at a committee meeting. Resolutions shall be deemed passes by a simple majority in favour.

## **11 Resolutions not in Meeting (Electronic Meetings)**

- 11.1 Despite clause 10.17, the Committee may conduct a meeting electronically;
- 11.1.1 The committee may discuss business and vote on any motion by email, facsimile, telephone or text message communication ;
- 11.1.2 The meeting shall be deemed to be held at the place where the chairperson of the meeting is located;
- 11.1.3 The chairperson must provide a reasonable time frame for all discussions to take place and/or voting on a motion to be received by the chairperson;
- 11.1.4 A quorum will be decided by the number of committee responding to the chairperson by electronic communication within the reasonable time frame set by the chairperson;
- 11.1.5 Should a quorum not be satisfied, then the chairperson may (but is not obliged) to follow-up any member that fails to provide a response by electronic communication and thereafter should a quorum still not be reached, then the chairperson must terminate or adjourn the meeting.
- 11.2 All resolutions passed at a meeting under this clause 11 must be noted in the minutes of the next meeting of the committee;
- 11.3 Any resolution passed under this clause 11 shall be as valid and effectual as if it had been passed at a meeting of the committee duly convened and held.

## **12 Quorum**

- 12.1 The quorum for Management Committee meetings shall be five (5);
- 12.2 The quorum for Executive Committee meetings shall be three (3);
- 12.3 The quorum for Annual General Meetings and Special General Meetings shall be ten (10);
- 12.4 If a quorum of members is not present within fifteen minutes of the time called for a meeting, the President shall adjourn the meeting to a time and date and place to be fixed.

## **13 Discipline**

- 13.1 The Committee shall have the power to reprimand, suspend or disqualify and/or expel any member who in its opinion has been guilty of misbehaviour in any games, tournament, meetings or functions whatsoever held in connection with the Club or in any matter deemed detrimental to the Club or the good name thereof;
- 13.2 The offending member or members shall be summoned by written notice from the Secretary to attend the meeting of the Committee, at which it is proposed to deal with such member or members or of any person to represent her/him or them it shall be proper for the Committee to deal with the offenders on evidence placed before it at such meeting. The finding of the Committee shall be observed by the member or members concerned.

## **14 No confidence motion**

The Club shall be empowered to enforce a vote of no confidence.

## **15 Voting**

- 15.1 Subject to these rules, every financial member (where a subscription is due) of the Club has only one vote at a meeting of the Club;
- 15.2 In the event that an Office Bearer holds more than one position they shall only be entitled to one vote;
- 15.3 Any member may elect any other member to act as their proxy at any Annual General Meeting or Special General Meeting. The notice appointing the proxy shall be in the form set out in Appendix 1;
- 15.4 Voting shall be by a show of hands, unless a ballot is requested and agreed to by the meeting;
- 15.5 When a ballot is taken, the result of each ballot shall be deemed to be a resolution of the Club adopted at such an Annual General Meeting or Special General Meeting;
- 15.6 Any member under the age of eighteen (18) years old, a parent or guardian of that member may vote on behalf of that member, but only one vote shall be cast.

## **16 Finance and Property**

- 16.1 All funds and property of the Club shall be kept or secured in a manner approved by the Management Committee and consistent with the objects of the Club;
- 16.2 The Management Committee shall cause true accounts to be kept of all monies received and expended, and matters in respect of all property, assets and liabilities;
- 16.3 All accounts due or forecasted expenditure by the Club shall be passed for payment by the Management Committee;
- 16.4 A statement of the financial position of the Club shall be made available to each meeting of the Management Committee;

- 16.5 An annual statement including income and expenditure, the balance sheets together with the Auditor's report shall be presented to each Annual General Meeting;
- 16.6 The Club shall retain such records for seven (7) years after the completion of the transactions or operations to which they relate;
- 16.7 The financial year of the Club shall commence on the first day of November each year and end on the thirty first day of October in the following year.

## **17 Appointment of Auditor**

- 17.1 The Club shall appoint one or more registered auditors and their names shall be advised to the members of the Club at the Annual General Meeting in the preceding year;
- 17.2 The audit shall be carried out as soon as possible after the end of each financial year.

## **18 Alterations to the Constitution**

- 18.1 The Constitution of the Club shall define the existence and operations of the Club;
- 18.2 The authority of the Club provided in its Constitution and By Laws shall extend to, and be recognised by all members;
- 18.3 No alteration, addition or repeal shall be made to this Constitution except at an Annual General Meeting or Special General Meeting of the Club provided that the notice of such meeting sets out the full proposed alteration, addition or repeal which shall have been signed by the proposer and seconder, and that any motions regarding them are agreed to by not less than two-thirds of the members present and entitled to vote;
- 18.4 Any proposal to alter or amend the constitution shall be forwarded in writing to the Secretary at least twenty eight (28) days prior to the date of the Special General Meeting at which it is to be considered and shall be included in the notice of such meeting;
- 18.5 Proposed alterations to be circulated fourteen (14) days prior to the Special General Meeting.

## **19 Dissolution of the Club**

- 19.1 The Club shall not dissolve unless with the consent of three-quarters of the persons present and entitled to vote at a General Meeting. The motion to dissolve the Club, signed by the proposer and seconder, shall be submitted in writing to the Management Committee. Such notice will be dealt with at the Annual General Meeting or Special General Meeting;
- 19.2 In the case of dissolution the property, assets and income of the Club remaining after payment of all it's debts and liabilities shall be paid to a body having similar objectives as designated by the Committee;
- 19.3 Where the Club is voluntarily winding up then notice should be made to the relevant body that administers Association Incorporations.



## **20 Indemnity**

- 20.1 This constitution shall repeal all previous constitutions but except as specifically provided shall not affect any right, duty or liability or any manner or thing done or commenced, acquired or imposed under the previous constitution;
- 20.2 No member or past member shall be entitled to bring any legal action or any kind whatsoever against the Club or any officers or members of the Club, for or in respect of anything done in accordance with the constitution.

## **21 Child Protection**

- 21.1 The Committee shall appoint at least one Child Safe Officer. That member must have undertaken recognised training, and hold a current Police Check.
- 21.2 The Club shall maintain a Child Safe Policy and all Members of the Club shall be bound by this policy.

## **22 By Laws**

- 22.1 The Management Committee shall have the power to make, alter, amend or rescind By Laws as may from time to time be considered necessary for the wellbeing of the Club but which are not inconsistent with these rules;
- 22.2 All members of the Club shall be notified of any amendments made to the By Laws.

## **23 Common Seal**

- 23.1 The Club shall have a common seal upon which its incorporated name shall appear in legible characters;
- 23.2 The common seal of the club shall be affixed to any document requiring to be sealed only with the authority of the Management Committee and in the presence of any two members of the Executive who shall sign the document to which the seal is affixed;
- 23.3 The common seal shall be kept in the custody of the Secretary or such other person as the Management Committee decides.

## **24 Club Powers**

The Club shall have the powers pursuant to section 25 of the Act.



**APPENDIX 1**

FORM OF APPOINTMENT OF PROXY

I, \_\_\_\_\_ being a member of Tanunda  
Netball Club Incorporated, elect:

\_\_\_\_\_ being a member of said Club, as  
my proxy for me on my behalf at the general meeting of the Club (Annual General or Special  
General meeting, as the case may be) to be held on the \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_

My proxy is authorised to vote in \*favour/\*against (\*delete as appropriate) the resolution as  
follows (*insert details below*):

Signed: \_\_\_\_\_

Print name: \_\_\_\_\_

Date: \_\_\_\_\_