



**NEWTON JAGUARS
NETBALL CLUB INC.**
(Inc. Klemzig Area Netball Club)

CONSTITUTION

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CONSTITUTION OF NEWTON JAGUARS NETBALL CLUB INC.

1. NAME

- 1.1 The name of the Club shall be the Newton Jaguars Netball Club Inc. (herein after referred to as the "Club")

2. OBJECTS

- 2.1. Objects of the Club shall be:
 - 2.1.1 To encourage and promote the game of netball
 - 2.1.2 To affiliate with and support the South Australian Netball Association (herein after referred to as the Association)
 - 2.1.3 To abide by the official playing rules of the International Federation of Netball Associations and the Interpretation Thereof as determined by the All Australian Netball Association.
 - 2.1.4 To act for its members in all matters pertaining to netball and the control thereof.
 - 2.1.5 To educate, train, coach and encourage all members of the Club in all facets of netball.
 - 2.1.6 To promote good fellowship amongst those interested in netball.
 - 2.1.6 To do such other things and acts conducive to the Furtherance of the objectives and interests of the Club.

3 POWERS

- 3.1 The Club shall have the following powers:
 - 3.1.1 To raise money by subscriptions and levies and by such other methods, as from time to time the Management Committee shall see fit.
 - 3.1.2 To purchase, take or lease, exchange, hire or otherwise acquire any real or personal property which may be deemed necessary or convenient for any of the objects of the Club.
 - 3.1.3 To invest the monies of the Club not immediately required in such a manner as may be determined by the Management Committee.
 - 3.1.4 To become affiliated with or subscribe to other associations or bodies whose objects are similar to the objects of the Association and if thought fit, to withdraw or retire from any such other association or body.
 - 3.1.5 If thought fit, to obtain raffle permits and such other licences as may considered of benefit to the Club.
- 3.2 It is the intention that each and all of the powers specified in the preceding sub-clauses shall be in no way limited or restricted by reference to or interference from the terms of any other sub-clauses, or of the main objectives as first mentioned.

4 COLOURS

- 4.1 The colours of the club shall be Blue and Gold

5 MEMBERS

- 5.1. Membership of the Club shall consist of:
 - 5.1.1 Senior Players (17 years and over as at 31 December in the year of competition)
 - 5.1.2 Junior Players (under 17 years as at 31 December in the year of competition)
 - 5.1.3 Coaches
 - 5.1.4 Umpires
 - 5.1.5 Life Members
 - 5.1.6 Nominated Parent(s) or Guardian(s)
 - 5.1.7 Senior non-playing members
 - 5.1.8 Honorary members and Club Patron
- 5.2 All players of the Club shall be amateurs as defined by “The All Australian Netball Association”.
- 5.3 Senior Non Playing Members shall be defined as persons who have had an ongoing role with the club and who are financial members of the club.
- 5.4 Coaches are those people appointed by the Management Committee.
- 5.5 The Management Committee shall comprise a President and seven to eight other persons appointed at an Annual General Meeting. A Vice-President, Secretary, Treasurer and Public Officer shall be appointed by the Management Committee at the next Management Committee Meeting which shall be held immediately following the Annual General Meeting specifically for that purpose.
- 5.6 Sub Committees shall consist of two or more persons appointed at the Management Committee one of whom shall be a Management Committee member who shall be the coordinator.
- 5.7 Life Members shall have given the Club distinguished service for playing, coaching, umpiring and/or management and shall be nominated by a Management Committee member and appointed by a two thirds majority of the Management Committee members. They shall during the continuance of their life be entitled to all rights and privileges of membership.
- 5.8 Players will be eligible for Player Life Membership upon the completion of playing 200 games for the club.
- 5.9 Umpires are those persons who are full or associate members of the South Australian Netball Umpires Association and who are appointed as Club Umpires by the Management Committee or a Sub Committee thereof, authorised to do so.
- 5.10 Honorary members are those persons who are appointed by a two thirds majority of the Management Committee and whose membership is assessed as being able to provide a benefit to the Club which is above and beyond normal membership requirements. Honorary Membership shall be granted annually and no more than

five Honorary Memberships may be granted in any one year. A prominent person may be appointed as the Number One ticket holder of the Club as an Honorary Member. Honorary Members shall not have voting rights nor be required to pay fees.

- 5.11 The Management Committee may appoint as a prominent person whose name may add prestige to the Club as the Patron. The Club Patron will not have voting rights nor be required to pay fees.

5. ADMISSION TO MEMBERSHIP

- 6.1 Each person admitted to membership with the Club shall:
- 6.1.1 Be bound by the Constitution and By-Laws of the Club.
 - 6.1.2 Be liable for such fees, subscriptions and levies as may be fixed by the Management Committee.
 - 6.1.3 As a player, wear the official Club playing uniform during any matches for premiership points or at netball carnivals.
 - 6.1.4 As a player, comply with the regulations governing match play as set out in the Terms of Reference by the appropriate Division of the Association.

7. TERMINATION OF MEMBERSHIP

- 7.1. Membership shall be terminated by any one of the following events:
- 7.1.1 Resignation of a player, coach, umpire, committee member or life member.
 - 7.1.2 Death in the case of individual membership.
 - 7.1.3 Winding up of the Club. At the time of lodging an application to wind up any member may at the discretion of the Committee, remain liable for prescribed fees, subscriptions and/or levies incurred up to the time of lodging the application to wind up.
 - 7.1.4 Expulsion when in the opinion of the Management Committee a members conduct is discreditable or injurious to the character or interests of the Club.

8 DISCIPLINE

- 8.1 The Management Committee may expel from the Club or otherwise punish or penalise any member whose conduct, in the opinion of the Management Committee is discreditable or injurious to the character or interests of the Club
- 8.2 Before any member is expelled or otherwise punished or penalised, his/her conduct shall be enquired into by the Management Committee and the member shall be given the opportunity to defend himself/herself and to justify or explain his/her conduct.
- 8.3 Provided that a quorum is established from the Management committee present when the matter is enquired into, and it is the opinion that the member has been guilty of such conduct or action aforesaid, then it may expel or suspend him/her from membership or otherwise punish or penalise him/her.

- 8.4 Should any member fail to appear at any enquiry conducted under sub clause 8.2 hereof, or any adjournment thereof, the Management Committee may proceed in that members absence to conduct the said enquiry and to make its findings as herein empowered.

9 MANAGEMENT OF THE CLUB

- 9.1 Management of the Club shall be vested in the Management Committee elected by its members at the Annual General Meeting of the Club (or members co-opted when insufficient nominations are received to fill the positions declared vacant).
- 9.2 All members of the Management Committee must be 18 years of age at the date of the Annual General Meeting relevant to their appointment.
- 9.3 Nominations for the position of President and other Committee Members shall be proposed and seconded respectively by two members at the Annual General Meeting.
- 9.4 The President of the Club shall be elected annually at the Annual General Meeting. All other members of the Management Committee shall serve for a period of two years from the date of the Annual General Meeting relevant to their election. The election of these members shall be staggered so that only half of the number of Management Committee members are subject to election in any one year.
- 9.5 When two or more nominations are received for a designated position or nominations exceed the remaining committee positions, a secret ballot shall be conducted. The result of the ballot shall be made known as soon as practicable at the Annual General Meeting.
- 9.6 The President so appointed shall assume office immediately after completion of the elections and the remaining members so appointed shall assume office immediately at the conclusion of the Annual General Meeting. All shall hold office until the next Annual General Meeting.
- 9.7 Should any vacancy occur in the Management Committee other than in the normal course of elections, the Management Committee shall fill such vacancy from the members of the Club and such member duly elected, shall hold office for the expired portion of his/her predecessor's term.

10. POWERS OF THE MANAGEMENT COMMITTEE

- 10.1 The Management committee may exercise all such powers of the Club and carry into effect all such objects of the Club without limiting the generality of the preceding works and in addition to the powers specifically conferred upon it, the Committee shall have the power to:
- 10.1.1 Administer the finances of the Club.
 - 10.1.2 Appoint the bankers of the Club.

- 10.1.3 Open bank accounts for specific purposes and to transfer funds from one account to another, and to close any such account.
 - 10.1.4 Fix the manner in which such banking accounts shall be operated upon and nominate the President, Vice President, Secretary and Treasurer as signatories, two of which are required on each cheque as authority for withdrawal of funds from any account.
 - 10.1.5 Fix fees, levies and subscriptions payable by players, senior non-players, coaches, umpires and to enforce the payment thereof.
 - 10.1.6 Adjudicate on all matters brought before it which may in anyway affect the Club or the game of netball.
 - 10.1.7 Cause minutes to be made of all proceedings at the Annual General Meeting, Special General Meetings and Management Committee meetings.
 - 10.1.8 Determine the conditions and times when a member may use courts hired or owned by the Club.
 - 10.1.9 Appoint such Sub-Committees as it thinks fit and to define the functions thereof.
 - 10.1.10 Appoint such officials as it thinks fit and to define their duties.
 - 10.1.11 Appoint persons top honorary administrative and support positions and remunerate as it determines to enable the club to fulfill its obligations to its members.
- 10.2 All decisions by the Management Committee shall be binding on all members.

11 DUTIES

11.1 PRESIDENT

- 11.1.1 Shall preside over all meetings of the Management Committee, the Annual General Meetings and represent the Club whenever possible or delegate such duties to other committee members.
- 11.1.2 See that minutes of each meeting are correct and confirmed as soon as possible after each meeting.
- 11.1.3 The President's decision on points of order shall be final at all meetings.
- 11.1.4 The President shall be an Ex Officio member on all Sub-Committees.

11.2 VICE PRESIDENT

- 11.2.1 Shall attend all meetings of the Management Committee, the Annual General Meeting and Special General Meetings of the Club and in the absence of the President, fulfill all duties of the President.

11.3 SECRETARY

- 11.3.1 Attend all meetings of the Management Committee, the Annual General Meeting and Special General Meetings of the Club. Take and prepare a record of the minutes of all Management

Committee meetings, the Annual General Meeting and Special General Meetings of the Club.

- 11.3.2 Bring before the Management Committee all information received concerning the Club, Association or All Australian Netball Association business.
- 11.3.3 Promptly acknowledge all correspondence pertaining to the Club.
- 11.3.4 Carry out any such duties as the committee may direct.
- 11.3.5 Carry out any such duties as defined by the Association or the All Australian Netball Association Constitution and By-Laws.

11.4 TREASURER

- 11.4.1 Attend all meetings of the Management Committee, the Annual General Meeting and Special General Meetings unless excused in accordance with the rules of the Club and carry out all directions given at such meetings.
- 11.4.2 Will be the Chairperson of the Finance Sub-Committee
- 11.4.3 Prepare a statement setting out the financial affairs of the Club covering the previous twelve (12) month period for presentation at the Annual General Meeting.
- 11.4.4 Be responsible for all monies due to the Club, give official receipts for same and bank monies in the name of Newton Jaguars Netball Club Inc.
- 11.4.5 Pay all accounts that have been passed for payment by the Management Committee.
- 11.4.6 Submit a financial statement at each Management Committee meeting.
- 11.4.7 Submit a proposed budget to the Management Committee for implementation after it has been approved.
- 11.4.8 Advise the management committee on: Investment Funds; Loan and Interest Rates; budgets for various indoor and/or outdoor equipment and facilities.

11.5 PUBLIC OFFICER

- 11.5.1 Attend all meetings of the Management Committee, the Annual General Meeting and Special General Meetings unless excused in accordance with the rules of the Club and carry out all directions given at such meetings.
- 11.5.2 Seek or provide advice to the Management Committee on all matters relevant to the constitution and legal issues effecting the business of the Club.

12 MEETINGS

12.1 ANNUAL GENERAL MEETING

- 12.1.1 The Annual General Meeting of the Club shall be held in October (or as close as practicable) each year.
- 12.1.2 The Committee shall give at least fourteen (14) days notice of the Annual General Meeting to each Club member.
- 12.1.3 Notice of the Annual General Meeting shall be accompanied by details of any proposed alterations to the Constitution and By-Laws.

12.1.4 A quorum shall consist of twenty (20) members present.

12.2 SPECIAL GENERAL MEETINGS

12.2.1 Special General Meetings may be called:

- (1) At the request of the President
- (2) At the written request of five (5) members of the Management Committee
- (3) By notice in writing signed by at least fifteen (15) members of the Club

12.2.2 Such Special general Meetings shall be held within one month of such a request and the Secretary shall give at least fourteen (14) days notice of the date of the Special General Meeting to each club member.

12.2.3 Notice of a Special General Meeting shall set out clearly the business for which the meeting has been called.

12.2.4 Members entitled to attend the Annual General Meeting shall be entitled to attend the Special General Meeting.

12.2.5 A quorum shall consist of twenty (20) members present

12.3 MANAGEMENT COMMITTEE MEETINGS

12.3.1 The Management Committee shall meet at least monthly during the period November to October and as required at other times.

12.3.2 A special meeting of the Management Committee may be called:

- (1) At the direction of the President, or in his/her absence the Vice President
- (2) On written request of five (5) members of the Management Committee

12.3.3 If a Committee member misses three (3) consecutive meetings, the Committee has the right to terminate the said persons position and a replacement shall be appointed by the Management Committee for the unexpired term of office.

12.3.4 The Secretary shall give at least fourteen (14) days notice of the date of any Management Committee meeting except in special circumstances when it is impossible to give the time stated. The notice shall specify the general nature of the business to be dealt with.

12.3.5 Quorum shall be six (6) members present, two of whom shall include the President or Vice President and either the Secretary or Treasurer.

12.3.6 The Club recognizes the right of any voting member to attend and address any official meeting of the Club, with the provision that at least 48 hours notice of his/her intention to do so is given to the Secretary.

12.4 SUB-COMMITTEE MEETINGS

12.4.1 The first meeting of each sub-committee will be held within one month of appointment and thereafter as required.

13 VOTING

- 13.1 Voting Powers at the Annual General Meeting and Special General Meetings shall be:
 - 13.1.1 The President shall have the casting vote in addition to his/her deliberate vote.
 - 13.1.2 Except for juniors, each member present at the meeting shall be entitled to one vote. Juniors are not eligible to vote.
- 13.2 Voting Powers at Management Committee Meetings shall be:
 - 13.2.1 The President shall have the casting vote in addition to his/her deliberate vote.
 - 13.2.2 Each other committee member present shall have one vote.
- 13.3 Method of Voting
 - 13.3.1 A motion must be carried by a majority of those member present and voting.
 - 13.3.2 Voting on business other than appointments, shall be by a show of hands, unless a ballot is requested by any member present.
 - 13.3.3 Voting on appointments shall be by secret ballot where more than two (2) nominations have been received for a position and a preferential voting system shall be used:
 - (1) The President will select a returning officer and scrutineers
 - (2) Scrutineers shall distribute and collect the ballot papers.
 - (3) Scrutineers shall count the ballot papers under the supervision of the returning officer who shall record the result and announce the name of the successful candidates.
 - (4) Ballot papers and result slips shall be destroyed by the returning officer immediately after the meeting.

14 COMMITTEES

- 14.1 The Management Committee shall have the power to appoint special and ad-hoc committees as required and delegate to such committees such power as it may deem necessary.
- 14.2 These committees may be constituted by any persons deemed suitable (not necessarily a member of the Club) subject to the provisions of 5.5.
- 14.3 The coordinator of each committee shall report to the Management Committee as directed.

15 FINANCE

- 15.1 All funds of the Club shall be deposited in the accounts of the Club.
- 15.2 All accounts due by the Club shall be paid by cheques.
- 15.3 All cheques must be signed by any two signatories of the three registered, who will be the President, Secretary and Treasurer.
- 15.4 The Treasurer shall not exceed the approved petty cash limit without the consent of the Management Committee and shall keep a record of expenditure in a Petty Cash Book.

- 15.5 The Management Committee shall cause true accounts to be kept of all monies received and expended and in matters of respect of all properties, assets and liabilities.
- 15.6 A statement showing the financial position of the Club shall be tabled at each Management Committee meeting.
- 15.7 The Management Committee shall submit to the Annual General Meeting a statement of income and Expenditure. An auditors report shall be attached to such financial statement.
- 15.8 The Finance Sub Committee will present an annual budget to the Management Committee within 60 days of the AGM.

16 FINANCIAL YEAR

- 16.1 The Financial Year of the Club shall commence on the 1st day of October and end on the 30th day of September each year.

17 AUDIT

- 17.1 The Accounts, books and all financial records of the Club shall be audited each year by a person qualified for these duties.

18. ENFORCEMENT OF CONSITUTION AND B-LAWS

- 18.1 The authority of the Club shall extend to and be recognized by all members.
- 18.2 The Management Committee shall have the power to enquire into, deal with, adjudicate upon all questions and disputes as to the interpretation of this Constitution and any ruling or By-Laws made hereunder upon any breach or alleged breach of the Constitution, its ruling and By-Laws, and upon any complaint made to it of misconduct detrimental to the policy, interests or welfare of the Club by any person or member. The Management Committee may caution, suspend or otherwise deal with the person or member concerned. Its decision shall be binding on all parties concerned.
- 18.3 All enquires into any Club matter shall be conducted in a fair and impartial manner having regard to the principles of natural justice. All concerned parties shall be entitled to be heard.

19 BY-LAWS

- 19.1 The By-Laws of the Club shall be made for the purpose of enlarging upon, extending and developing the provisions of the constitution and the interpretation thereof, and shall be attached to the Constitution as an Appendix.

20 ALTERATIONS TO THE CONSTITUTION AND BY-LAWS

- 20.1 No alteration, repeal or addition shall be made to the Constitution and

any By-laws except at the Annual General Meeting or Special General Meeting under clause 12.2.

- 20.2 Notice in writing of all motions to alter, repeal or add to the Constitution and By-Laws shall be signed by the proposer and seconder and sent to the Secretary at least five weeks before the Annual General Meeting or Special General Meeting.
- 20.3 The secretary shall distribute such notice with notice of the date of the meeting not less than fourteen (14) days before the meeting is held.
- 20.4 Such motions or any part thereof shall be of no effect unless passed by a three-fourths (3/4) majority of the members present at the meeting.

21 DISBANDMENT

- 21.1 The Club shall not disband unless with the consent of three-fourths (3/4) majority of its members. Motion to disband the Club, signed by the proposer and seconder shall be submitted in writing to the Secretary. Such notice will be dealt with at the Annual General Meeting of the Club or a Special General Meeting under the cause 12.2.
- 21.2 If carried by the necessary three-fourths (3/4) majority of all members present and voting at the meeting, notice to disband the Club shall be forwarded to the South Australian Netball Association.
- 21.3 The Management Committee shall proceed forthwith to realise all assets of the Club and after payment of all outstanding debts and liabilities, shall transfer the balance to another club having similar objects, or to a charity, as the meeting shall have determined.

22 INDEMNITY

- 22.1 This Constitution shall repeal all previous regulations but except as specifically provided and shall not affect any right, duty or liability or any matter of things done or commenced, acquired or imposed under the previous Constitution.
- 22.2 Unless otherwise determined, the members of the Management Committee of the Club and any person holding any office of position under the authority of the Management Committee shall be deemed to be the Trustees of the Club.
- 22.3 Every Trustee of the Club shall be indemnified by the Club against all costs, losses and expenses which such Trustees may incur by reason of any act done bona fide by such Trustee in the discharge of her duty relating to her authority except losses brought about by her own dishonesty or negligence

23 MATTERS NOT COVERED BY THE CONSTITUTION OR BY-LAWS

- 23.1 If any matter should arise which is not covered by the Club's Constitution or By-Laws, the matter shall be determined by the

Management Committee whose decision shall be final until such time as the Constitution and By-Laws can be altered.

24 INTERPRETATION

- 24.1 In this Constitution, feminine includes masculine.
- 24.2 In “writing” or “written” means and includes printing and other means of representing or reproducing words in visible forms.
- 24.3 Words imparting singular include the plural and words imparting plural include singular where the content permits.