

MOUNT BARKER LUTHERAN NETBALL CLUB CONSTITUTION

1. Name

The name of this association shall be the Mount Barker Lutheran Netball Club Incorporated, hereafter referred to as the Club.

2. Definitions

'member' means a member of the Club

'Committee' means the committee of management of the Club

'the Act' means the Associations Incorporation Act 1985

'Commission' means Corporate Affairs Commission

'public officer' means the official point of contact for an incorporated association and one of the authorised signatories, as per the Act

'special resolution' means a special resolution as per the Act

'ordinary resolution' means a resolution passed by a simple majority at a general meeting

3. Objectives

- 3.1 To encourage and promote interest in netball.
- 3.2 To encourage participation, teamwork, to play fairly and with integrity, underpinned by Christian values, among those interested in netball.
- 3.3 To promote fun and fitness, and to educate, train, and coach members of the Club.

4. Powers of Association

The Club shall have all the powers as defined in Section 25 of the Act.

5. Membership

- 5.1 Any person interested in netball shall be eligible for membership.
- 5.2 All registered and financial players shall be members of the Club.
- 5.3 All members of the Committee, coaches and umpires shall be members of the Club.
- 5.4 The different classes of membership are;

Life Member

A Life Member is entitled to free membership, entitled to vote at Annual General Meetings and Special Meetings, and eligible to hold office.

Senior Member

Players aged 17 years and above, are entitled to vote at Annual General Meetings and Special Meetings. Senior Members aged 18 years and above are also eligible to hold office.

Junior Member

Players under the age of 17 years shall be eligible to join as junior members, but they shall not be entitled to vote, hold office or take part in business proceedings of the Club.

Non-Player Member

All members of the Committee, coaches and umpires who are non-players, shall be members of the Club.

Non-Player members, aged 17 years and above, are entitled to vote at Annual General Meetings and Special Meetings. Non-Player members, aged 18 years and above, are also eligible to hold office.

- 5.5 The annual membership fee for all classes of membership shall be determined at the Annual General Meeting to be held on or before Club registration day in each year.
- 5.6 Any player with unpaid fees and without a payment arrangement as agreed to by the Treasurer, by their 1st trial of the season, will be unable to play and will forfeit membership to the Club.
- 5.7 For the purpose of the Annual General Meeting only, a member refers only to a member of the Club in the year immediately preceding the current year.

6. Discipline of Members

- 6.1 All complaints against any member must be forwarded in writing and reach the secretary no later than 72 hours after the incident has taken place.
- 6.2 The Committee may expel from the Club or otherwise penalise any member whose conduct, in the opinion of the Committee, is discreditable or injurious to the character or interest of the Club.
- 6.3 Before any member is expelled or otherwise penalised, their conduct shall be enquired into by the Committee and the member shall be given the opportunity to defend themselves and to justify or explain their conduct.
- 6.4 Provided that a quorum is established and the majority of the Committee is present when the matter is enquired into, a member of the committee is considered present if they attend in person or by electronic means if authorised to do so, it is of the opinion of the Committee, that the member has been guilty of such conduct or action as aforesaid, then the Committee may expel or suspend them from membership or otherwise penalise them.
- 6.5 Should any member fail to appear at any enquiry or any adjournment thereof, the Committee may proceed if that members' absence to conduct the said enquiry and to make its findings as hereinbefore empowered.

7. Committee

- 7.1 The Executive Committee shall consist of the President, Vice-President, Secretary and Treasurer, hereafter called the office bearers.
- 7.2 Unless determined otherwise by the Committee, the President shall be the Public Officer as required by the Act.
- 7.3 In addition to the office bearers there shall be a minimum of four (4) and a maximum of eleven (11) general members which form the management Committee of the Club, hereafter called the Committee.
- 7.4 The business and affairs of the Club shall be under the management and control of the Committee, provided however, that except in the case of extreme urgency, the Committee shall not take any action contrary to decisions made at a general meeting.
- 7.5 The Committee may, subject to decisions made at general meetings, exercise all powers of the Club and do all such acts and things as maybe done by the Club or which it considers necessary or expedient to carry out the objectives of the Club.
- 7.6 The Committee shall meet as necessary to conduct the business of the Club. The Office Bearers shall have the power to call a meeting of the Committee.
- 7.7 All members of the Committee shall be notified at least four (4) days before the date of such meeting, however, the accidental omission to give any member or the non-receipt by any

member of any notice required by this constitution, shall not invalidate or affect any proceedings at such meeting.

- 7.8 The Office Bearers shall have the power to delegate any of its power to a sub-committee to deal with any particular matter or matters upon such terms, as the Office Bearers' may think fit.
- 7.9 Unless otherwise determined, the members of the Committee of the Club shall hold any property, real and personal, belonging to the Club.
- 7.10 Should any vacancy occur in the Committee of the Club, other than in the normal course of elections, the Committee shall fill such a vacancy from the members of the Club and such member duly elected shall hold office for the unexpired portion of their predecessor's term.

8. Election of Officers

- 8.1 Nomination for each candidate for election as office bearer or Committee member shall be proposed and seconded respectively by two (2) members at the Annual General Meeting.
- 8.2 The election for the office bearers and the other Committee members shall be by ballot of members' present and voting there on, held at the Annual General Meeting. No ballot shall be required when the number of candidates nominated for each office does not exceed the number of vacancies and they shall be declared duly elected.

9. Annual General Meeting

- 9.1 The Annual General Meeting shall be held no later than February in each year, and all members shall be given notice by way of advertisement at least fourteen (14) days before such meeting.
- 9.2 The order of business at the meeting shall be;
 - a) the confirmation of the minutes of the previous Annual General Meeting and of any Special Meeting held since that meeting
 - b) the submission of the annual report and audited balance sheet or financial statement
 - c) the election of office bearers and general committee members for the ensuing 12 months
 - d) any other business requiring consideration by the Club

10. Special Meeting

Any of the Office Bearers may summon a Special Meeting at the request of any two (2) members of the Committee, or at the written request of three (3) members of the Club, stating the business for which the meeting is to be called.

11. All Meetings

- 11.1 The President of the Club shall be the Chairperson at all meetings. Should the Chairperson not be present, then the Vice-President will chair. If the Vice-President is not present then the members shall elect a member to take the chair.
- 11.2 At all meetings, the Chairperson's decision on points of order shall be final.
- 11.3 A quorum shall be no less than one half of the total number of members of the committee. A member of the committee is considered present if they attend in person or by electronic means if authorised to do so.
- 11.4 If at any general meeting, there be no quorum within thirty minutes of the appointed time for the meeting, then the meeting shall lapse unless a majority of the members present decide to adjourn the meeting for a period not exceeding 14 days.

- 11.5 The Committee shall meet whenever necessary provided that, during the competitive season, they meet not less than once every two (2) months.
- 11.6 A question for decision at a general meeting, also known as a motion or ordinary resolution, must be determined by a simple majority of members.
- 11.7 Every member of the Committee, including the President, shall be entitled to one vote only on each question or motion submitted.
- 11.8 Only members present in person shall be entitled to vote. A member of the committee is considered present if they attend in person or by electronic means if authorised to do so.

12. Finance

- 12.1 The financial year shall be from January 1st to December 31st.
- 12.2 The Treasurer shall be responsible for all income and expenditure of the Club.
- 12.3 All monies of the Club shall be paid into the accounts of the Club at such banks as the Committee may from time to time direct.
- 12.4 All cheques drawn or funds electronically transferred from the Club's account shall be signed/authorised by two (2) of the authorised signatories as determined by the Office Bearers. No cheque shall be signed or money withdrawn unless such withdrawal has been approved by the Committee or in case of emergency, by the President and the Secretary.
- 12.5 The financial records and accounts of the Club shall be audited annually by an auditor appointed by St Mark's Lutheran Church, Mount Barker.

13. Duties

- 13.1 The Secretary shall carry out their duties under the direction of the Committee, keep records and carry out such duties as the Committee may from time to time direct.
- 13.2 The Treasurer shall keep proper financial records of all monies received and disbursed; submit for audit at the end of each financial year and provide an audited balance sheet and financial report at the Annual General Meeting.

14. Amendments to the Constitution

- 14.1 This shall be the only Constitution of the Mount Barker Lutheran Netball Club and shall come into force forthwith and shall not be altered, varied, added to or repealed other than by a special resolution.
- 14.2 At least 21 days written notice specifying the intention of the special resolution must be given to all members of the Club.
- 14.3 Any alteration, variation, addition or repeal can only be made if passed by not less than three quarter majority of members of the Club voting in person at that meeting.
- 14.4 Any amendment to the Constitution must be registered with the Commission, within one (1) month, as required by Section 24 of the Act.

15. Dissolution of the Club

- 15.1 The members can resolve to wind up the club by a special resolution.
- 15.2 At least 21 days written notice specifying the intention of the special resolution must be given to all members of the club.

- 15.3 A decision to dissolve can only be made if passed by not less than three quarter majority of financial members of the Club voting in person at that meeting.
- 15.4 In the event of the winding-up or dissolution of the Club, the funds, after liabilities have been discharged, shall be deemed to be the property of St Mark's Youth Fellowship, Mount Barker, in accordance with the Act.

16. Property Assets

The property, assets and income of the Club, whatever derived, shall be applied towards the promotion of the objectives of the Club, and no portion thereof shall be paid or transferred either directly or indirectly by way of dividend, bonus or otherwise by way of profit to members generally of the Club. Nothing herein shall prevent the payment in good faith of remuneration to any officers or servants of the Club or any member in return for services actually rendered, nor prevent payment of interest on money borrowed from any member of the Club. Should the Club for any reason whatsoever cease to function, any member or persons holding any Club money or property shall forthwith return same to the Executive Committee.

17. Other Matters

All matters not dealt with in this Constitution will be considered by the Executive Committee and brought into effect if necessary in the form of By-Laws and/or Policies of the Club.