



## NELSON BAY NETBALL ASSOCIATION INC.

### CONSTITUTION

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## 1. GENERAL

### 1.1 DEFINITIONS

For the purposes of this Constitution,

**'Affiliated Club'** means any club (comprising one or more teams) which has paid the prescribed annual affiliation fee to the Association.

**'Annual Report'** means the report provided annually by the Association at the Annual General Meeting.

**'Association'** means the Nelson Bay Netball Association Inc. (NBNA).

**'Chairperson'** means the elected President of the Association or their delegate

**'Club and or team Delegate'** means a duly appointed representative of an Affiliated Club and or team of the Association.

**'Committee'** mean those members appointed in accordance with clause 4.3 and 5.6 of this Constitution.

**'Delegate'** means any Office Bearer who represents a Committee member at their request.

**'Executive Committee'** is those members elected in accordance with clause 4.1 and 5.6 of this Constitution.

**'Instrument'** means any document pertaining to the governance of the Association, and includes, but is not limited to, this Constitution and the associated policies of the Association.

**'In Writing'** means in the form of a letter or document which can be kept as proof of something. Electronically received letters or emails through the appropriate NBNA email will be accepted.

**'Life Member'** means any member of the Association elected to such membership in accordance with this Constitution.

**'Member Protection Policy'** means the Netball NSW Member Protection Policy.

**'NBNA'** means Nelson Bay Netball Association Incorporated

**'Netball NSW'** means the controlling body for Netball in New South Wales.

**'Office Bearers'** mean any person, 18yrs or over, holding a position as elected at the AGM.

**'President'** means the person elected to the position under clause 5.6 of this Constitution.

**'Public Officer'** means the person appointed to that role by the Association in accordance with any relevant policy.

**'Registered Member'** means any financial member or Life Member of the Association.

**'Returning Officer'** means an independent person appointed to the position as per clause 5.6 xiv of this Constitution.

**‘Secretary’** means the person elected to the position under clause 5.6 of this Constitution.

**‘Senior Member’** means a Registered Member who has attained the age of 18 years.

**‘Vice President’** means the person elected to the position under clause 5.6 of this Constitution.

**‘Publicised’** refers to any matter made public through any medium including, but not limited to, email, text (SMS), social media and website avenues.

## 1.2 INTERPRETATION

Where this Constitution conflicts with any other instrument of the Association, this Constitution shall prevail.

The Committee shall hold the power to deal with and adjudicate upon all questions and disputes as to the interpretation of the Constitution, rules and associated policies.

## 1.3 TITLE

The name of the Association shall be the Nelson Bay Netball Association Inc.

## 1.4 TYPE OF ORGANISATION

The Association is a ‘not-for-profit’ organisation whose income and property is applied solely towards the promotion of the objects of the Association. No funds or property shall be paid or transferred directly or indirectly by way of dividend or bonus or by way of profit to or amongst the members.

## 1.5 COLOURS

The Association’s colours will be royal blue, white and yellow.

## 1.6 ASSOCIATION LOCATION

The Association office and facilities are located at Tomaree Sports Complex, Aquatic Close, Salamander Bay NSW 2137.

## 1.7 OBJECTS

The objects of the Association are:

- i. to affiliate with and support Netball Australia and Netball NSW and adapt and adhere to relevant policies.
- ii. to act for its Members to further their interests and promote and control the game of Netball within the boundaries of the Association.
- iii. to promote, regulate and control competition matches between Affiliated Clubs and or teams and to control all competitions and carnivals of the Association.
- iv. to select and manage netball teams to represent Nelson Bay Netball Association in matches against teams representing other Associations within New South Wales.

- v. to co-operate with other affiliated organisations in New South Wales for the furtherance of Netball.
- vi. adopt and adhere to the Netball NSW Member Protection Policy.
- vii. conduct education and training to support members to enhance their knowledge and understanding of Netball.
- viii. to operate responsibly in all aspects of the financial management of the Association to ensure the stability, growth and continuance of NBNA.
- ix. to seek to resolve any and all disputes which may arise between members of the association in all matters pertaining to the game of netball within the boundaries of the Association, including disciplinary, appeal and grading matters.
- x. to actively pursue through itself or others, such commercial arrangements, including sponsorship and marketing opportunities, as are appropriate to further the objectives of the Nelson Bay Netball Association.
- xi. to allow the NBNA Committee to develop, implement and update appropriate policies, as they arise from time to time as issues to be addressed in Netball for the safety, protection, and wellbeing of all its members.

## **2. AFFILIATION WITH NETBALL NSW**

The Association shall affiliate with Netball NSW annually as required under the Netball NSW Constitution and any relevant Netball NSW policies.

## **3. MEMBERSHIP**

### **3.1 ORDINARY MEMBERSHIP**

The Association is the controlling body for netball within its boundaries and its authority shall be recognised by all Registered Members who shall adopt and obey this Constitution and the policies of the Association.

The Association may admit to membership, Registered Members as defined by the Constitution or any other relevant policy of Netball NSW.

A person ceases to be a Registered Member of the Association if the person:

- i. dies
- ii. ceases to be financial under Clause 3.3 below or
- iii. is expelled from the Association in accordance with the Member Protection Policy.

The Executive Committee may reject any application for membership.

### **3.2 LIFE MEMBERSHIP**

Any person may be elected a Life Member of the Association in recognition of Outstanding service to the Association for a minimum period of 10 years' service as the Committee deems appropriate.

Candidates for election as Life Members shall be nominated by two Senior Members of the

Association to be received at least two months before the AGM at which such nominations will be considered.

The Executive shall review all nominations received to ensure nominations meet criteria as defined below and if appropriate, put forward such nominations for voting.

Criteria:

- i. Undertake role/s within NBNA that show an outstanding level of support and engagement of NBNA and go beyond the role/s undertaken within their member club.
- ii. Demonstrate a consistent, sustained application of commitment to the support and promotion of netball within NBNA over a minimum period of 10 years.

The vote must be carried by a two-third majority.

A Life Member shall be entitled to attend and speak at all meetings, but shall not be entitled to propose or second a motion or vote unless they are a team delegate or office bearer.

Payment of all fees for a life member shall be paid by NBNA.

A person ceases to be a Life Member of the Association if the person:

- i. dies; or
- ii. is expelled from the Association in accordance with the Member Protection Policy.

### 3.3 MEMBERSHIP FEES AND MISCELLANEOUS FEES

All Registered Members of the Association will be financial members between 1 January and 31 December of the year in relation to which membership is paid.

A Registered Member ceases to be financial if they:

- i. fail to renew their membership; or
- ii. fail to pay to the Association money they owe to the Association within the required timeframe.

### 3.4 REGISTER OF MEMBERS

The Secretary of the Association will also hold the position of Public Officer for the Association.

The Association shall establish and maintain a register of members of the Association, specifying the name and address of each person who is a Registered Member of the Association, together with the date on which the person became a Registered Member.

The register of members shall be kept at the principal place of administration of the Association and shall be open for inspection by any Registered Member of the Association at any reasonable hour: however, such inspection shall be limited to viewing the names of Registered Members only.

### 3.5 MEMBERS' LIABILITY

The liability of a Registered Member of the Association to contribute towards the payment of the debts and liabilities of the Association or 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.

### 3.6 AFFILIATION OF CLUBS

To become affiliated with the Association, clubs must:

- i) Consist of one or more teams comprising Registered Members of Netball NSW.
- ii) Pay an annual affiliation fee as determined by the Committee at the Annual General Meeting each year.

### 3.7 CLUB DELEGATES

Affiliated Clubs shall each have the right to nominate two Club Delegates to the Committee. Club Delegates must be a member of the relevant club.

The Secretary of each Affiliated Club shall notify the Association's Secretary of the names and addresses of Club Delegates at least seven days prior to the first meeting of the Committee each year.

An Affiliated Club has the right to withdraw a Club Delegate and appoint another Club Delegate in their place at any time.

A vacancy shall be deemed to have occurred in respect of any Club Delegate who has, without leave of Committee, failed to attend three consecutive Committee meetings or send an alternate delegate.

Any such vacancy shall be filled by a nominee of the Affiliated Club whose Club Delegate has caused the vacancy.

Where an Affiliated Club does not have the required number of Club Delegates in attendance at any meeting of the Committee, that club will be liable to a fine which will be set by the Committee from time to time.

At each meeting, all Club Delegates present shall sign an attendance book and shall state the club that they represent at that meeting.

A Club Delegate may represent one club only at any meeting.

A Club Delegate must be a Senior Member.

### 3.8 TEAM DELEGATE

The role of the team delegate is:

- To provide contact details to the Association Secretary
- Attend the General, Special and Annual General Meetings or assign an alternative delegate
- Ensure that all players are registered and signed on each week
- Ensure WWCC is current and provided to the Registrar
- Ensure teams are all in the same uniform
- Ensures that relevant Association duties are allocated within the team and completed
- Ensure there is a nominated scorer who sits with the other teams scorer
- Ensure the scoresheet is taken to the Clubhouse at the end of the game by the winning team
- Follow up any complaints/issues with the relevant Committee member
- Provide the Team with Association and Netball NSW updates

#### **4. ORGANISATIONAL STRUCTURE**

##### **4.1 EXECUTIVE COMMITTEE**

The Executive Committee shall consist of the following voting members:

- President
- Vice President
- Secretary
- Treasurer
- Competition Convenor/Registrar

Meetings: Refer Clause 5.1

Any member of the Executive Committee who, without leave of the Executive Committee, has failed to attend three consecutive meetings or send a delegate, shall be deemed to have resigned and shall be replaced in accordance with this Constitution.

The first duty of a member of the Executive Committee shall be an Association function as opposed to a club function.

##### **4.2 DUTIES OF EXECUTIVE COMMITTEE**

The Executive Committee may exercise the functions and powers of the Committee between meetings of the Committee and its decisions may be subject to ratification by the Committee at the next meeting, if such a decision requires a quorum and majority vote under the provisions of this Constitution.

The Executive Committee shall ensure the presentation of a financial report to all Committee meetings and make recommendations to Committee on matters of finance and policy.

The Executive Committee is empowered by the Committee to take appropriate action under the Member Protection Policy pursuant to this Constitution, against any Affiliated Club, Team or Registered Member of the Association. Any decision taken under the Member Protection Policy is not subject to ratification by the Committee.



#### 4.3 COMMITTEE

The Committee shall consist of these positions:

- President
- Vice President
- Secretary
- Treasurer
- Competition Convenor/Registrar
- Umpires Convenor
- Coaching Convenor
- Representative Convenor
- Publicity Officer
- Sponsorship and Fundraising Coordinator
- Property Officer

The Committee will meet at least once every 2 months. Meetings may be called more frequently if required. Notification of meetings will be actioned by the Secretary at the request of the President or the Executive Committee.

Any member of the Committee who, without leave of the Executive Committee, has failed to attend three consecutive meetings or send a delegate shall be deemed to have resigned and shall be replaced in accordance with this Constitution.

#### 4.4 DUTIES OF COMMITTEE

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

- i. to control and manage the affairs of the Association.
- ii. to fix fees payable by members and to enforce payment thereof.
- iii. 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; and 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.
- iv. to empower the Executive Committee to act in accordance with the Netball NSW Member Protection Policy or relevant Association policies against any Affiliated Club or Team or Registered Member.
- v. to appoint delegates to represent the Association at anybody at which the Association requires representation.
- vi. from time to time make, amend, and rescind Policies and Procedures consistent with this Constitution.

#### 4.5 SUB COMMITTEES

The following Sub Committees will be convened each year following the AGM.

- i. Competition: (comprising minimum 3 members including Fixtures, Assistant Registrar, Junior Co-ordinator). Convened by Competition Convenor/Registrar.  
Role of Sub Committee – to make decisions on grading, season fixture, registrations/de-registrations & form the grading panel.
- ii. Representative: (comprising of Treasurer, Sponsorship/Fundraising Co-ordinator, Umpires Convenor, 1 independent member & minimum of 3 Representative Coaches for that year, or their Assistant Coach or Manager, if the Coach holds another role already included, such as a committee position).  
Convened by Representative Convenor.  
Role of Sub Committee – as per Representative Policy.
- iii. Property: (comprising minimum 3 members including Grounds/Maintenance Officer, Sponsorship/Fundraising Co-ordinator, Treasurer). Convened by Property Officer.  
Role of Sub Committee – to make decisions on canteen, uniforms, equipment, Association assets and ground maintenance.

Order of business at Sub Committee meetings shall be:

- a) Apologies.
- b) Confirmation of previous Minutes.
- c) Business Arising from Minutes.
- d) Correspondence & business arising.
- e) Sub-Committee Reports as required
- f) General business
- g) Next Meeting
- h) Meeting close

All Sub-Committee meetings shall be minuted and be forwarded to the Association Secretary within 7 days.

Members of Sub-Committees should be registered members of Netball NSW.

#### 4.6 INCOME AND PROPERTY

- i. Application  
The Associations income and property must be applied solely towards promoting the Association's Objects and the Association's income and property must not be applied for the profit or gain of its individual members.
- ii. No distribution  
No part of the Association's income or property may be paid, transferred or distributed, directly or indirectly, by way of dividend, bonus, fee or otherwise, to any of the Members of the Association.
- iii. Exception  
This clause does not prohibit making a payment approved by the Committee of the Association for out-of-pocket expenses incurred by an Office Bearer in performing a duty as an Office Bearer of the Association.

## 5. MEETINGS

## 5.1 EXECUTIVE MEETINGS

The Executive Committee will meet on a needs basis to make decisions on behalf of the Association. This may be for a hung vote in a Sub Committee meeting, disciplinary action on a member, urgent financial matters, highly sensitive issues or any decision requiring a prompt resolution.

All Executive Meetings must be minuted by the Secretary. Minutes of Executive meetings are kept confidential where subject matter is of a sensitive nature. The Executive shall communicate decisions directly to an individual if they are the subject of the meeting or to the Association Committee within 24 hours of that meeting if the decision affects the Association as a whole.

## 5.2 COMMITTEE MEETINGS

The committee will meet at least once every 2 months. Meetings may be called more frequently if required. Notification of meetings will be actioned by the Secretary at the request of the President or the Executive Committee.

Meetings should be scheduled at the beginning of the calendar year.

- i. The President shall take the chair at all meetings of the Committee and/or Executive Committee. In the President's absence the chair shall be taken by the Vice President.
- ii. If neither the President nor Vice President is present within 15 minutes of the time fixed for the commencement of the meeting, the members present shall elect a Chairperson.
- iii. A quorum for ordinary Committee meetings shall consist of half the total number of the Committee members plus one. A quorum for Sub Committee meetings shall consist of half the total number of the Committee plus the nominated Convenor, who will oversee the meeting, but have no voting rights. Should equality in a vote occur, the Convenor will take the item to the Executive Committee, to discuss and vote on a decision. A quorum for Executive Committee meetings shall consist of minimum 3 members of the Executive Committee.
- iv. If no quorum is present fifteen 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. The Secretary shall give written notice thereof to each eligible voter and to the Secretary of each Affiliated Club.
- v. The accidental omission to give any member the required notice shall not invalidate a meeting or any of the business of the meeting.
- vi. Questions arising at an ordinary meeting of the Committee, Executive Committee or any Sub-Committee are to be determined by a simple majority of votes cast by eligible members. Each eligible member shall have one vote to be taken in such a manner as the Chairperson shall direct, except that a secret ballot shall be taken if any member requests it.
- vii. In the case of an equality of votes, the President (or the person otherwise presiding) shall, in addition, have a casting vote.
- viii. There shall be no voting by proxy except where a Convenor authorises a Sub Committee member to attend a meeting at which she or he is eligible to vote in her or his place. This will not apply to an Executive meeting.

- ix. Order of business at Committee meetings shall be:
  - a) Apologies.
  - b) Confirmation of Minutes.
  - c) Business Arising from Minutes.
  - d) Correspondence & business arising.
  - e) Reports:
  - f) President
  - g) Treasurer
  - h) Competition Convenor/Registrar
  - i) Representative Convenor
  - j) Property Officer
  - k) Umpiring Convenor
  - l) Coaching Convenor
  - m) Fundraising/Sponsorship Co-ordinator
  - n) Delegates to other organisations.
  - o) Any other reports.
  - p) General business
  - q) Next Meeting
  - r) Meeting close
  
- x. Association delegates to other organisations are to submit a report to the Secretary of all meetings/functions attended on behalf of the Association within twenty-eight days of such meeting/function.

### 5.3 SPECIAL COMMITTEE MEETINGS

Special Committee Meetings shall be called by the Secretary at the direction of the President or their delegate. They may be held in between the scheduled Committee meetings. Quorum rules apply as per clause 5.2 iii) of this constitution.

### 5.4 GENERAL MEETINGS

- i. General Meetings may be called throughout the season to communicate information to members and deal with matters arising outside of the Annual General Meeting.
- ii. All Registered Members may attend but voting shall be restricted to Senior Members who are Office Bearers, active Life Members and one nominated Club/Team Delegate from each Affiliated Club/Team.
- iii. Not less than fourteen days' written notice shall be given to members of Committee and to the Secretary of each Affiliated Club/Team, specifying the time and location of a General meeting and the nature of the business to be considered.

- iv. A quorum for a General meeting shall consist of half the total number of the Association's Committee members plus one, and Club/Team Delegates representing at least one quarter of the Affiliated Clubs/Teams.
- v. One competition point will be awarded to each team whose delegate attends the General Meeting. Attendance for the entirety of the meeting is required, no point will be awarded if delegate leaves early.

#### 5.5 SPECIAL GENERAL MEETINGS

- i. Special General Meetings may be held in between the scheduled General meetings.
- ii. A Special General Meeting may be called at the request of the Executive Committee, or a request made in writing and signed by not less than one quarter of the Club/Team delegates.
- iii. Only business of the nature stated may be dealt with at that meeting.
- iv. All Registered Members may attend but voting shall be restricted to Senior Members who are Office Bearers, Life Members and one nominated Club/Team Delegate from each Affiliated Club/Team.
- v. Not less than seven days' written notice shall be given to members of Committee and to the Secretary of each Affiliated Club/Team, specifying the time and location of a Special General meeting and the nature of the business to be considered. Unless dealing with a change to the Constitution, in which case 21 days' notice is required.
- vi. A quorum for a Special General meeting shall consist of half the total number of the Association's Committee members plus one, and Club/Team Delegates representing at least one quarter of the Affiliated Clubs/Teams.
- vii. One competition point will be awarded to each team whose delegate attends the General Meeting. Attendance for the entirety of the meeting is required, no point will be awarded if delegate leaves early.

#### 5.6 ANNUAL GENERAL MEETING

- i. An Annual General Meeting of the Association shall be held within 6 months of the end of the Associations financial year.
- ii. All Registered Members may attend but voting shall be restricted to Office Bearers, Team/Club delegates or their nominated representative. All voters must be over the age of 18.
- iii. Not less than twenty-one days' written notice of the Annual General Meeting of the Association shall be given to each Office Bearer, Life Member, Team Delegate, and the Secretary of each Affiliated Club (where required). This includes Special Resolutions proposed.

- iv. A copy of the Association's draft Annual Report and the audited balance sheet will be available where possible on the Association's website prior to the Annual General Meeting and be presented at the AGM.
- v. A quorum for an Annual General Meeting shall consist of half the total number of the Association's Committee members plus one, and at least twenty percent of the Club/Team Delegates or their nominated representative. One competition point will be awarded to each team whose delegate attends the AGM. Attendance for the entirety of the meeting is required, no point will be awarded if delegate leaves early.
- vi. If the number of nominations received for committee positions is equal to the number of vacancies to be filled, the person shall be deemed elected.
- vii. If the number of nominations for committee positions exceeds the number of vacancies to be filled, a secret ballot shall be held.
- viii. If the votes cast for any position on the Committee shall be tied, a second secret ballot will be conducted between the two tied nominees, by the Returning Officer.
- ix. A nomination of a candidate for re-election under this clause is not valid if that candidate has already been elected to another office bearer position at the same election.
- x. The business of the Annual General Meeting shall be:
  - a) Apologies
  - b) Confirmation of the minutes of the previous Annual General Meeting
  - c) Presidents Report
  - d) Treasurers Report
  - e) Secretary's Report
  - f) Consideration and adoption of the Annual Report and audited balance sheet
  - g) Appointment of an auditor for the following year
  - h) Appointment of a Returning Officer for the following year (were appropriate)
  - i) Appointment of the Member Protection Information Officer
  - j) Such other business as the meeting thinks fit
  - k) Election of Office Bearers.

The order of proceedings may be altered if the Committee deem it appropriate and necessary. This must be agreed by a majority vote where a quorum has been established, prior to the commencement of the AGM and minuted accordingly.

- xi. The following Office Bearers shall be elected and shall form the Executive Committee:
  - President
  - Vice President
  - Secretary
  - Treasurer
  - Competition Convenor/Registrar

- xii. The following Office Bearers shall be elected and shall form the Committee along with the Executive:
- Umpires Convenor
  - Coaching Convenor
  - Representative Convenor
  - Publicity Officer
  - Sponsorship and Fundraising Coordinator
  - Property Officer
- xiii. The following Office Bearers shall be elected and form part of a Sub Committee:
- Assistant Registrar (Competition Sub Committee)
  - Fixtures Officer (Competition Sub Committee)
  - Grounds / Maintenance Officer (Property Sub Committee)
  - Junior Co-ordinator (Competition Sub Committee)
- These positions will be working within a Sub Committee and will not be required to attend regular Committee meetings.
- xiv. Nominations will be taken from the floor for other roles/delegates:
- Delegates to other organisations eg. Tomaree Sports Council, Netball NSW.
- xv. Nominations for election are to be completed on the designated form, submitted by two Senior Members and with the written consent of the nominee, shall be lodged with the Returning Officer or Association Secretary not less than seven days prior to the meeting at which the elections are to be held. Qualifications should accompany each nomination. This may be done electronically if required.
- xvi. To be eligible for nomination as an Office Bearer a nominee must be a Registered Senior Member, or prepared to become registered, of Netball NSW.
- xvii. Current Office Bearers shall be eligible for re-election.
- xviii. The President of the Association shall not hold the position of President of an Affiliated Club.
- xix. No person shall be elected to more than one position as an Office Bearer.
- xx. Not more than one-third of the members of the Executive Committee shall be members of any one Affiliated Club/Team.
- xxi. Office Bearers elected at the Annual General Meeting shall assume office at the conclusion of the Annual General Meeting and shall hold office for the ensuing year, unless they are removed or resign in the interim.
- xxii. An Office Bearer may resign their position by providing written notice of their intention to do so to the Association Secretary. The Committee shall, at its next meeting, by resolution appoint a replacement to hold the position for the remainder of the resigned person's term of office.

- xxiii. A vacancy shall be deemed to have occurred in respect of any Office Bearer or Sub Committee member who has, without leave of Committee, failed to attend three consecutive Committee meetings.
- xxiv. If there are no nominations for a position prior to the AGM, there shall be nominations called from the floor. If there are no nominations from the floor, this shall be deemed to be a casual vacancy. The Committee may appoint a member of the Association to fill the vacancy, or the position may stay vacant.

## **6. ADMINISTRATION**

### **6.1 FINANCE**

- i. The funds of the Association shall be derived from annual Membership fees, other fees and donations, levies and, subject to any resolution passed by the Association in a Committee Meeting, Special Meetings or Annual General Meeting, such other sources as the Executive Committee determines.
- ii. The main banking accounts of the Association shall be kept at a financial institution approved by the Committee. All transactions operating on the accounts shall be approved by any two signatories of the Association. The signatories should be a minimum of three Executive Committee Members and allocated by the President.
- iii. The banking accounts of the Representative Teams shall be kept at a bank or building society approved by the Committee and all transactions operating on the accounts shall be approved by any two signatories of the Association.
- iv. The Financial Year of the Association shall align with the calendar year.
- v. The current bank statements shall be tabled at each meeting of the Committee, together with a written financial report.
- vi. The books of the Association shall be audited each year by a qualified Accountant who is not a member of the Association.
- vii. An audited balance sheet shall be presented to each Annual General Meeting.
- viii. All Netball NSW fees shall be paid by the due date

### **6.2 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 Secretary at the Clubhouse.

### **6.3 INSPECTION OF RECORDS**

Any Registered Member may inspect the books of account and records of minutes (with the exception of confidential records) of the Association to the extent permitted by law at any reasonable time.

### **6.4 EFFECT OF, AND ALTERING, THIS CONSTITUTION**

- i) Effect of Constitution



This Constitution will have effect as a contract:

- between the Association and each Affiliated Club/Team of the Association.
- between the Association and each Member.
- between two Members.

pursuant to which, each Member agrees to accept the provisions of this Constitution, and comply with those provisions, so far as they apply to that Member.

ii) **Altering the Constitution**

This Constitution may be altered by special resolution passed by at least two thirds of the votes cast at an Annual General Meeting or Special General Meeting of the Association of which not less than twenty-one days' written notice specifying the resolution/s to be proposed has been given.

Any alteration made to the Constitution of the Association shall be forwarded to Netball NSW and Department of Fair Trading within twenty-one days of the meeting at which such alteration was made. Changes are not binding until they have been accepted by both Netball NSW and Department of Fair Trading.

- iii) Other instruments of the Association including, but not limited to, Policy Documents, Organisational Procedures and Position Descriptions, may be altered by the Committee at a Committee Meeting or Special Committee meeting. 14 days' notice is to be given of such a meeting including written notice of proposed amendments or changes to all Committee members with voting rights. A quorum will consist of half the committee plus one. A majority vote of two thirds is required to change Association instruments, which will come into effect immediately following the vote. These changes are to be published on the Association's website within 7 days.

## 6.5 **DISSOLUTION OF THE ASSOCIATION**

The Association shall not be dissolved except by special resolution passed by a majority of at least 75% of the votes cast at a Special General Meeting of the Association of which not less than twenty-one days' written notice specifying the resolution to be proposed had been given.

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 Netball NSW to be used for the promotion of Netball.

## 7. **POLICIES OF THE ASSOCIATION**

The Association may implement appropriate policies in relation to such matters as arise for the administration of netball in the Association.