

## MACEDON RANGES NETBALL ASSOCIATION INC.

### CONSTITUTION

1. The name of the incorporated Association is Macedon Ranges Netball Association Inc. (in these Rules called “**the Association**”).

2. (i) In these Rules, unless the contrary intention appears:-

“Committee” means the Committee of Management of the Association.

“Financial Year” means the year ending 30 June.

“General Meeting” means a general meeting of members convened in accordance with Rule 12.

“Member” means a member of the Association.

“The Act” means the *Associations Incorporation Reform Act 2012* and includes any regulations made under that Act.

“The Regulations” means regulations under the Act.

(ii) In these Rules, a reference to the Secretary of a Club is a reference –

(a) where a person holds office under these Rules as Secretary of the Association – to that person; and

(b) in any case, to the Secretary of the Association.

(iii) A single team entered in the Association, shall be deemed a club.

(iv) Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the Act’s Interpretation of Legislation Act 1958 and the Act as in force from time to time.

### 3. OBJECTS

1. The objects of the Association are to encourage and promote netball in the Macedon Ranges Shire.

2. To arrange inter club and inter association netball matches; and

3. To control and manage affiliated clubs and players.

### 4. OFFICERS

1. The Officers of the Association shall be:

#### **EXECUTIVE COMMITTEE**

(a) a President

(b) a Vice President

(c) a Treasurer

- (d) a Secretary
  - (e) a Minute Secretary
2. Each officer of the Association shall hold office under the Annual General Meeting next year after the date of his/her election, but is eligible for re-election.
  3. The Committee of Management shall consist of:-
    - (a) The Officers of the Association and
    - (b) One member from each club, each of whom shall be nominated by their Club at the Annual General Meeting of the Association in each year
    - (c) Umpires Secretary
    - (d) Score Secretary
  4. The role of the Secretary of the Association is to be held by a nominated member of the Executive.

5. **MEMBERSHIP**

“The entrance fees, subscriptions and other amounts (if any) to be paid by members of the incorporated Association”.

Entrance fee shall be \$1.00

Members of the Association shall be such Clubs/Individuals as shall affiliate.

Conditions of affiliation shall be:-

- (a) That the club/individual applying for affiliation agree to abide by the Constitution, by-laws and playing rules of the Association.
- (b) That the club/individual pay an annual affiliation fee, to be fixed at the Annual General Meeting.
  1. A netball Club whose players are registered players of the Victorian Netball Association and which is nominated and approved for members as provided in these rules, is eligible to be a member of the Association under these Rules.
  2. The nomination of a Club for membership in the Association –
    - (a) Shall be made in writing (on registration form) and accompanied by affiliation fee.
    - (b) Shall be lodged with the Secretary of the Association.
  3. As soon as practicable after the receipt of a nomination, the Secretary shall refer the nomination to the Committee

4. Upon the nomination being referred to the Committee, the Committee shall determine whether to approve or reject the nomination.
5. Following the decision of the Committee , the Secretary shall with as little delay as possible notify the nominee of the outcome of their application.
6. The Secretary shall upon payment of accounts referred to in sub clause (2) enter the nominated Club name in the Register of Members kept by her and upon the name being so entered, the nominated Club shall become a member of the Association.
7. The Secretary shall upon payment of amounts referred to in sub clause 5. (b) enter the nominated individuals name in the Register of Members kept by her and upon the name being so entered, the nominated individual shall become a member of the Association.
8. The right, privilege or obligation of a club/individual, by reason of its' membership of the Association.
  - (a) is not capable of being transferred or transmitted to another club/individual.
  - (b) terminates upon the Association of their membership whether by resignation or otherwise.

6. **MANAGEMENT**

The management of the Association shall be vested in the Committee of management as defined in sub clause 4. (3).

- (i) The Committee of management shall meet at least three times in each year at such place and in such time as the Committee may determine.
- (ii) The Committee of Management shall be responsible for carrying out the object of the Association.
  - (a) The Committee of Management shall have the power to make by-laws regarding rules of play, start of play, premiership points, byes, grading of teams, uniforms, players, reports and disputes and any other matter pertaining to the playing of the game and the conduct of the competition.
  - (b) A quorum for a Committee of Management meeting shall be two thirds of the members entitled to be present at the same.

7. **REGISTER OF MEMBERS**

The Secretary shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member and the register shall be available for inspection by members at the address of the Secretary.

8. **DISPUTES AND MEDIATION**

1. The grievance procedure set out in this rule applies to disputes under these rules between:
  - (a) member and another member; or
  - (b) a member and the Association.
2. Within 14 days of the dispute the committee/or appointee, hold a meeting in the presence of a mediator.
3. The mediator must be:
  - (a) a person chosen by agreement between the parties; or
  - (b) in absence of agreement;
  - (c) in the case of a dispute between a member and the Association, a person who is independent of both parties.
4. A member of the Association can be a mediator.
5. The mediator cannot be a member who is a party to the dispute.
6. The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
7. The mediator, in conducting the mediation, must:
  - (a) give the parties to the mediation process every opportunity to be heard; and
  - (b) allow due consideration by all parties of any written statement submitted by any party; and
  - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
8. The mediator must not determine the dispute.
9. If the mediation process does not result in the dispute being resolve, the parties may seek to resolve the dispute by the tribunal process.
9. **PROCEDURE OF EXECUTIVE COMMITTEE**
  - (i) Meetings of the Executive Committee may be convened by the President or by any four of the members of the Executive Committee;
  - (ii) Notice shall be given to members of the Executive Committee of any special meeting, specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.

- (iii) Any four members of the Executive Committee constitutes a quorum for the transacting of business at a meeting of the Executive Committee. A quorum shall consist of  $\frac{3}{4}$  of the delegates eligible to be present.
- (iv) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same place and the same hour and the same day of the following week unless the meeting was a special meeting in which case it shall lapse.
- (v) At meetings of the Executive Committee:-
  - (a) The President or in her absence the Vice President shall preside.
  - (b) If the President and the Vice President are both absent such one of the remaining members of the Committee as may be chosen by the members present shall preside.
- (vi) Questions arising at a meeting of the Executive Committee or of any Sub Committee appointed by the Committee shall be determined on a show of hand or if demanded by members, of a poll taken in such manner as the person presiding on the meeting shall determine.
- (vii) Each member present at a meeting of the Executive Committee or any Sub Committee appointed by the Executive Committee (including the person presiding at the meeting) is entitled to one vote. In the event of an equality of votes on any question the person presiding may exercise a second or casting vote.
- (viii) Notice of each Executive Committee meeting shall be served on each member of the Committee by contacting her/him at a reasonable time before the meeting.
- (ix) Should any office become vacant during the year, the Executive Committee may appoint any qualified delegate to fill such vacancy.

10. **ANNUAL GENERAL MEETING**

- (i) The Annual General Meeting of the Association shall be held on such day as the Committee determines, when all offices of the Association shall become vacant and election for such offices for the ensuing year will be elected.
- (ii) Voting for elections of all offices and voting on all other questions at all meetings shall be by show of hands unless a ballot be demanded by three or more delegated present.
- (iii) Minimum age to vote shall be fifteen years.
- (iv) No proxy vote shall be allowed at any meeting of the Association.

- (v) The Annual General Meeting shall lapse if after thirty minutes of the appointed time for the meeting to commence, delegates representing at least two thirds of all affiliated clubs/individuals are not present.
- (vi) The Minute Secretary shall enter minutes of all resolutions and proceedings of the Annual Meeting in the book provided for this purpose.
- (vii) Each team must be represented by a Delegate at the Annual General Meeting. Any team not represented will incur a loss of 4 Premiership points.

11. **ALTERATION OF RULES AND STATEMENT OF PURPOSES**

The rules of the Association and it's Statement of Purposes may not be amended, altered or added to except at an Annual General Meeting or Special Meeting of the Association of which (21) days notice setting out proposed amendments, addition or alteration to the rules shall be given to each affiliated club/individual in writing. The proposed addition, amendment or alteration shall only be passed when three quarters of the total number of delegates present support such resolutions.

12. **HONORARY LIFE MEMBERSHIP**

Honorary Life Membership of the Association may be awarded to an Officer or Past Officer by an Annual General Meeting in recognition of that Officers' service rendered to the Association. Honorary Life Members shall have full privileges and rights as those of members.

13. **GENERAL MEETINGS**

- (i) A meeting of the Association other than the Annual General Meeting shall be held at the request of either an Officer of the Association or a request signed by not less than three affiliated clubs/individuals.
- (ii) On receiving such request, the Secretary shall call a General Meeting of the Association listing the business for each General Meeting, for a date not later than twenty one days after a receipt of the request.
- (iii) If the Secretary shall not call such a meeting within the stipulated time, then the clubs/individuals requesting the said meeting shall be entitled to call a special meeting.
- (iv) The date, time and place of the meeting shall be duly notified by the Secretary, to each affiliated club/individual and the Officers of the Association.
- (v) A quorum shall consist of three quarters of the members eligible to be present.
- (vi) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting shall stand adjourned to the same place and the same hour and

the same day of the following week unless the meeting was a special meeting in which case it shall lapse.

14. **ANNUAL REPORTS**

At the Annual General Meeting, the President shall submit a report of activities for the year and the Honorary Treasurer shall submit an audited statement of accounts for the year.

15. **AFFILIATED CLUBS**

- (i) All players of affiliated clubs must be amateurs and financial members of their Clubs.
- (ii) The Secretary shall send entry forms to all Clubs affiliated with the Association in the past season and submit new applications for membership to the Committee of Management for consideration prior to each new season.

16. **FINANCIAL**

- (i) Cheques of the Association shall carry the signatures of two of the four named Officers, President Vice President, Secretary and Treasurer.
- (ii) All Clubs shall pay to the Association such fees as passed at an Annual General Meeting on or before the first match of the season, or within two weeks of receipt of an invoice that is confirmed to be correct. Failure of clubs to pay Association fees within the nominated timeframe will result in the forfeiture of premiership points in all games that their teams play, from the time the account is deemed to be overdue until their account is settled to the satisfaction of the Executive.
- (iii) The Honorary treasurer shall keep financial records and have custody of same, collect all monies due to the Association, bank same and make all payments on its behalf.
- (iv) The books of account shall be available for inspection by members of the Association.

17. **COMMON SEAL**

- (i) The common seal of the Association shall be kept in the custody of the Honorary Secretary.
- (ii) The common seal shall not be affixed to any instrument without the authority of a Resolution of the Executive Committee.
- (iii) The affixing of the common seal shall be attested by two of the four named Officers, President, Vice President, Secretary or Treasurer.

18. **SOURCE OF FUNDS**

The funds of the Association shall be derived from interest, fees, annual subscriptions, donations and such sources as the Committee determines.

19. **CUSTODY OF BOOKS**

Except as otherwise provided in these rules, the Secretary shall keep in her custody or under her control, all books, documents and securities of the Association.

20. **DISSOLUTION AND DISPOSAL OF ASSETS**

In the event of winding up or cancellation of the incorporation of the Association, the assets of the Association shall be disposed of in accordance with the provisions of the Act.

21. **VICTORIAN NETBALL ASSOCIATION**

Any amendments, alterations or additions to these rules or to the Statement of Purpose shall be forwarded to the Secretary of the Victorian Netball Association, as soon as possible after the meeting which passes such amendments.

22. **RULES OF PLAY**

(a) Any affiliated team/club with a delegate as a member of this Association will comply with the rules hereby provided which shall include all members of each team in each club and in the event of a non-compliance with the rules of the Association, Committee members shall be the power to enforce the rules herein and failure to comply therein shall entitle the Committee hereof to take action to enforce the rules.

(b) The Committee shall have the power to fine a player and team/umpires to a maximum amount from time to time set by the Committee as fine and failure to pay the fine shall be deemed to be conduct unbecoming a member or prejudicial to the interest of the Association within the meaning of Clause 7. (1) "Expulsion, Suspension and Fining of Members".  
(Incorporation Rules)

23. **GROUNDS FOR TERMINATION OF OFFICE**

For the purpose of these rules, the office of an officer of the Association or of an ordinary member of the Committee becomes vacant if the officer or member –

- (a) ceases to be a member of the Association
- (b) becomes an insolvent under administration within the meaning of the Companies (Victoria) Code; or
- (c) resigns his office by notice in writing given to the Secretary.