

HILLS DISTRICT NETBALL ASSOCIATION



CONSTITUTION 2024

**HILLS DISTRICT NETBALL ASSOCIATION INCORPORATED
CONSITUTION 2024**

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1. DEFINITIONS

For the purposes of the Constitution :

Affiliated Club means any club (comprising one or more teams) that has undertaken the activities required to affiliate with the Association.

Annual Report means a report on Association activities provided to members annually at the end of the financial year.

Association means the Hills District Netball Association Incorporated.

Boundaries means the boundaries of the association as defined in Clause 6 of this Constitution.

By-Laws means the by-laws of the Association.

Chairperson means the President of the Association, or otherwise as required by Clause 11.1.

Club Delegate means a duly appointed representative of an Affiliated Club of the Association.

Council means those members appointed in accordance with Clause 13 of this Constitution.

Executive Committee means those members elected in accordance with Clause 17 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.

Life Member means any member of the Association elected in accordance with Clause 9.1 (b) of this Constitution.

Member Protection Policy means the Netball NSW Member Protection Policy, or other policy that Netball NSW describes as its' replacement.

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

Policies means any policy set down by the Association from time to time governing any aspect of the organisation and conduct of Netball by the Association.

President means the person elected to that position in accordance with Clause 15 (d) (i) of the Constitution.

Public Officer means the person appointed to that role by the Executive Committee in accordance with Clause 17 (b) of the Constitution.

Register means the register of members kept in accordance with Clause 9.2.

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Returning Officer means the person appointed to the position in accordance with Clause 15 (c) (iv).

Secretary means the person elected to that position in accordance with Clause 15 (d) (i) of the Constitution.

Special Council Meeting means a Council Meeting called in accordance with Clause 15 of the Constitution.

The Office Bearers of the Association means the Executive and the Non-Executive Office Bearers elected in accordance with Clause 15 (d) of the Constitution.

Treasurer means the person elected to that position in accordance with Clause 15 (d) (i) of the Constitution.

Vice President means the person elected to that position in accordance with Clause 15 (d) (i) of the Constitution.

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2. TITLE

The name of the Association is Hills District Netball Association Incorporated (HDNA).

3. TYPE OF ORGANISATION

HDNA is a not-for-profit organisation whose income is applied solely in furtherance of its objectives and no portion shall be distributed directly or indirectly to members of the Association except as bona fide compensation of expenses incurred on behalf of the Association.

4. COLOURS

HDNA's base colours shall be brown and gold.

5. LOCATION

The Association's facilities are located at Pennant Hills Park, Britannia Street, Pennant Hills.

6. BOUNDARIES

The Association boundaries are defined by the clubs that are affiliated to HDNA.

7. OBJECTIVES

The objectives of HDNA are:

- a) To further the interests of its' members and promote and control the game of netball for the Association.
- b) To promote, regulate and control competition matches, premierships, carnivals and netball activities of the Association.
- c) To select and manage HDNA's representative teams.
- d) To affiliate with and support Netball NSW.
- e) To cooperate with other affiliated organisations in NSW for the furtherance of netball.
- f) To adopt and adhere to the Netball NSW Member Protection Policy.

8. PATRON

HDNA may, from time to time, appoint one or more Patrons and may also cancel such an appointment.

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9. MEMBERSHIP

The authority of HDNA shall extend to, and be recognised by, all Affiliated Clubs and individual members who shall adopt and obey the Constitution, By-Laws and Policies of the Association.

9.1 MEMBERS

Membership of HDNA shall be divided into the following categories:

a) Ordinary Membership

- i) HDNA may admit to membership, Registered Members as defined by the Constitution or any other relevant policy of Netball NSW.
- ii) A person ceases to be a registered member if the person :
 - (1) Dies.
 - (2) Ceases to be financial under Clause 9.3.
 - (3) Is expelled from the Association in accordance with the Member Protection Policy.
- iii) The Executive Committee may reject any application for membership without assigning any reason.

b) Life Members

- i) An individual member may be nominated to receive life membership of HDNA in recognition of not less than ten (10) years outstanding service to the Association in accordance with this clause (9.1) and any such policy relating to the awarding of Life Membership as may be in place from time to time.
- ii) A candidate for election as a Life Member must be nominated by two (2) registered members of HDNA at least one (1) month before the meeting at which such nominations will be considered.
- iii) The nomination must first be submitted to the HDNA Executive Committee together with a history of service of the nominee. Should a two-thirds ($\frac{2}{3}$) majority vote taken at the Executive Committee approve, the name shall be presented to Council to be approved by a majority of at least two-thirds ($\frac{2}{3}$) of the members present and voting at an Annual General Meeting. No more than two Life Members may be endorsed by Council in any one year. This is provided that the Council may, by resolution from time to time, fix the maximum number of persons who may at any time hold Life Membership.
- iv) A Life Member shall be entitled to full membership, shall be awarded a badge of design to be approved, be entitled to attend all Council meetings, to speak, move or second

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motions and shall have full voting rights. A Life Member may be nominated as an Officer of the Association.

- v) By resolutions of a Special General Meeting following upon recommendation by Council by at least a two-thirds ($\frac{2}{3}$) majority of the members present voting, a Life Membership may be cancelled.

c) Honorary Members

- i) An Honorary Member is one who is invited by Council to join the Association for a specific time or purpose as determined by the Council, provided such person is nominated by two (2) members of Council.
- ii) An Honorary Member may be admitted to Council without voting power.

9.2 Register of Members

The Public Officer will maintain a register of members on the Netball NSW registration database.

9.3 Membership Fees

In order to become registered members, or retain membership annually, individual members must :

- i) Renew their membership and / or become members annually
- ii) Otherwise remain registered financial members of HDNA in accordance with the procedures applicable from time to time, and
- iii) Pay the individual membership fees as set annually by the HDNA Council at the AGM each year.

9.4 HDNA Council Membership

The HDNA Council will consist of Life Members, the HDNA Executive and Officials and two delegates from each affiliated club.

Affiliated Clubs shall comprise one or more teams and shall have full rights of delegation to Council as provided for in Clause 13 - Council.

10. MEMBERS' LIABILITY

The liability of a 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.

11. MEETINGS

11.1 Chairperson

- i) The President shall take the Chair at all meetings. 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 thirty (30) minutes of the time fixed for the commencement of the meeting, the members present shall elect a Chairperson provided that the elected Chairperson is a member of the Executive.
- iii) The accidental omission to give any member the required notice shall not invalidate a meeting nor any of the business of the meeting.

11.2 Quorum

- i) A quorum for Council Meetings shall consist of at least one half ($\frac{1}{2}$) of the Office Bearers and delegates representing at least ($\frac{1}{4}$) of the affiliated clubs.
- ii) A quorum for Annual General and Special General Meetings shall consist of at least two-thirds ($\frac{2}{3}$) of the Office Bearers and delegates from at least two-thirds ($\frac{2}{3}$) of the affiliated clubs.
- iii) If no quorum is present thirty (30) minutes after the time fixed for the commencement of a meeting, it shall be adjourned to such a time and place as the Chairperson shall decide.

11.3 Voting

- i) Each eligible delegate (including Executive and Non-Executive Office Bearers) shall have one (1) vote to be taken in such manner as the Chairperson shall direct, except that a secret ballot shall be taken if any member requests it.
- ii) In the case of an equality of votes, the President shall, in addition, have a casting vote.
- iii) There shall be no voting by proxy.

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A Life Member, who is an officer of the Association or a delegate to the Association, shall be limited to one (1) vote only.

Voting at all meetings is passed by a majority of the eligible votes in attendance. Except for life membership which requires a two-thirds ($\frac{2}{3}$) majority vote and alterations to the Constitution and By-Laws which require three-quarter ($\frac{3}{4}$) majority vote.

11.4 Attendance

- i) All meetings may take place at a venue to be advised or via electronic means as deemed appropriate.
- ii) At each meeting, each delegate present shall record attendance and shall state therein the club which that delegate represents at that meeting.
- iii) A delegate may represent one club only at any meeting.
- iv) All financial members may attend Council meetings and the AGM. However, voting and the right to speak on any motion, report or business arising shall be restricted to Office Bearers, Life Members of the Association and two (2) elected delegates from each club (which is financial).

11.5 Correspondence

All correspondence should be received by the Association Secretary prior to the date of the Executive meeting to be eligible for consideration.

12. ALTERATIONS TO CONSTITUTION OR BY-LAWS

- (a) Each member agrees to accept the provisions contained within the Constitution, By-Laws and Policies and comply with them.
- (b) This Constitution and the By-Laws of the Association may be altered by resolution passed by a majority of at least three-quarters ($\frac{3}{4}$) of the members present and voting at an Annual General Meeting or Special General Meeting of the Association of which not less than fourteen (14) days written notice specifying the resolution/s to be proposed has been given.
- (c) Any alteration made to the Constitution, By-Laws and Policies of the Association shall be forwarded to NSW Netball Association Limited.

13. COUNCIL

- (a) Council shall consist of the Office Bearers of the Association, Life Members and two (2) delegates from each affiliated club who are members of that club.

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- (b)
 - i) The Affiliated Club Secretary shall notify the Association Secretary of the names and contact details, including e-mail address, of delegates at least seven (7) days prior to the first meeting of Council each year.
 - ii) Persons appointed to Council shall assume office at the commencement of the first meeting of Council each calendar year and shall hold office for the ensuing year which includes the final Council Meeting and the Annual General Meeting. If a permanent change in the Affiliated Club's delegates occurs during the year, the Affiliated Club Secretary is to notify the Association Secretary in writing of the change at least seven (7) days prior to the Council Meeting at which the new appointee is to assume office.
- (c) Notwithstanding the provisions of Clause (b), a club may replace a delegate provided that the HDNA Secretary is notified prior to the date of the meeting.
- (d) A delegate is considered to be in attendance provided that the delegate attends for the entire meeting.
- (e) The Council shall meet at least three (3) times each year at the following times :
 - i) Prior to the commencement of the winter competition;
 - ii) Prior to the commencement of the semi-finals, finals and grand finals of the winter competition;
 - iii) The Annual General Meeting.
- (f) Not less than fourteen (14) days' notice shall be given specifying the time and place of the meeting of the Council and any special business to be dealt with other than that set out in the Constitution.
- (g) Order of business at Council Meetings shall be :
 - i) Apologies
 - ii) Confirmation of minutes of the previous Council Meeting
 - iii) Business arising from the minutes
 - iv) Executive reports
 - v) Business arising from the Executive reports
 - vi) Correspondence
 - vii) Business arising from the Correspondence
 - viii) Reports from Executive Committee members
 - ix) General Business
- (h) The minutes of the Annual General Meeting shall be distributed to Club Secretaries and Delegates prior to the 1st Council Meeting.

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14. POWERS OF THE COUNCIL

The Council shall be responsible for the execution of the objects of association and without any way limiting this responsibility shall have power :

- (a) To control and manage the affairs of the Association.
- (b) To fix fees and levies plus GST to be added in accordance with statute requirements payable by members and to enforce payment thereof.
- (c) In addition to membership fees, to fix levies as necessary for the purpose of payment of loans entered into on behalf of the Association.
- (d) To control the funds of the Association and for that purpose ratifying actions taken by the Executive to open and operate banking accounts, to invest funds in a manner authorised by law for the investment of trust funds, to acquire real and personal property of all descriptions and to sell or otherwise dispose of it, to borrow money on behalf of the Association and to give security therefore, to enter into guarantees of indebtedness on behalf of any affiliated club, to administer any GST matters as required by statute law and generally 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.
- (e) To appoint delegates to represent the Association on the Council of Netball NSW.
- (f) To appoint any delegate or delegates to represent the Association for any purposes with such powers as may be thought fit.
- (g) Take action in accordance with the Member Protection Policy pursuant to this Constitution and / or By-Laws against any Club or Member. The Council delegates its powers to the Executive Committee to deal with all matters in relation to the Member Protection Policy.

15. ANNUAL GENERAL MEETING

- (a) The Annual General Meeting shall be held no later than the month of November each year.
- (b)
 - i) Not less than fourteen (14) days' written notice of the date of the Annual General Meeting of the Association shall be given to each Office Bearer, Life Member, Delegate and the Secretary of each affiliated club.
 - ii) A copy of the Annual Report and audited Financial Statements shall accompany such notice.
- (c) The business of the Annual General Meeting shall be :
 - i) confirmation of the minutes of the previous Annual General Meeting.
 - ii) the consideration and adoption of the Annual Report and audited Balance Sheet.

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- iii) appointment of an auditor for the ensuing year.
- iv) appointment of a Returning Officer (where appropriate).
- v) such other business as the meeting thinks fit.
- vi) election of Office Bearers.

(d) Election of Office Bearers

- i) The ballot for the election of Office Bearers to form the Executive Committee shall take place at the conclusion of the business of the Annual General Meeting except in the case of Junior and Senior Representative Convenors who shall be elected at a Special General Meeting to be held immediately prior to the second Council meeting each year and these two positions shall take effect at the conclusion of that meeting.

- ii) The following Executive Office Bearers shall be elected :

President
Vice President
Secretary
Treasurer
Umpires Convenor – Junior Competition & NetSetGO
Umpires Convenor – Senior Competition
Registrar – Junior Competition & NetSetGO
Registrar – Senior Competition
Junior Representative Teams Convenor (elected prior to second Council meeting)
Senior Representative Teams Convenor (elected prior to second Council meeting)
Night Competition Convenor

- iii) The following Non-Executive Office Bearers shall be elected :

Delegate to Netball NSW
Carnival Convenor
Assistant Senior Registrar
Assistant Junior Registrar (1)
Assistant Junior Registrar (2)
NetSetGO Coordinator
NetSetGO Umpires Convenor
Assistant Junior Representative Teams Convenor
Assistant Senior Representative Teams Convenor
Assistant Night Competition Convenor
Coaching Coordinator
Equipment & Uniform Coordinator
Media Coordinator
BBQ Coordinator

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Fundraising Coordinator
All Abilities Coordinator

- (e) 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.

16. SPECIAL GENERAL MEETING

- (a) A Special General Meeting will be called by the Secretary :
- i) at the direction of the President, or
 - ii) on requisition signed by not less than two (2) delegates from two affiliated clubs.
- (b) Not less than twenty-one (21) days' written notice shall be given to each Office Bearer, Life Member, Delegates and the Secretary of each affiliated club, specifying the time and place of a Special General Meeting.
- (c) An Emergency Meeting may be convened in exceptional circumstances without twenty-one (21) days' notice.

17. EXECUTIVE COMMITTEE

- (a) The elected Executive Office Bearers will form the Executive Committee of the Association (refer to Clause 15 (d)).
- (b) The Treasurer shall also assume the position of Public Officer of the Association, however, should circumstances warrant it, the Secretary shall assume the duty.
- (c)
- i) Nominations for election signed by two (2) Ordinary Members and with the written consent of the nominee, shall be lodged with the Secretary at least six (6) weeks prior to the meeting at which the elections are to be held. In the case of the Junior and Senior Representative Teams Convenors, nominations must be lodged with the Secretary four (4) weeks prior to the Special General Meeting at which they are to be elected.
 - ii) Existing Officer Bearers shall be eligible for re-election.
 - iii) To be eligible for nomination for the Executive Committee, a nominee must be a Life Member of the Association or a Member of the Association and over 18 years of age at the time of the nomination.
 - iv) The maximum tenure of an Executive is ten (10) years, with a three (3) year cooling-off period before being eligible to stand again for the same Executive Committee role.
 - v) The immediate past President of the Association may be an Ex-Officio member of the Executive for a period of twelve (12) months with the approval of the Executive.

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- (d) i) The President, Secretary or Treasurer of the Association shall not hold the position of President, Secretary, Treasurer or Delegate of an affiliated club.
- ii) Office Bearers of the Association are ineligible to act as a Delegate of an affiliated club.
- (e) No person shall be elected to more than one (1) position on the Executive Committee.
- (f) Not more than three (3) members (two (2) members for clubs with twelve (12) or less playing teams in the winter competition conducted by the Association) of the Executive Committee shall be members of any one affiliated club. If an Executive Committee member holds a current membership registration to more than one club, they must nominate which club they are representing.
- (g) The Executive Committee shall exercise the functions and powers of the Council between meetings of Council and its decisions shall be subject to ratification by Council at its next meeting.
- (h) The Executive Committee may be empowered by the Council to take appropriate action under the Member Protection Policy pursuant to this Constitution against any affiliated club or financial member of the Association.
- (i) The Executive Committee shall have the power to fill any vacant and casual vacancies that occur between Annual General Meetings. All such positions shall become vacant at the conclusion of the next Annual General Meeting.
- (j) Other than an honorarium to be determined at each Annual General Meeting, no Office Bearer shall be entitled to receive remuneration for any services as such except by way of reimbursement for expenses incurred on behalf of the Association.
- (k) The Executive Committee shall appoint an added delegate and, if required, two (2) proxy delegates to represent the Association on the Council of the NSW Netball Association Limited.

18. MEETINGS OF EXECUTIVE COMMITTEE

- (a) Regular Executive Meetings shall be set by the Executive Office Bearers throughout the year.
- (b) Not less than two-thirds ($\frac{2}{3}$) of the members of the Executive Committee shall constitute a quorum.
- (c) Should it be necessary to call additional meetings, all Executive Office Bearers shall be notified at least forty-eight (48) hours prior to the meeting being held.
- (d) An Emergency Meeting may be convened in exceptional circumstances without forty-eight (48) hours' notice.

19. NON-EXECUTIVE OFFICER BEARERS AND SUB-COMMITTEES

- (a) Non-Executive Office Bearers and Sub-Committees endorsed by the Association at the Annual General Meeting shall be re-elected each year (refer to Clause 15 (d)).
- (b) The President, Secretary and Treasurer shall be ex-officio members of all sub-committees with the exception of the Selection Sub-Committee. Ex-Officio members shall have voting rights on the sub-committees.
- (c) The Executive may, from time to time, appoint such additional Non-Executive Office Bearers and Sub-Committees as it thinks fit.
- (d) Non-Executive Office Bearers and each Sub-Committee may submit a written report to each Executive Meeting so they are ratified by Executive prior to submission to Council.
- (e) The Non-Executive Office Bearers will have the right to vote at Council Meetings.

20. FINANCE

- (a) The Executive must ensure true accounts are kept for monies received and expended by the Association. These include the matters in which receipts and expenditure take place and of the assets, credits and liabilities of the Association and of all sales and purchases of goods and services by the Association.
- (b) The accounts will be kept at the office or at such other place or places as the Executive thinks fit.
- (c) A balance sheet and an income and expenditure account must be made out at least once in each calendar year and tabled at an Annual General Meeting. The balance sheet must be accompanied by a report to the members on the general state of the Association's affairs and other such reports as may be required by the Associations Incorporation Act 2009 (NSW).
- (d) The accounts of the Association must be open to the inspection of members of the Executive and members upon request to the extent required by the Associations Incorporation Act 2009 (NSW).
- (e) Once in every year, the accounts of the Association must be examined and the correctness of the balance sheets ascertained by the Auditor appointed by the Council at the AGM.
- (f) The Association must comply with the requirements of the Associations Incorporation Act 2009 (NSW).
- (g) The Association must retain its records for the period required by law.
- (h) The funds of the Association shall be derived from annual subscriptions of members, playing and other fees and donations and levies for the purpose of payment of any loans approved by

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Council and, subject to any resolutions passed by the Association in a general meeting, such other sources as the Executive Committee determines.

- (i) The banking accounts of the Association including all EFTPOS and other electronic payment facilities shall be kept at a bank approved by the Executive.

All cheques operating on the accounts shall be signed by any two (2) of the following Office Bearers : President, Secretary, Treasurer.

All payments via on-line banking shall be authorised by any two (2) of the following Office Bearers : President, Secretary, Treasurer.

- (j) The Treasurer / authorised person be permitted to view and transfer funds between accounts via the internet banking facility, other electronic payment facilities and by telephone banking.
- (k) The financial year of the Association shall commence on 1 October and end 30 September each year.
- (l) In the event that there is no elected Treasurer of the Association, or the elected Treasurer is an unqualified accountant, the Association's Executive Committee must employ, or sub-contract, the Treasurer's duties to a suitably qualified accountant / accountancy practice (HDNA Accountant) to perform accounting and treasury duties as required.

The elected Treasurer / Executive Committee, in agreement with the HDNA Accountant, may delegate under supervision treasury duties that are of an administrative or book-keeping nature to the Association's Administration employee. The Executive is to be responsible for and ensure that all treasury duties delegated to the Administrator are undertaken in accordance with the Association's Constitution and Australian Accounting Standards.

The HDNA Accountant must report to the Treasurer or President and present all financials in a timely manner.

21. EMPLOYEES

The Executive Committee will appoint all employees to the Association. The category and terms of employment will be defined by the Executive Committee. Any employee shall not be an elected member of the Association's Executive Committee.

22. EXECUTION OF INSTRUMENTS

The execution of any instrument shall be authorised by the Executive Committee and shall be attested by the signatures either of one (1) member of the Executive Committee and the Public Officer or Secretary.

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23. CUSTODY OF BOOKS

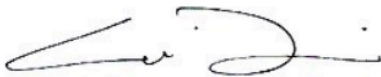
Except as otherwise provided by these rules, all record books and other documents relating to the Association shall be kept under custody or control of the Public Officer.

24. DISSOLUTION OF THE ASSOCIATION

- (a) The Association shall not be dissolved except by special resolution passed by a majority of at least three-quarters ($\frac{3}{4}$) of the members present and voting at a Special General Meeting of the Association of which not less than twenty-one (21) days' written notice specifying the resolution to be proposed has been given.
- (b) 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 the NSW Netball Association within the boundaries of the area covered by the Association.

Date approved by Hills District Netball Association – 23 August 2023

Signature of President



Cate Newman

Signature of Secretary



Lisette Smith