

HORNBY NETBALL CLUB INC

CONSTITUTION

1. NAME:

The Association/Club name is "Hornby Netball Club Inc" here in referred to as the "HNC INC/Club".and shall be registered under the incorporated Societies Act 1908.

2. OBJECTS:

The objects of the HNC INC are:-

- 2.1 To provide an opportunity for the children and adults of Hornby and neighbouring suburbs to play netball within the community.
- 2.2 To provide in as many grades as possible well skilled, coached and managed teams that play disciplined and enterprising netball thereby bringing credit to the individual and the club.

3. POWERS OF THE CLUB:

- 3.1. To build construct erect maintain alter and repair any premises building or other structure of any kind and to furnish equip and improve the same for use by the Club;
- 3.2. Accept donations and gifts in accordance with the objects of the Club;
- 3.3. Print and publish any information by any media including newsletters, newspapers, articles or leaflets for promotion of the Club;
- 3.4. Provide gifts and prizes in accordance with the objects of the Club;
- 3.5. Organise social events for Members and the promotion of the Club;
- 3.6. To enter into any other contract the Club considers necessary or desirable.

4. MEMBERSHIP

- 4.1. Membership shall be open to any person who wishes to further the interests of the Club.
- 4.2. Any person seeking membership shall make application to the Committee, and the Committee shall determine whether the application is successful or not.
- 4.3. Each person admitted to membership shall be;
 - 4.3.1 Bound by the Constitution and By-laws of the Club.
 - 4.3.2 Come liable for such fees and subscriptions as may be fixed by the Club.
 - 4.3.3 Entitled to all advantages and privileges of membership.
 - 4.3.4 Able to at any reasonable time inspect the records and documents of the Club.

5. MEMBERSHIP CATEGORIES

5.1. Junior Member

Any person 7 years to 17 years or by except under special circumstances when permission must be applied for from the Christchurch Netball Centre for and dispensations.

5.2. Senior Member

Any person 18 years or older who is a financial member of the Club, is entitled to hold any office and enjoy the privileges of the Club.

5.3. Social Member

Persons other than ordinary members who are interested in promoting the Club, but who do not wish to participate in the playing activities of the Club, may become a Social Member.

5.4. Affiliated Teams

5.4.1 A team who would like to affiliated to HNC must take application in accordance with the by-laws of the Club. Such application must be lodged with the Club Secretary on or before a date as determined by the Management Committee of the Club.

5.4.2 This team must bring their own Coach / Manager, however the club will supply them with the Club uniform and equipment as necessary.

5.4.3 This team must participate in all club fundraising activities as every other team is expected to do. If this option is not acceptable, the Management Committee will agree on an amount to be paid toward fundraising that this team will be expected to pay, which will exempt them from any fundraising help for that season. This is to be reviewed at the beginning of each season.

5.5. Patron

The Club may, at its discretion, elect a patron/s or vice patron/s of the Club for such period as may be deemed necessary. Such patron/s or vice patron/s shall not be eligible to vote unless they are current members of the Club under another category of membership.

6. AWARDS

6.1 Volunteer Award

This is someone that helps out with the club however is not on any committee. They can be an official or coach who have served a of minimum 5 – 10 years consistent Volunteering service with HNC.

6.2 Service Award

Recognise individuals who have made an outstanding / significant contribution which has added value to the game of netball. Any financial member may nominate a person to the Management Committee for consideration for this award. The following points, but not limited to, would be taken into account:

6.2.1 Paid work shall not be excluded but the contribution needs to exceed this.

6.2.2 A minimum of five to seven (5 - 7) years' outstanding, significant contribution shall be expected.

6.2.3 Service may be accumulated from different parts of the game.

6.3 Life Membership Award

The Committee may elect any member who has contributed 15 years or longer of outstanding / exceptional service to the game of netball and the Club. Any financial member may nominate a person to the Management Committee for consideration for Life Membership. The following points but not limited to, would be taken into account:

6.3.1 Nominees must hold a Club Service Award or equivalent.

6.3.2 Paid work shall not be excluded but the contribution needs to exceed this.

6.3.3 A minimum of fifteen (15) years' valued and sustained involvement will be expected.

6.3.4 The type of service may vary according to abilities and individual talents, but overall dedication and high quality sustained service over many years is the over-riding consideration.

6.3.5 Except in special circumstances, it is considered that a sustained period of Committee work would also be a criteria.

7. **UNIFORM**

7.1 The playing uniform of the club shall be red and white top and red and white skort, white socks, or such other uniform that may from time to time be adopted at a General Meeting.

7.2 The club monogram shall be a red ball with Hornby Netball Club underneath or such monogram that may time to time be adopted at a General Meeting

7.3 The Club Track Jacket should predominately be black and white in nature and have the club monogram on left breast. The Senior A Track Jacket shall be red and white in nature and have the club monogram on the left breast.

7.4 Each player representing the club in any match must appear in full playing uniform.

7.5 Changes to club monogram, colours, and uniform must be approved by Committee at a General Meeting and then application to Christchurch Netball Centre for approval.

7.6 The Name size and placement of any sponsorship wording or logo must be approved by Committee.

7.7 HNC Uniforms are not permitted to be worn outside of any Christchurch Netball Centre Competitions, events unless permission is granted by Committee.

8. SELECTION OF TEAM COACH AND MANAGERS:

- 8.1 Any Senior team positions shall be advertised in any suitable media forms ie: Club website, Association website or the local paper.
- 8.2 The Executive shall make the final decision for all advertised positions.
- 8.3 The Committee shall endorse all Senior, Junior Coaching appointments
- 8.4 The Committee shall endorse all Senior, Junior Managing appointments.

9. SUBSCRIPTIONS:

To be reviewed annually and decided at Januarys Committee Meeting. A refund will not be paid after the first three games have been played, as monies have already been paid to the Club, unless by special arrangement made to the committee.

10. TERMINATION OF MEMBERSHIP:

- 10.1 Any person's membership may be terminated by the following events;
 - 10.1.1. Resignation
 - 10.1.2. Expulsion
 - 10.1.3 Member's annual membership fee remains unpaid after **the 3rd competition Playing game** falling due; unless authorised by Committee for Special Circumstance's
- 10.2 The Committee shall have the power to suspend or expel any member of the Club for:
 - 10.2.1 False or inaccurate statements made in the member's application for membership of the Club.
 - 10.2.2 Breach of any rule, regulation or by-law of the Club and by any act detrimental to the Club.
- 10.3 Any member who is expelled, suspended or has their membership terminated, shall have the right to appeal against their suspension or expulsion by presenting their case at a General Meeting called for such purpose, and the decision of the General Meeting shall be final.

11. COMMITTEE:

- 11.1 Committee persons are sometimes referred to as Office Bearers. The main Office Bearers are often referred to as The Executive. The Club shall be vested in the Committee elected by the members at the Annual General Meeting and consisting of;
 - President
 - Secretary
 - Treasurer
 - **At least** Three Committee Members
- 11.2 No person shall hold more than one position on the Committee at any one time except under special circumstances, where there are no members who wish to be assigned those duties.

- 11.3 A person shall cease to be a Committee member at the commencement of the Annual General Meeting at which he or she can be eligible for re-election.
- 11.4 A quorum of the Management Committee shall be half of its members plus one.
- 11.5 If the President is unable to attend, then a chairperson nominated by the meeting shall chair that meeting.
- 11.6 A member of the management committee may lose his or her seat on the committee for the following:
 - 11.6.1 Absence from three or more consecutive meetings without good reason.

12 POWERS OF THE COMMITTEE:

The Committee shall carry out the day-to-day running of the Club and shall have the power to:

- 12.1 Administer the finances, appoint bankers, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account.
- 12.2 Fix the manner in which such banking accounts, shall be operated upon, providing the Committee passes all payments.
- 12.3 Fix fees and subscriptions payable by members. Decide such levies, fines and charges as is deemed necessary and advisable. To enforce payment thereof.
- 12.4 Adjudicate on all matters brought before it, which in any way affect the Club.
- 12.5 Minutes to be made of all proceedings at meetings of the Committee and General Meetings of members.
- 12.6 Make, amend and rescind rulings and By-laws.
- 12.7 Have the power to form and appoint any sub committee/s as required for specific purposes.
- 12.8 May at their discretion employ a person or persons to carry out certain duties required by the Club, at salaries or remunerations for such period of time, as may be deemed necessary.
- 12.9 Should a vacancy occur on the Committee during the season, the Committee shall appoint a successor until the next Annual General Meeting.
- 12.10 Appoint an officer/s or agent of the Committee to have custody of the Club's records, documents and securities.

13 INCOME, BENEFIT OR ADVANTAGE TO BE APPLIED FOR CHARITABLE PURPOSE

- 13.1 Any income, benefit or advantage shall be applied to the objectives of the organization. No member of the organization or any person associated with a member, shall participate in or materially influence any decision made by the organization, in respect of the payment to or on behalf of that member or associated person of any income, benefit,

advantage whatsoever. Any such income shall be reasonable and relative to that which would be paid in an arms length transaction (being open market value). And the provisions and effect of this clause should not be removed from this document and shall be included and implied into any document replacing this document.

14 MEETINGS:

14.1 Annual General Meeting

14.1.1 The Annual General Meeting of the Club must be held within four months of the end of the club's financial year.

14.1.2 **The Secretary shall give at least Twenty One (21) days notice of the date of the Annual General Meeting to members.**

14.1.3 All financial members may attend the Annual General Meeting.

14.1.4 The quorum at the Annual General Meeting shall be a minimum of six members. If, at the end of 30 minutes after the time appointed in the notice for the opening of the Meeting, there be no quorum the meeting shall stand and adjourn for one week. If at such meeting there is no quorum those members present shall be competent to discharge the business of the meeting.

14.1.5 If a Financial Member wishes to re-stand for election onto the committee, and they are unable to attend said meeting, they are required to give written approval to the Secretary 7 days before the Annual General Meeting is to be held.

14.1.6 The agenda for an Annual General Meeting shall be:

- Opening of Meeting
- Apologies
- Confirmation of Minutes of previous Annual General Meeting
- Presentation of Presidents Report
- Adoption of Presidents Report
- Treasurer's report and presentation of Financial statements
- Election of Office Bearers and Committee / appointment of Accountant
- Vote of thanks to outgoing Executive and Committee
- Urgent general business
- Closure

14.2 General Meetings

14.2.1 General Meetings may be called by the Committee or at the request of the President and Secretary or on the written request of the members of the Club.

14.2.2 The Secretary shall give at least seven (7) days notice.

14.2.3 The quorum at the General Meeting shall be a minimum of four members.

15 ELECTION AND APPOINTMENT OF COMMITTEE:

The nominations shall be delivered in writing to the Secretary at least 14 days before the Annual General Meeting. All valid nominations received shall be posted on the Club website not later than 7 days before the Annual General Meeting. If there is only one valid nomination for a position then the person so nominated shall be deemed to be elected as from the date of the Annual General Meeting.

16 VOTING:

16.1 Voting powers at the Annual General Meeting:

16.1.1 The President shall be entitled to a deliberate vote and in the event of a tied vote; the President shall exercise a casting vote.

16.1.2 All financial members whose names are entered in the Register of Members shall be entitled to exercise their vote personally at a General Meeting. There shall be no right to vote by proxy. A financial member is one whose subscription is not in arrears in accordance with clubs rules and by-laws. With Family Members only one adult member of the family can vote. Only those members over the age of 18 who are deemed to be financial members may have the right to vote at any General Meeting.

16.1.3 Each individual financial member present shall have one (1) vote.

16.2 Voting powers at Committee Meetings:

16.2.1 The President shall be entitled to a deliberate vote, and, in the event of a tied vote, the President shall exercise a casting vote.

16.2.2 Each individual committee member present shall have one (1) vote.

17 FINANCE:

17.1 All funds of the Club shall be deposited into the Club's accounts at such bank or recognised financial institution as the Committee may determine.

17.2 All accounts due by the Club shall be paid by cheque/online banking after having being passed for payment at the Committee Meeting and when immediate payment is necessary, account/s shall be paid and the action endorsed at the next Committee Meeting.

17.3 Any Committee / club Member who uses personal cash for club expenses is required to submit reimbursement form and receipts and will be reimbursed on approval from committee.

17.4 A statement showing the financial position of the Club shall be tabled at each Committee Meeting by the Treasurer.

17.5 A statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General Meeting.

- 17.6 The financial year of the Club shall commence on 1 October each year.
- 17.7 The signatories to the Club's account/s will be the Treasurer and any one (1) from the following;
- President
 - Secretary
- 17.8 All property and income of the Club will apply solely to the promotion of Netball. No part of that property or income shall be paid or otherwise distributed directly, or indirectly, to members; except in good faith of the promotion of Netball.
- 17.9 No Review or audit of the annual financial statements is required unless a review or audit is requested by 5% of the members at any properly convened society meeting.

18 COMMON SEAL:

(A rubber stamp/logo on which is engraved the Club's name)

The common seal of the Club shall be kept in the care of the Secretary. The seal shall not be used or affixed to any deed or document except pursuant to a resolution of the Committee and in the presence of at least the President and two members of the Committee, both of whom shall subscribe their names as witnesses.

19 ALTERATIONS TO THE CONSTITUTION AND BY-LAWS:

- 19.1 No alteration, repeal or addition shall be made to the Constitution except at the Annual General Meeting or Special General Meeting called for that purpose.
- 19.2 Notice of all motions to alter, repeal or add to the Constitution shall be given to members fourteen (14) days prior to the Annual General Meeting or seven (7) days prior to a Special General Meeting called for such purpose.
- 19.3 The Secretary shall forward such notices of motion to each Committee member at least fourteen (14) days prior to the Annual General Meeting or seven (7) days prior to a Special General Meeting.
- 19.4 Alterations to the By-laws can be made only at Committee Meetings provided notice of the proposed alteration/s has been duly notified to Committee Members.
- 19.5 Such motions, or any part thereof, shall be of no effect unless passed by a seventy five percent (75%) majority (Special Resolution) of those present and entitled to a vote at the Annual General Meeting, General Meeting or Management Committee Meeting, as the case may be.
- 19.6 Within one month of the passing of a Special Resolution, the Secretary shall notify the Department of Consumer and Employment Protection of the amendment. (In the case of a licensed club, the Director of Liqueur Licensing must also be notified.)

19.7 No such alteration or addition shall:

19.7.1 Deduct from the exclusively charitable nature of the Club or result in the distributions of its assets on winding up or dissolution for any purpose that is not exclusively charitable.

20 DISSOLUTION:

If, on the winding up of the Club, any property of the Club remains after satisfaction of the debts and liabilities of the Club and the costs, charges and expenses of that winding up, that property shall be distributed to another incorporated Society having objects similar to those of the Club or For charitable or benevolent purposes, which incorporated Club or purposes, as the case requires, shall be determined by majority of votes at a Special General Meeting.

21 MATTERS NOT PROVIDED FOR:

If any matter should arise which is not, in the opinion of the committee is not provided for under these rules, the same shall be determined by the committee in such a matter they deem fit, and every such determination shall be binding upon the club and its members unless until set aside by resolution by a general meeting of the club.

Amended and passed AGM 1st December 2014

Amended and passed AGM 23rd November 2015