



PROSPECT UNITED
NETBALL CLUB INC

CONSTITUTION

SCHEDULE OF REVIEW:

Revision Date	Type of Review	Approved Date
1990	Constitution implemented	1990
August 2002	Revision	August 2002
October 2005	Amendments	October 2005
2007	Revision	2007
April 2011	Revision & Amendments	October 2011
August 2013	Amendments to the number of Graders	October 2013

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CONSTITUTION

1. THE NAME:

The name of the club shall be PROSPECT UNITED NETBALL CLUB INC (PUNC).

2. COLOURS:

The Club's colours shall be red, white and royal blue.

3. CLUB LOCATIONS/SERVING OF NOTICES:

The Club address shall be that of the elected Secretary/Public Officer and all correspondence must be addressed to the Secretary and/or Public Officer at that address.

Playing facilities are located at:

International Peace Park
Corner, Devitt & Boyd Streets
Blacktown NSW 2248

Training facilities are located at:

William Lawson Reserve
Myrtle Street
Prospect NSW 2248

4. DEFINITIONS:

In this Constitution, unless the contrary intention appears from the context the following meanings are implied:

“The Law”	The Corporations Law of New South Wales as amended from time to time.
“AGM”	The Annual General Meeting held after the Club's financial year and in order to comply with the provisions of the Associations Incorporation Act 1984 No.143 and the Associations Incorporation Regulation 1999.
“Club/PUNC”	Prospect United Netball Club Incorporated
“Association/BCNA”	Blacktown City Netball Association Incorporated.
“NNSW”	Netball New South Wales Association Limited.
“Mail”	Post, email, facsimile or other means of transmission of data
“Month”	Calendar month
“The Register”	The Register of Members kept by the Secretary/Public Officer pursuant to the Law
“Financial”	Payment of fees as deemed appropriate by the Management Committee.
“In writing/written”	Includes all printing and other modes of reproducing or representing words in a visible form.

5. OBJECTIVES:

The objectives of the Club shall be to:

- 5.1 Further the interest of its members, promote and control the game of netball within the Club
- 5.2 Participate in competition matches between PUNC and affiliated clubs of BCNA Inc. including carnivals and other competitions
- 5.3 Nominate and endorse PUNC players to trial for BCNA representative squads.
- 5.4 Affiliate with and support BCNA and Netball New South Wales Association Limited (NNSW).
- 5.5 Co-operate with other organisations affiliated with NNSW or BCNA for the furtherance of Netball.
- 5.6 Effectively manage dispute resolutions within the Club.
- 5.7 Be a not for profit Club

6. MANAGEMENT COMMITTEE:

- 6.1 The Management Committee of the Club is the controlling body of PUNC and its authority shall be recognised by all members who shall adopt and comply with this Constitution and the Operating Procedures of the Club.
- 6.2 This committee shall consist of office bearers to form the Management Committee.
- 6.3 Ballot for election of office bearers to form the Management Committee shall take place at the Annual General Meeting (AGM).
 - 6.3.1 Nominations for positions shall be submitted on the appropriate form, duly moved and seconded, and with the written consent of the nominee to the Secretary 30 days prior to the AGM.
 - 6.3.2 Nominations will be screened by the Management Committee to ensure the applicant can fulfill the Job Description for that position.
 - 6.3.3 Nominations for vacant positions can be taken from the floor at the AGM providing the nominee meets the criteria of the Job Description for that position; however the position will be voted on at the next Management Committee meeting following the AGM.

6.4 All positions with the Committee are honorary and are as follows:

- President
- Vice President
- Secretary/Public Officer
- Assistant Secretary
- Treasurer
- Assistant Treasurer
- Registrar
- Assistant Registrar
- Coaches Coordinator
- Assistant Coaches Coordinator
- Minute Secretary
- Newsletter/ Publicity Officer
- Parks Committee Delegate
- Uniform Officer
- Equipment Officer
- Umpires Coordinator
- Assistant Umpires Coordinator
- Social Events Coordinator
- BCNA Delegates (Secretary, Vice President plus two persons)
- Graders (three persons)

6.5 All positions become vacant and are subject to re-election at the AGM. Existing office bearers are eligible for re-election. Persons appointed to the Management Committee shall hold office for the ensuing year.

6.6 A vacancy on the Management Committee shall be deemed to have occurred when the position holder resigns by written notification to the Secretary, dies, becomes mentally incapacitated, ceases to hold membership of the club as per clause 15 or is convicted of an offence involving child protection matters, fraud or dishonesty.

6.7 In the event of a committee position becoming available, a notice of vacancy shall be advertised to all members via the PUNC website and an election held at the next Management Committee Meeting to fill the vacant position. If the timing of the next Management Committee meeting is not suitable, the Committee may declare an alternate time to finalise elections.

6.9 No monies shall be expended on behalf of the Club without the approval of the Management Committee.

6.10 In the exercise of his or her powers or the exercise of his or her duties, an Office Bearer of the Club must exercise the degree of care and diligence that a reasonable person in a like position in a corporation would exercise in the Club's circumstances.

6.11 All Management Committee members must sign and comply with Child Protection Legislation.

6.12 No Office Bearer shall receive or obtain any pecuniary gain from the property or operation of the Club provided that this rule shall not prevent the payment of remuneration to Office Bearers as the Management Committee shall approve.

6.13 Any Office Bearer no longer holding a Management Committee position shall, on demand by the President or any approved member of the Management Committee, hand over all minutes, cash, bank, receipt or any other books, papers or documents and any other property in their possession or custody belonging to or relating to the Club.

7. SUB-COMMITTEES/ WORKING PARTIES

- 7.1 The Management Committee may delegate any of its powers to sub-committees (working parties) consisting of such persons as it deems necessary and define the functions thereof.
- 7.2 The sub-committee shall consist of at least 3 and no more than 5 persons.
- 7.3 At the time of appointment the Management Committee will determine a Coordinator. In the case of an equality of votes, the Coordinator shall, in addition, have a casting vote. This excludes decisions and voting within the Grading working party.
- 7.4 With the approval of the Management Committee, the sub-committee may appoint a working party to assist.
- 7.5 The Vice-President or Treasurer shall be ex officio members of any sub-committees/ working parties (excluding the grading working party).
- 7.6 Members of the sub-committees shall not disclose any matters discussed at their meetings, unless or until, such matters have been presented and discussed at the Management Committee meeting.
- 7.7 The sub-committee convenor shall be responsible for:
- 7.7.1 Advising sub-committee members, including ex-officio members of all meetings
 - 7.7.2 Keeping in a minute book an accurate record of all meetings.
 - 7.7.3 Forwarding copies of the minutes to the Secretary and to each member of the sub-committee within 7 days of each meeting.
 - 7.7.4 Submit a written report to the Management Committee with any recommendations for ratification.

8. RESPONSIBILITIES OF THE MANAGEMENT COMMITTEE

In addition to Clause 6.1 the Management Committee shall be responsible for the execution of the objectives of the Club and without in any way limiting this responsibility shall have power to:

- 8.1 Control and manage the affairs of PUNC.
- 8.2 Make or amend Operating Procedures, Rules and Regulations to ensure consistency with this Constitution.
- 8.3 Fix fees payable by members and enforce payment thereof.

- 8.4 Control the funds of the Club and for that purpose:
 - 8.4.1 Open and operate banking accounts,
 - 8.4.2 Expend, invest and manage funds in a lawful manner.
 - 8.4.3 Determine who shall be entitled to sign or endorse on the Club's behalf receipts, acceptances, cheques and other documents or instruments.
- 8.5 Appoint any delegate or delegates to represent the Club for any purpose with such powers as may be thought fit.
- 8.6 Take disciplinary action pursuant to this Constitution and/or Operating Procedures against members as appropriate.
- 8.7 Ensure that the Registrar of the Club forwards to BCNA each year, a list showing the names and addresses of members who have paid their annual fees.
- 8.8 Publish information about netball as required.
- 8.9 Control the use of the Clubs name, logo, colours, membership data and emblem.
- 8.10 Have general responsibility for the development of PUNC and for the development of netball within BCNA in accordance with the objectives and the wishes of the Members

9. MANAGEMENT COMMITTEE MEETINGS

- 9.1 Management Committee meeting dates will be set annually and notified via the PUNC calendar/newsletter
- 9.2 Notification of these meetings are to be made by the Secretary/Public Officer or as advertised at a previous general meeting, at such place and time as the Committee may determine.
- 9.3 The business of the meeting will be deemed as set out in the Operating Procedures and as deemed appropriate.
- 9.4 All correspondence received by the Secretary 5pm the day before a Management Committee meeting, with the exception of controversial matters and matters relating to will be accepted up until the commencement of the Management Committee meetings. Other such correspondence will be held over to the following Management Committee meeting.
- 9.5 Any financial member may attend Management Committee meetings however they do not have voting rights. Voting rights can be exercised by Management Committee and Life members only.
- 9.6 The President shall take the chair at all Management Committee meetings and in the President's absence the chair shall be taken by the Vice President. If neither is present within 15 minutes of the time fixed for the commencement of the meeting then the members present will elect a chair.
- 9.7 A quorum shall consist of at least half of the Management Committee. If no quorum is present once the Chair is elected it shall be adjourned to such time and place as the Chairperson shall decide.

- 9.8 Each member of the Committee shall have one 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.

In the case of an equality of votes, a re-vote will be taken for the drawn votes, which a secret ballot may be requested. If a further equality of votes occurs the Chairperson shall, have the casting vote.

- 9.9 Committee members must be present at a meeting to cast a vote.

10. SPECIAL GENERAL MEETINGS

A Special General Meeting may be called by the President and Secretary or at the request of three or more members. The request must be submitted in writing detailing the reason for requesting the meeting to the Secretary and signed by each nominating member requesting the meeting.

- 10.1 Not less than 21 days' written notice shall be given to each member by the Secretary specifying the time and place of a Special General Meeting.
- 10.2 The accidental omission to give any member such notice shall not invalidate the meeting or any of the business of the meeting.
- 10.3 The President shall take the chair at Special General meetings and in the President's absence the chair shall be taken by the Vice President. If neither is present within 15 minutes of the time fixed for the commencement of the meeting then the members will elect a chairperson from the Committee.
- 10.4 The business of the meeting will be deemed as set out in the Operating Procedures and as deemed appropriate.
- 10.5 A quorum for a Special Meeting shall consist of at least half of the Management Committee and the members who have requested the special meeting. If any member requesting the meeting is a Management Committee member, they shall not be considered part of the Management Committee quorum.
- 10.6 If no quorum is present 15 minutes after the time fixed for the commencement of the meeting, it shall be adjourned to such time and place as the Chairperson shall decide.
- 10.7 Each member shall have one 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.
- 10.8 A special general meeting motion requires a three quarter majority vote to be passed.
- 10.9 Members must be present to vote at the meeting. Proxy votes will not be accepted.
- 10.10 Order of business at Special General Meetings shall be as set out in the Operating Procedures.

11. ANNUAL GENERAL MEETINGS

Not less than 21 days' written notice of the date of the Annual General Meeting (AGM) shall be given to each Club Member and Life Member. The accidental omission to give any member such notice shall not invalidate the meeting nor any of the business of the meeting.

11.1 The Annual General Meeting shall take place within two months of the cessation of the Blacktown City Netball Association day competition and shall include:

11.1.1 Election of office bearers.

11.1.2 Presentation of annual reports and financial statement. A copy of the Annual Report and audited Balance Sheet shall be made available at the AGM.

11.2 The President shall take the chair at the Annual General meetings and in the President's absence the chair shall be taken by the Vice President. If neither is present within 15 minutes of the time fixed for the commencement of the meeting then the members will elect a chair.

11.3 The order of business at the AGM shall be as set out in the Operating Procedures.

11.4 A quorum shall consist of at least 15 financial Club members

11.4.1 If no quorum is present 15 minutes after the time fixed for the commencement of the meeting, it shall be adjourned to such time and place as the Chairperson shall decide.

11.5 The final order of business at the AGM is to induct office bearers for the coming season. The President will pass the meeting over to the Returning Officer, who is a person not affiliated with any nominees and who is ineligible to vote. The Returning Officer will then declare all positions vacant and facilitate the voting process for all nominated office bearers.

11.6 Each financial and life member or a parent of a child under the age of 16 years shall have one vote per financial member.

11.6.1 A secret ballot shall be taken for voting on office bearer positions.

11.6.2 Members must be present to vote at the meeting. Proxy votes will not be accepted.

11.6.3 In the case of an equality of votes, a re-vote will be taken between the drawn votes.

11.6.4 Following the re-vote if an equality of votes remains, a special meeting will be called to vote on the drawn result.

12. DISCIPLINING OF MEMBERS

The authority of the Club shall extend to, and be recognised by, all members. Disciplining of members including Management Committee members, family members and spectators of PUNC includes disputes, complaints and breaches of the Constitution, Operating Procedures, Codes of Conduct and BCNA by-laws.

The Club will take whatever action it deems necessary as per PUNC Operating Procedures to resolve the dispute between parties.

13. FINANCIAL

- 13.1 The financial year of Prospect United Netball Club Inc shall be from 1st September to 31st August of the following calendar year.
- 13.2 The banking accounts of the Club shall be kept at a bank approved by the Management Committee and all cheques operating on the accounts shall be signed by any two signatories from either the President, Vice President, Secretary or Treasurer.
- 13.3 The books of the Club shall be audited each year by a qualified person who is not a member of the Club.
- 13.3.1 Audited Financial Statements shall be presented at each AGM.
- 13.3.2 All bank statements are to be tabled at each PUNC meeting together with a written financial report and reconciliation.
- 13.3.3 All fields are to be completed on all cheques (eg payee, date and amount) prior to cheques being signed.
- 13.4 All monies collected remain the property of PUNC
- 13.5 Equipment that is distributed to Coaches or any other Management Committee member will remain the property of PUNC and must be returned to the Equipment Officer within 48 hours of request..
- 13.6 Purchases for the Club or on behalf of the Club should not be made without the approval or knowledge of the Management Committee.
- 13.7 Funds of the Club are to be used in pursuance of the objectives of the Club in such manner as the Management Committee determines.

14. MEMBERSHIP

- 14.1 Is open to any person who can meet the objectives of the Club.
- 14.2 Is open to any person who has been approved for membership of the Club by the committee.
- 14.3 Is open to Honorary members:
- 14.3.1 An Honorary member is one who is invited by the Committee to join the Club for a specific time or purpose as determined by the Committee, providing such person is nominated by two members of the Club.
- 14.3.2 An Honorary member may be admitted to the Club, but without voting power.
- 14.4 The Registrar of the Club must establish and maintain a register of members of the Club specifying the name address and contact details of each person who is a member of the Club together with the date on which the person became a member.

- 14.5 Each year an application for membership to the Club for any persons 18 years and over, will not be considered until a 'Working with Children Check Consent Form' has been signed and submitted to the Club by the applicant pursuant to the form requirements.
- 14.6 The register of Committee members will be kept by the Public Officer. The register is to include name, address and date the member was financial with the Club.
- 14.7 Any registered playing member of the Club is to be financial.
- 14.8 Members of the Club are to comply with and follow Management Committee decisions and sponsorship agreements.
- 14.9 Voting rights are only available to financial and life members at a Annual General Meeting or Special Meeting.
- 14.10 The Club may reject any application for membership without assigning any reason thereof.

15. CESSATION OF MEMBERSHIP

- 15.1 A person shall cease to be a member if the member:
 - 15.1.1 Dies;
 - 15.1.2 Resigns in writing; or
 - 15.1.3 Fails to pay any fees after the date the payment is due.
- 15.2 Every person ceasing to be a member of the Club for any reason shall there by lose all rights of membership but shall remain liable for any money then due under the provisions of the Constitution, Operating Procedures, Rules and Regulations of the Club.

16. REGISTRATION FEES:

The annual fees to be paid by members shall be determined by resolution of the Management Committee at an appropriate date as per Clause 21 in the Operating Procedures.

17. MEMBERS LIABILITIES:

The liability of a member of the Club to contribute towards the payment of the debts and liabilities of the Club or the cost, charges and expenses of the winding up of the club is limited to the amount, if any, unpaid by the member in respect of membership of the club as required by Clause 22.

18. ALTERATION OF CONSTITUTION:

Should the constitution need to be amended a working party shall be formed to review the document and present to the Management Committee any proposed changes.

This Constitution shall not be amended without a resolution passed by a three quarter majority of the members present at a Special Meeting duly called for that purpose, or an AGM and which not less than 21 days written notice specifying the resolution has been given.

19. COMMON SEAL:

- 19.1 The common seal of the Club must be kept in the custody of the Secretary/Public Officer.
- 19.2 The common seal must not be affixed to any instrument except by the authority of the Management Committee and the affixing of the common seal must be attested by the signatures either of 2 members of the Management Committee or of 1 member of the Management Committee and of the Public Officer or Secretary.

20. CUSTODY OF BOOKS

Except as otherwise provided by these rules, the Public Officer must keep in their custody or under their control all records, books and other documents relating to the Club.

21. INSPECTION OF BOOKS:

The records, books and other documents of the Club must be open to inspection, free of charge, by any member of the Club at any reasonable hour.

22. DISSOLUTION:

The Club shall not be dissolved except by resolution passed by a majority of at least three quarters of the members present and voting at a meeting of the Club of which not less than 21 days written notice specifying the resolution to be proposed has been given. In the event of dissolution, all monies and playing equipment held by the Club shall revert to Blacktown City Netball Association.

23. LIFE MEMBERSHIP:

- 23.1 Any member who has given outstanding continuous service for a period of 10 years and is nominated by 5 other members is eligible.
- 23.2 Nominations must be received by the Secretary one month prior to the AGM and will be liable to a secret ballot of which 2/3 majority of the Management Committee is needed for life membership to be awarded.
- 23.3 Acceptance of the nomination is subject to ratification by the Management Committee.
- 23.4 Life Membership consists of not being liable for club fees but may still have the same voting rights as any other member at any AGM, Management Committee Meeting or Special Meeting.
- 23.5 Copies of Management Committee Meeting Minutes and copies of the updated Constitution and Operating Procedures are to be forwarded to Life Members if they so request.

24. PATRON:

The Club may from time to time appoint one or more Patrons and may also cancel any such appointment at any time.

25. MINUTES:

25.1 Minutes shall be taken of all resolutions and proceedings of all meetings by the Minute Secretary or a nominated scribe as described in PUNC job descriptions.

25.2 All meeting minutes must be circularised to Management Committee members within 7 Days following the meeting date.

26. CODE OF CONDUCT:

All members will adhere to the Code of Conduct as specific by BCNA and Netball NSW.

27. INTERPRETATION:

The Chairperson of any Meeting shall be the interpreter of the Constitution and Operating Procedures of the Club with respect to that Meeting, subject to the normal laws of meetings and provisions of the Act. This Constitution should be used to in conjunction with the PUNC Operating Procedures including any Annexures.