



**Quinns Districts
Netball Club Inc.**

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CONSTITUTION

October 2019

Table of Contents

Page

Part 1	Name	3
Part 2	Objects, Purposes and Powers	3
Part 3	Membership	4
	Membership Process	
	Membership Composition	
	Junior Playing Members	
	Ordinary Members	
	Life Members	
	Playing Life Members	
	Honorary Members	
	Club Patron	
	Suspension and Expulsion of Membership	
	Cessation of Membership	
	Liability of Members	
	Members Register	
	Committee Register	
	Inspection by Members of Records and Documents	
Part 4	Management	9
	Committee	
	Powers of Committee	
	Election of the Committee	
	Expulsion from the Committee	
	Sub-committees	
	Appointed Positions	
	Interpretation of Constitution and Rules	
Part 5	Meetings	14
	Annual General Meetings	
	Special General Meetings	
	Committee Meetings, Voting, Attendance & Vacancies	
	Special Committee Meetings	
	Executive Committee Meetings	
Part 6	Duties of Executive - Principal Office Bearers	18
Part 7	Duties of Office Bearers & General Committee	23
Part 8	Common Seal	23
Part 9	Financial Matters and Auditors	24
Part 10	Dissolution	24
Part 11	Amendments to the Constitution and Interpretation of Rules	24

1. NAME

- 1.1. The **name** of the Club is “Quinns Districts Netball Club Inc.” herein referred to as the “Club”.

2. OBJECTS, PURPOSES AND POWERS

- 2.1. The **objects** and **purposes** of the Club are:

- 2.1.1. To promote, encourage, foster, teach and improve the standard of the game of netball among Members under the jurisdiction of the Association as determined from time to time by the Association.
- 2.1.2. To provide organised competitions for Members in such age groups and under such rules and By-laws as may be determined by the Association from time to time.
- 2.1.3. To promote good fellowship, true sportsmanship and citizenship amongst the Members.
- 2.1.4. To maintain an affiliation with the Joondalup Netball Association (Inc), herein referred to as the “Association”.

- 2.2. The property and income of the Club shall be applied towards the promotion of the objects and purposes of the Club and no part of the property or income may be paid or otherwise distributed, directly or indirectly to Members of the Club, except in good faith in the promotion of those objects and purposes.

- 2.3. **Powers** – The Club may do all things necessary or convenient for carrying out its objects and purposes, and in particular may:

- 2.3.1. Acquire, hold, deal with and dispose of any real or personal property or any rights or privileges.
- 2.3.2. Conduct appeals for funds, and accept donations, whether being real or personal property, devises & bequests under testamentary dispositions and to generally raise funds by public subscription and any other means as may from time to time be approved by the Committee.
- 2.3.3. Invest in trustee securities or otherwise deal with the monies of the Club not immediately required for the purpose of the Club in such a manner authorised by law as may from time to time be determined by the Committee.
- 2.3.4. Hold and administer property on trust.
- 2.3.5. Draw, accept and negotiate cheques, bills of exchange, promissory notes and other negotiable instruments.
- 2.3.6. Appoint delegates and representatives to other associations, societies and bodies as it sees fit, including the appointment of contacts for the Club for the purposes of liaison with the Association
- 2.3.7. Appoint and co-opt persons to positions on the Club’s committees and remove persons from such positions as required.
- 2.3.8. Appoint or elect persons to positions in sub-committees or to Appointed Positions and remove persons from such positions as required.
- 2.3.9. Approve, reject and/or expel the membership of any person.

- 2.3.10. Suspend, fine or otherwise deal with any Member, Official, or player of the Club for non-compliance with the laws of Netball Australia and Netball Western Australia, the Constitution or By-laws of the Club, the By-laws of the Association, or of conduct not deemed to be in the best interest of the Club or the game of netball.
- 2.3.11. Apply and ensure compliance with the By-laws of the Club and perform all such acts and responsibilities to the attainment of the objectives of the Club.
- 2.3.12. Determine from time to time any membership application fee and annual subscription.
- 2.4. The Club shall, subject to these rules, abide by the rules and requirements of the Association, which may include: payment of affiliation fees levied by the Association, becoming a financial member of Netball WA and abiding by the constitution, By-laws and policies of the Association and Netball WA (as amended from time to time).

3. MEMBERSHIP

- 3.1. Membership shall be open to all persons genuinely interested in the objectives and purposes of the Club.
- 3.2. The process to apply for membership to the Club shall be as follows –
 - 3.2.1. An application for Junior or Senior Playing Membership shall be by lodging a signed approved player registration form or approved online player registration to the Registrar and accompanied by the full annual subscription fee as determined by the Committee from time to time, subject to clause 3.4 and 3.6. All conditions described at clause 3.3.1 must also be met to qualify for Junior or Senior Playing Membership.
 - 3.2.2. An application for Ordinary Membership shall be by lodging a signed membership application to the Secretary and accompanied by the full annual subscription fee as determined by the Committee from time to time subject to clause 3.4 and 3.7. All conditions described at clause 3.3.3 must also be met to qualify for Ordinary Membership.
 - 3.2.3. Life Members do not have to apply for membership each year as their membership is continual subject to clause 3.3.4. All conditions described at clause 3.3.4 must be met to qualify for Life Membership.
 - 3.2.4. The Committee members must consider each application for Ordinary Membership made under clause 3.2.2 at a Committee Meeting and must, at the Committee meeting or the next Committee Meeting, accept or reject that application.
 - 3.2.5. The Secretary must advise all Members whose application for Ordinary Membership made under clause 3.2.2 who's application has been rejected that their application was rejected within seven (7) days from the date of such rejection.
 - 3.2.6. An applicant whose application for membership of the Club is rejected must, if he or she wishes to appeal against that decision, give notice to the Secretary of his or her intention to do so within a period of fourteen (14) days from the date he or she is advised of the rejection.
 - 3.2.7. When notice is given under clause 3.2.7, the Club in a Committee Meeting no later than the next Annual General Meeting, must either confirm or set aside the decision of the Committee to reject the application, after having afforded the applicant who gave the notice a reasonable opportunity to be heard by or to make representations in writing to the Club in the Committee Meeting.

3.3. The membership of the Club shall consist of:

3.3.1. Junior Playing Members

- Players shall be eligible to participate provided they qualify to the age limit determined by the Association.
- Players must lodge with the Registrar an approved registration complete in every detail. His/her birth certificate/extract of birth shall accompany the registration prior to the first game in which he/she plays for the Club.
- All netballers eligible to play for the Club will be a Junior Playing Member of the Club for the period commencing from the date of their registration to the 31st December of that year.
- On payment of the annual registration fee the membership of each Junior Playing Member will also include the parents/guardians of the junior playing Member as specified on the player registration.
- The voting rights of Junior Playing Members are vested in the parent/guardian of the Junior Playing Member as defined on the player registration.
- Notwithstanding the number of Junior Playing Members per family in the Club, all voting necessary at any meetings of the Club shall be limited to one vote per parent/guardian as specified on the player registration.
- A Junior Playing Member is defined as a Member aged between 8 years and 17 years, who is a registered Player for our Club, in an 8U-17U team within the Association.

3.3.2. Senior Playing Members

- Players shall be eligible to participate provided they qualify to the age limit determined by the Association.
- All netballers eligible to play for the Club will be a Senior Playing Member of the Club for the period commencing from the date of their registration to the 31st December of that year.
- The voting rights of Senior Playing Members are entitled to vote.
- A Senior Playing Member is defined as a Member aged 18 years and over, who is a registered Player for our Club, in an Opens team within the Association

3.3.3. Ordinary Members

- Any person on payment of such sum as may be decided upon by the Committee from time to time shall become a financial Ordinary Member of the Club for a twelve (12) month period commencing on the first day of January each year and as such shall be entitled to vote.

3.3.4. Life Members

- Nomination for Life Membership shall be from recommendations of a member for persons who have contributed not less than eight (8) years outstanding service to the Club.

- Nominations must be presented to three (3) existing Executive Committee Members of the Club for consideration. Approval must be unanimous from all three (3) Executive Committee Members to which the nomination is initially presented.
- Nominations approved by three (3) existing Executive Committee must then be presented at a Committee Meeting and agreed by seventy-five (75) percent of Committee members present at that meeting.
- Life Members shall be entitled to all privileges of an Ordinary Member of the Club without the payment of a fee.
- Life Members shall be members of the Club from the date of their appointment until they –
 - a. die;
 - b. resign by notice in writing delivered to the President and that resignation is accepted by resolution of the Committee; or
 - c. are convicted of an offence under the Associations Incorporation Act 1987.

3.3.5. Honorary Members

- A person may be elected as an Honorary Member of the Club by the Committee of the Club.
- Such membership shall last a twelve (12) month period commencing on the first day of January each year.
- Honorary Members shall not be entitled to vote at any meeting of the Club.
- The Committee may revoke the admission of an Honorary Member without any notice and without any reason for doing so.

All such persons are hereinafter referred to collectively as “the Members”.

- 3.4. On payment of annual registration fee, the Member shall be classified as a Member of the Club for twelve (12) months, or part thereof, commencing on the first day of January each year.
- 3.5. Every Member shall be under continuing liability for subscription until they cease to be a Member.
- 3.6. Any Junior or Senior Playing Member may not play beyond Round 1 of the Association season, if his/her subscription has not been paid in full without prior arrangement with the Treasurer of the Club. Where arrangements have been made with the Treasurer of the Club regarding payment of subscription by instalments, a Junior Playing Member may not play in the next round/s of the Association season if an instalment has fallen due and not been paid by the agreed date.
- 3.7. Any Ordinary Member who fails to pay his/her subscription within one (1) month of having their membership approved per clause 3.2.2, without prior arrangement with the Treasurer of the Club, shall cease to be a Member of the Club.
- 3.8. Every Member will be provided with a copy of the Club constitution following registration. This can be received by email and can include a link to the Club Constitution.

3.9. Club Patron

Any person who, in the opinion of the Club, would foster the interests and aims of the Club may be appointed as Club Patron on receiving a seventy-five (75) percent majority of all Members of the Club present at any Annual General Meeting (**AGM**) PROVIDED THAT only one (1) Club Patron shall be appointed at any AGM. The position of Club Patron is honorary. The number of Vice Patrons shall be determined by a seventy-five (75) percent majority of all Members of the Club present at any Annual General Meeting. A Club Patron is valid for up to 24 months unless revoked as per clause 3.3.4.

3.10. Suspension and Expulsion of Membership

3.10.1. Suspension

- If at any time a seventy-five (75) percent majority of the Committee shall be of the opinion that the interests of the Club so require they may suspend any Member of the Club by written notice for a period determined by the Committee. Such notice shall also state the grounds on which his/her suspension is based.
- On passing of such, all privileges of that Member shall be forfeited. Any Member who is suspended may appeal within seven (7) days from the date of the written notice against such a suspension in which case the Secretary shall place on the agenda for the next Committee Meeting to discuss the issue.
- At such meeting the Member whose suspension is under consideration shall be allowed to offer an explanation of the conduct either verbally or in writing and if seventy-five (75) percent of the Committee Members present shall vote for his/her suspension then he/she thereupon cease to be a Member of the Club for the period of the suspension specified.

3.10.2. Expulsion

- If at any time seventy-five (75) percent of the Committee shall be of the opinion that the interests of the Club so require they may by written notice invite any member of the Club to resign from the Club within a time specified. Such written notice shall also state the grounds on which his/her resignation is sought. In default of his/her resignation the question of his/her expulsion shall be submitted to a Committee Meeting to be held within three (3) weeks after the date specified in such notice. It shall be in the power of the Committee to exclude such Member from the Club until such meeting shall be held. The Member whose expulsion is sought shall have notice of such meeting.
- At such meeting the member whose expulsion is under consideration shall be allowed to offer an explanation of the conduct either verbally or in writing and if seventy-five (75) percent of the Committee Members present shall vote for his/her expulsion then he/she thereupon ceases to be a member of the Club.

3.11. Cessation of Membership

A Member ceases to be a Member of the Club if the Member -

- a. dies;
- b. resigns by notice in writing delivered to the President, or if the Member

is the President to the Vice President, or another Committee Member and that resignation is accepted by resolution of the Committee;

- c. is convicted of an offence under the Associations Incorporation Act 1987;
- d. is permanently incapacitated by mental or physical ill-health;
- e. is the subject of a resolution passed under clause 3.9;
- f. is deregistered as a playing Member;
- g. is a Junior or Senior Playing Member and has not paid his/her subscription in accordance with clause 3.6; or
- h. Is an Ordinary Member and has not paid his/her subscription in accordance with clause 3.7.

3.12. Liability of Members

- 3.12.1. Any person ceasing to be a Member of the Club shall not be relieved of any indebtedness to the Club and shall remain liable for any subscription, club property and any other monies due and unpaid at the date of his/her ceasing to be a Member.
- 3.12.2. Any Member who has ceased to be a financial Member of the Club shall not be granted clearance until all dues are paid.
- 3.12.3. Any person on ceasing to be a Member of the Club shall forfeit right to any claim upon the Club, its property and funds.
- 3.12.4. The property of the Club shall belong to the general body of Members and no person who resigns or is expelled from the Club shall have any claim whatsoever on the property or assets of the Club.

3.13. Members Register

- 3.13.1. The Registrar, on behalf of the Club, must comply with Sections 27 and 29 of the Associations Incorporation Act 1987 by keeping and maintaining in an up to date condition a register of all the Members of the Club; and the postal or residential addresses of all Members.
- 3.13.2. The register must be so kept and maintained at the Registrar's place of residence, or at such other place as the members of the Committee decide.
- 3.13.3. The Registrar must cause the name of a Member who dies or ceases to be a Member to be deleted from the register of Members referred to in clause 3.12.1.

3.14. Committee Register

- 3.14.1. The Secretary, on behalf of the Club, must comply with Sections 27 and 29 of the Associations Incorporation Act 1987 by keeping and maintaining in an up to date condition a register of all the elected Members of the Committee; and the postal or residential addresses of all Members of the Committee.
- 3.14.2. The register must be so kept and maintained at the Secretary's place of residence, or at such other place as the members of the Committee decide.
- 3.14.3. The Secretary must cause the name of a member of Committee who dies or

ceases to be a Committee member to be deleted from the register of Committee members referred to in clause 3.13.1.

3.15. Inspection by Members of Records and Documents

3.15.1. Upon request by a Member of the Club, the Registrar shall make the Register of Members names available for inspection by the Member and the Member may make a copy of or take an extract from the register but shall have no right to remove the register for that purpose. For the avoidance of doubt the Register of Members that can be inspected by Members is a register of Member names only.

3.15.2. Upon request by a Member of the Club, the Secretary shall make the Register of Members names available for the inspection by the Member and the Member may make a copy of or take an extract from the register but shall have no right to remove the register for that purpose. For the avoidance of doubt the Register of Members that can be inspected by Members is a register of Committee Member names only.

3.15.3. Upon request by a member of the Club, the Secretary shall make the rules of the Club available for inspection by the Member and the Member may make a copy of or take an extract from the rules but shall have no right to remove the rules for that purpose.

4. MANAGEMENT

4.1. The business and general affairs of the Club shall be the responsibility of the Committee of the Club (hereinafter called "the Committee") who shall have full control of the property of the Club and absolute authority regarding its disposition.

4.1.1. Committee Members must be elected to membership of the Committee at an AGM or appointed under clause 4.1.6.

4.1.2. The Committee shall consist of Executive of the Club as listed at 4.1.3., Office Bearers as listed at 4.1.4., and General Committee Members as listed at 4.1.5. Any person elected or appointed to a position of the Club must be a Member of the Club.

4.1.3. The Executive of the Club will consist of Principal Office Bearers –

- President
- Vice President
- Secretary
- Treasurer
- Registrar

4.1.4. The Office Bearers of the Club will consist of –

- Umpire Coordinator
- Development Coordinator, two positions
- Uniform Coordinator
- Equipment Coordinator
- Fundraising Coordinator, two positions
- Sponsorship & Grants Officer

4.1.5. The General Committee members of the Club will be limited to four positions as follows:

- General/Registrar Assistant
- General/Communications

- 4.1.6. If a vacancy remains on the Committee at the conclusion of the AGM or a casual vacancy occurs in the office of a Committee position under clause 5.3.8 then the Committee may appoint a Member of the Club to fill that vacancy at the next available Committee Meeting and the member appointed will hold office until the next following AGM.
 - 4.1.7. The delegate to the Association or other governing bodies shall be the President and a proxy delegate shall be the Vice President unless otherwise specified by the President. The nominated delegate shall represent the Club at all Association and governing body meetings with full voting powers. The delegate shall submit written reports to the Committee at every monthly Committee Meeting.
 - 4.1.8. The officers of the Club (including Committee Members, sub-committee Members, Appointed Positions, and Team Officials) shall be honorary. Provided that this provision shall not debar any officer of the Club who has performed any services for the Club from receiving such honorarium or other remuneration as the Committee shall think fit under the circumstances.
 - 4.1.9. Every officer of the Club shall be indemnified out of the funds of the Club against any losses, damages, cost or expenses incurred by him/her in or about the discharge of his/her duties except such as are incurred by his/her own willful act, neglect or default.
 - 4.1.10. No officer of the Club shall be liable for the acts of any other officer, or joining in any receipt or act for the same of conformity or for any loss or expense happening to the Club, unless the same happens through his/her own willful act, neglect or default.
- 4.2. Powers of the Committee
- 4.2.1. The Committee shall at all times act for and be responsible for the daily running of the Club.
 - 4.2.2. To take and defend all legal proceedings by or on behalf of the Club and to appoint all necessary Attorneys for any such purpose.
 - 4.2.3. To borrow, raise or secure the payment of money and to sell and dispose of all assets of the Club.
 - 4.2.4. Regulate the use and management of the Club premises and property, admission of Members and the conduct of the Club and its affairs generally.
 - 4.2.5. To remove and re-appoint any team officials, including but not limited to Team Coaches and Team Managers.
 - 4.2.6. Authorise all accounts for payment.
 - 4.2.7. To appoint any sub-committees in accordance with clause 4.5 as deemed necessary and conducive to the furtherance of the objects and purposes of the Club. The sub-committees will have no authority to transact with any other business without approval from the Committee.
 - 4.2.8. To create and appoint Members to fill Appointed Positions in accordance with 4.6 as described in the Club's position descriptions. The Appointed Positions will have no authority to transact with any other business without approval from the Committee.
 - 4.2.9. To make such By-laws as the Committee may deem necessary for the carrying out of the objects of the Club and to vary and rescind such By-laws if necessary, provided they do not interfere with the clauses of this

Constitution and the Association. The Club's By-laws may be repealed or amended or added to by a notice of motion carried by a seventy-five (75) percent vote of the Committee Members present at a Committee meeting whereby the said repeals, amendments or additions are presented.

4.3. Election of the Committee

- 4.3.1. The Chairperson at the AGM shall have the power on the day of the meeting to call for nominations for the positions vacant.
- 4.3.2. The Nominees and Nominators shall be financial members of the Club.
- 4.3.3. Nominations must be either given in writing to the Secretary before the AGM or by verbal nomination to the Secretary at the AGM.
- 4.3.4. Every person so nominated must personally consent to such nomination, either in writing to the Secretary prior to the AGM or in person to the Secretary at the AGM. If nominations are submitted in writing they must be on an official Club nomination form made available by the Secretary not less than fourteen (14) days prior to the AGM and must be signed by the nominator. Only if the nominee is unable to attend the AGM in person to consent to their nomination, they must provide their acceptance of the nomination in writing to the Secretary prior to the AGM. If written acceptance has not been received then the Secretary will deem that the nomination has not been accepted.
- 4.3.5. Voting for Committee Members shall be by show of hands however any three (3) members present may demand a poll which shall forthwith be taken by a secret ballot and the result declared by the Chairperson and witnessed by the Secretary. A majority vote shall decide the issue and in the case of equality of votes the Chairperson shall have a casting vote only.
- 4.3.6. In the event that there are more candidates nominated than the required number, the Chairperson of the AGM together with the Secretary shall decide the issue via voting by a show of hands or a secret ballot and the Member polling the highest total will be elected.
- 4.3.7. Should nominations be less than the required number of nominations to fill all vacancies on the Committee the vacancies may be filled at the first or subsequent meeting of the Committee as per clause 4.1.6.
- 4.3.8. Each Committee Member shall hold office until he/she is dismissed in accordance with clause 4.4 or at any Special General Meeting in accordance with clause 4.4.2 requested by Members or until the next AGM when all Committee positions are declared vacant.
- 4.3.9. All Committee Members shall be eligible for re-election.
- 4.3.10. Only the parents/guardians of Junior Playing Members, Senior Playing Members, Ordinary Members and Life Members of the Club are entitled to vote and only one vote is allowed per member present at the meeting where the election takes place. Notwithstanding the number of Junior Playing Members per family in the Club, voting by parents/guardians of Junior Playing Members shall be limited to one vote per parent/guardian as listed on the registration papers.
- 4.3.11. Postal votes will not be accepted for any resolutions or elections at the AGM.
- 4.3.12. A limit of one Proxy vote can be appointed to any Member to vote on any resolutions or elections at the AGM. The Member must be in attendance at

the AGM in order to use the Proxy vote.

4.4. Expulsion from the Committee

Any elected or appointed Committee Member who fails to attend three (3) consecutive meetings of the Committee without leave of absence approved by the Committee, who fails to contribute to the Committee or who acts in a manner likely to discredit the Club (including but not limited to, acting in a manner which is, or is perceived to be, inconsistent with the Constitution and By-Laws of the Club) may be required to show cause to the Committee why he/she should not be removed from office.

4.4.1. The question of his/her expulsion shall be submitted to a Committee Meeting. At such meeting the Member whose expulsion is under consideration shall be allowed to offer an explanation of the conduct either verbally or in writing and if seventy-five (75) percent of the Members present shall vote for his/her expulsion then he/she thereupon ceases to hold a position of the Committee.

4.4.2. Any Member so removed may within fourteen (14) days of notice of removal request that such a decision be reconsidered at a Special General Meeting.

4.4.3. A resolution at such Special General Meeting passed by not less than seventy-five (75) percent of the Members in attendance may rescind the earlier decision to remove the officer.

4.4.4. In the event of the President being removed from office pursuant to rule 4.4 the Vice President shall be declared the President and a Special General Meeting shall be held at which a new Vice President shall be elected.

4.4.5. In the event of any other Member of the Executive Committee being removed from office pursuant to rule 4.4 a Special General Meeting shall be held at which a new Executive Committee Member shall be elected.

4.5. Sub-committees

4.5.1. The Committee may form sub-committees as it sees fit, and appoint persons to positions in Sub-committees as required.

4.5.2. Persons appointed to any Sub-committee must be Members of the Club.

4.5.3. The President shall act as ex-officio Member of all Sub-committees and a Member of the Committee shall be Chairperson of each Sub-committee.

4.5.4. The duties of the Sub-Committee Members will be at the discretion of the Chairperson of the Sub-committee.

4.5.5. The provisions relating to the meetings of the Committee shall so far as applicable relate to the meetings of the Sub-committee.

4.5.6. The Chairperson of each Sub-committee shall report monthly in writing to a meeting of the Committee on the recommendations of the sub-committee which the Committee may, in its discretion, accept or refuse.

4.5.7. Sub-committee Members are not required to attend Committee Meetings, but shall be admitted to the meetings of the Committee with the right to move and second motions and speak for or against the motion but not to vote.

4.5.8. Sub-committee Members will hold office from the date of their appointment to the following AGM, unless they are expelled from their position, in accordance with clause 4.5.10.

4.5.9. Members wishing to be appointed to a Sub-committee must attend a Committee Meeting where they must be nominated by a Committee Member, and voted in by seventy-five (75) percent of Committee Members present at the Committee Meeting.

4.5.10. Expulsion from a Sub-committee

- Any Member who has been appointed to a Sub-committee who acts in a manner likely to discredit the Club or who is deemed to not be contributing to the duties or activities of the Sub-committee shall be required to show cause to the Committee why he/she should not be removed from office.
- The question of his/her expulsion shall be submitted to a Committee Meeting. At such meeting the Member whose expulsion is under consideration shall be allowed to offer an explanation of the conduct either verbally or in writing and if seventy-five (75) percent of the Members present shall vote for his/her expulsion then he/she thereupon ceases to hold a position of the Sub-committee.

4.6. Appointed Positions

4.6.1. The Committee may appoint persons to Appointed Positions as it sees fit.

4.6.2. Persons appointed to Appointed Positions must be Members of the Club.

4.6.3. Appointed Positions may include but may not necessarily be limited to the following:

- Volunteers Coordinator

The duties for any Appointed Position will be described in the Club's By-laws.

4.6.4. Appointed Position holders shall report directly to a specified Committee Member as defined in the Club's By-laws.

4.6.5. Any business of the Appointed Position holder will be communicated to the Committee by their specified Committee Member to which they report at the next Committee Meeting.

4.6.6. Appointed Position holders are not required to attend general Committee Meetings, but shall be admitted to the meetings of the Committee with the right to move and second motions and speak for or against the motion but not to vote.

4.6.7. Appointed Position holders will hold office from the date of their appointment to the following AGM.

4.6.8. Members wishing to be appointed to office of an Appointed Position must attend a Committee Meeting where they must be nominated by a Committee Member, and voted in by seventy-five (75) percent of Committee Members present at the Committee Meeting.

4.6.9. Expulsion from an Appointed Position

- Any Member who has been appointed to an Appointed Position who acts in a manner likely to discredit the Club (including, but not limited to, acting in a manner which is, or is perceived to be, inconsistent with the By-Laws of the Club) or who is deemed to not be fulfilling their duties as detailed in the Club's Constitution and

By-laws shall be required to show cause to the Committee why he/she should not be removed from office.

- The question of his/her expulsion shall be submitted to a Committee Meeting. At such meeting the Member whose expulsion is under consideration shall be allowed to offer an explanation of the conduct either verbally or in writing and if two-thirds of the Members present shall vote for his/her expulsion then he/she thereupon ceases to hold an Appointed Position.

4.7. Interpretation of the Constitution and Rules

Interpretation of the Constitution and Rules shall be at the sole determination of the Committee whose decision shall, unless and until set aside by an Annual General Meeting or Special General Meeting, be binding upon all Members.

5. MEETINGS

5.1. Annual General Meeting (AGM)

The AGM shall be convened on a date no later than 15th November each year and before the Associations AGM.

5.1.1. The Agenda of the AGM shall be:

- Confirmation of minutes of previous AGM;
- Presentation of all Annual Reports (President, Treasurer and any other Annual Reports);
- Election of Club Patron (if any) and Vice Patrons (if any);
- General Business of the outgoing committee;
- Notice of motions; and
- Election of the Committee of the Club - Executive of the Club, Office Bearers of the Club, and General Committee Members.

5.1.2. All positions of the Committee will be declared vacant at every AGM after the presentation of the Annual reports and all general business and prior to election of the Committee. Nominations and elections will be held in accordance with clause 4.3 Election of the Committee, and clauses 4.3.1 through 4.3.12.

5.1.3. The AGM shall be advertised by circular or other means and shall give at least fourteen (14) clear days notice of the meeting and contain the day, hour, place and business including motions on notice of the meeting.

5.1.4. The President shall be the Chairperson of the AGM until the election of the Committee at which time a Life Member present at the AGM will be called to be Chairperson of the AGM for the election of the Committee. In the event of the President's absence the Vice President shall chair the AGM until a Life Member is called to take over. In the absence of a Life Member the outgoing President will continue to chair the meeting. The Secretary shall be the minute taker at the AGM.

5.1.5. Voting at the AGM shall be by show of hands however any three (3) Members present may demand a poll which shall forthwith be taken by a secret ballot and the result declared by the Chairperson and witnessed by

the Secretary. A majority vote shall decide the issue and in the case of equality of votes the Chairperson shall have a casting vote only.

- 5.1.6. Only the parents/guardians of Junior Playing Members, Senior Playing Members, Ordinary Members and Life Members of the Club are entitled to vote at an AGM and only one vote is allowed per Member present at the AGM. Notwithstanding the number of Junior Playing Members per family in the Club, voting by parents/guardians of Junior Playing Members shall be limited to one vote per parent/guardian as per those listed on the player registration papers.
- 5.1.7. Postal votes will not be accepted for any resolutions or elections at the AGM.
- 5.1.8. A limit of one Proxy vote can be appointed to any Member to vote on any resolutions or elections at the AGM. Proxy votes must be received in writing by the Club Secretary no later than 72 hours prior to the meeting date. Proxy votes must be specified on the official Club form located on the Club web site.
- 5.1.9. Ten (10) members entitled to vote in accordance with clause 5.1.6 shall constitute a quorum at the AGM. Members entitled to vote must attend the AGM in order to be considered part of the quorum. Proxy votes are not considered part of quorum numbers.
- 5.1.10. In the event of a quorum not being present within thirty (30) minutes after the advertised or notified time of commencement of the meeting, the meeting shall be adjourned to a date fourteen (14) days thereafter and if a quorum of Members not be present at the adjourned meeting thirty (30) minutes after the notified time the Members present shall be deemed to constitute a quorum.

5.2. Special General Meeting

- 5.2.1. Special General Meetings shall be convened by a written requisition signed by at least twenty (20) parents/guardians of Junior Playing Members (as defined on the player registration), Senior Playing Members, and/or Ordinary Members, and/or Life Members of the Club, or by a seventy-five (75) percent majority of the Committee, or by the President.
- 5.2.2. Any requisition for a Special General Meeting shall be lodged with the Secretary no less than fourteen (14) days prior to the proposed date for the meeting and shall include the object of the meeting and any motion proposed to be put to the meeting.
- 5.2.3. Upon receipt of a valid requisition for a Special General Meeting the Secretary shall notify each Member of the Club of the details of the meeting, including the date, time, venue, and topic for consideration not less than seven (7) days prior to the proposed date for the meeting by circular or other means.
- 5.2.4. Should the Secretary fail to convene such Special General Meeting, the requestor or any of them may convene the meeting.
- 5.2.5. The President shall chair the Special General Meeting of the Club. In the event of the President's absence the Vice President shall chair the Special General Meeting. The Secretary shall be the minute taker at the Special General Meeting.
- 5.2.6. All business at such meeting shall be considered special and no other matter shall be entertained.

- 5.2.7. Only the parents/guardians of Junior Playing Members, Senior Playing Members, Ordinary Members and Life Members of the Club are entitled to vote at a Special General Meeting and only one vote is allowed per member present at the Special General Meeting. Notwithstanding the number of Junior Playing Members per family in the Club, voting by parents/guardians of Junior Playing Members shall be limited to one vote per parent/guardian, provided always that the Chairperson shall have a casting vote.
- 5.2.8. Postal votes will not be accepted for any resolutions or elections at a Special General Meeting.
- 5.2.9. A limit of one Proxy vote can be appointed to any Member to vote on any resolutions or elections at a Special General Meeting. Proxy votes must be received in writing by the Club Secretary no later than 72 hours prior to the meeting date. Proxy votes must be specified on the official Club form located on the Club web site.
- 5.2.10. Twelve (12) members entitled to vote in accordance with clause 5.2.7 shall constitute a quorum at a Special General Meeting. Members entitled to vote must attend the Special Meeting in order to be considered part of the quorum. Proxy votes are not considered part of quorum numbers.
- 5.2.11. Voting at the Special General Meeting shall be done by a show of hands however any three (3) Members present may demand a poll which shall forthwith be taken by a secret ballot and the result declared by the Chairperson and witnessed by the Secretary. A majority vote shall decide the issue and in the case of equality of votes the Chairperson shall have a casting vote only.
- 5.2.12. In the event of a quorum not being present within thirty (30) minutes after the notified time of commencement the Special General Meeting, adjournment shall be ordered by the Chairperson in accordance with clause 5.1.10.
- 5.3. Committee Meetings, Voting, Attendance and Vacancies
 - 5.3.1. The Committee shall meet at least once every calendar month during the competition season. The first meeting being within one (1) month after the AGM.
 - 5.3.2. The attendance of at least half plus one (1) Committee Members throughout the meeting shall constitute a quorum. In the absence of a quorum in attendance, a vote may be attained by email ensuring quorum numbers.
 - 5.3.3. At least two (2) days notice of meeting in writing or other means shall be given to members of the Committee by the Secretary.
 - 5.3.4. Each Committee Member shall be entitled to an equal vote, except the President who shall have the casting vote only.
 - 5.3.5. Each Committee Member shall be entitled to appoint another Committee Member as proxy by written notice given to the Secretary before the time of the meeting in respect of which the proxy is appointed.
 - 5.3.6. All votes shall be given personally or by proxy but no Committee Member may hold more than one (1) proxy.
 - 5.3.7. The Patron, Vice Patrons and Honorary Members shall be admitted to the meetings of the Committee with the right to move and second motions and speak for or against the motion but not have a vote.
 - 5.3.8. A casual vacancy occurs in the office of the Committee if the Committee

Member –

- a. dies;
- b. resigns by notice in writing delivered to the President, or if the Committee Member is the President to the Vice President, and that resignation is accepted by resolution of the Committee;
- c. is convicted of an offence under the Associations Incorporation Act 1987;
- d. is permanently incapacitated by mental or physical ill-health;
- e. is absent from three (3) consecutive meetings without approved leave of absence by the Committee;
- f. ceases to be a Member of the Club; or
- g. is the subject of a resolution passed under clause 4.4.

5.4. Special Committee Meetings

- 5.4.1. Special Committee Meeting may be called by the President.
- 5.4.2. The President shall give 2 days' notice to all Committee Members by verbal contact or other means, clearly stating the business for which the Special Committee Meeting has been called. No other business shall be dealt with at that Special Committee Meeting.
- 5.4.3. The Secretary shall forthwith call a Special Committee Meeting upon receiving written requisition from two (2) members of the Committee and such special meeting shall be held no later than fourteen (14) days immediately following receipt of such request
- 5.4.4. The attendance of at least half plus one (1) Committee Members throughout the meeting in person or by telephone conference call shall constitute a quorum.
- 5.4.5. Each Committee Member shall be entitled to an equal vote except the President who shall have the casting vote only.

5.5. Executive Committee Meetings

- 5.5.1. Should urgent business arise outside the normal Committee meeting, the President with the Executive Committee shall have power to act and take action, but they shall submit a written report of the same at the next meeting of the Committee for ratification. Business of a confidential nature, may remain as such, as deemed necessary by the Executive Committee and such Minutes of the meeting will be retained by the Secretary.
- 5.5.2. The President shall give notice to all Executive Committee Members by verbal contact, clearly stating the business for which the meeting has been called. No other business shall be dealt with at the Executive Meeting.
- 5.5.3. A quorum for an Executive Committee Meeting shall consist of four (4) Executive Members of the Committee in person or by telephone conference.
- 5.5.4. Each Executive Member shall be entitled to an equal vote. Any motions will require at least three (3) votes to be passed.

6. DUTIES OF EXECUTIVE - PRINCIPAL OFFICE BEARERS

6.1. President

The President shall:

- 6.1.1. Act as Chairperson of all Annual General Meetings, Special General Meetings, Executive Committee meetings, Committee Meetings and Special Committee meetings, maintaining order and shall be responsible for the smooth running of the Club. On all ceremonial occasions the President shall represent the Club.
- 6.1.2. Act as the Club's delegate at meetings of the Association, Association meetings functions and the like as required, or in his/her absence nominate a representative to take his/her place. The President shall report back to the Committee and any other relevant persons the business discussed at such meetings as specified in clause 4.1.7.
- 6.1.3. Have the same right to speak on any question under discussion as any other Member.
- 6.1.4. Only vote in the event of equality of votes in which case he/she may exercise a casting vote only at any Committee Meeting or Special Committee Meeting.
- 6.1.5. Encourage discussion in an impartial manner and conduct the affairs of the Club with due decorum and in promotion of the objects of the Club. The President shall employ general rules of debate at all times.
- 6.1.6. Ensure that all legal formalities are observed at Club meetings and functions. Therefore, the President must be familiar with the general rules of chairing a meeting and with the Club's Constitution.
- 6.1.7. Liaise with the Secretary to prepare and issue at least two (2) days prior to the monthly meeting, an Agenda setting out the items to be discussed at the next meeting.
- 6.1.8. Liaise with the Secretary and approve the minutes of all meetings prior to them being sent to all Committee members.
- 6.1.9. Act as Spokesperson for the Club at all functions, in his/her absence nominate a representative to take his/her place. Persons acting on behalf of the President shall accept the duties and responsibilities pertaining to the position.
- 6.1.10. Liaise as required with other bodies coordinating netball competitions.
- 6.1.11. Liaise with Treasurer in the preparation of budgets.
- 6.1.12. Promote the Club actively and seek suitable persons to fill vacant positions within the Club.
- 6.1.13. Ensure the Club is run by the Rules defined in the Constitution and By- laws and actively seek debate with Members in relation to its relevance and effect.
- 6.1.14. Promote the Club and actively seek to grow and develop a quality junior netball program which will make young people eager to play and support the game.

- 6.1.15. Promote good fellowship, true sportsmanship and good citizenship among junior netballers and people involved in junior netball.
- 6.1.16. Maintain contact with Life Members and major sponsors.
- 6.1.17. Assist in selection of coaches with Coaches Coordinators.
- 6.1.18. Delegate responsibilities to Committee Members and follow up with each person to ensure they are carrying out their responsibilities and check if assistance is required.
- 6.1.19. Act as second Club contact with the City of Wanneroo or other Local Government authority who administers grounds or facilities used by the Club, in the absence of the Secretary.
- 6.1.20. Discipline of players, Members, spectators or officials in accordance with the Club's By-laws.
- 6.1.21. Present an Annual Report at the Annual General Meeting.
- 6.1.22. Provide a report of his/her activities at all Committee Meetings.
- 6.1.23. Be responsible for other duties as listed in the specific Position Description for President.

6.2. Vice President

The Vice-President shall:

- 6.2.1. Assist the President at all times.
- 6.2.2. In the absence of the President, shall carry out the duties of the President, including attendance at meetings of the Association, Association meetings, functions and the like as required.
- 6.2.3. Assist the Coaches Coordinators to pursue and implement programs that focus on player retention and player growth within the Club.
- 6.2.4. Assist the Coaches Coordinators to administer the netball program across all age groups to ensure the Club complies with the policies and guidelines of the Association.
- 6.2.5. Assist the Coaches Coordinators to review the netball program of the Club and undertake self-education to keep informed of policy changes within Association as they may apply to the Club.
- 6.2.6. Assist and review the Registrar for all programs.
- 6.2.7. Assist and review the Coaching Coordinators for all programs.
- 6.2.8. Assist the Registrar to coordinate the Team Managers. Ensure communication via players and parents through all teams is maintained to the highest level.
- 6.2.9. Assist the Registrar to arrange team's trophies.
- 6.2.10. Assist the Coach's Coordinators to coordinate the Team Coaches. Ensure communication via players and parents through all teams is maintained to the highest level.

- 6.2.11. Liaise with and assist the Equipment Coordinator in regards to equipment required for all programs.
- 6.2.12. Be responsible for the ongoing review and succession planning of the administrative duties of the Club. Communicating with the membership and seek feedback on the direction of the Club.
- 6.2.13. In conjunction with the President, pursue and implement programs that focus on player retention and player growth within the Club.
- 6.2.14. Promote the Club and seek revenue streams appropriate for a junior netball club.
- 6.2.15. Assist the President in finding suitable persons to fill vacant positions within the Committee and Appointed Positions.
- 6.2.16. Liaise with and assist all Committee Members in regards to their portfolios.
- 6.2.17. Provide a report of his/her activities at all Committee Meetings.
- 6.2.18. Be responsible for other duties as listed in the specific Position Description for Vice President.

6.3. Secretary

The Secretary shall:

- 6.3.1. Administer all correspondence, inwards and outwards, of the Club as directed by the Committee.
- 6.3.2. Maintain a current copy of the Club's Constitution, By-laws and Policies.
- 6.3.3. Co-ordinate with the Committee any amendments to the Club's Constitution, By-laws and Policies, ensuring appropriate notice periods to Members or Committee as required of said changes in accordance with the Club's rules, and voting on said changes in accordance with the Club's rules.
- 6.3.4. Be familiar with the rules of the Club, Association, Netball Western Australia, Netball Australia and any other body that has governance to give advice to the President and Committee as required.
- 6.3.5. Keep and maintain in an up to date condition a register of the Committee members of the Club as per clause 3.13.
- 6.3.6. Unless the Committee Members resolve otherwise have custody of all books, documents, records and registers of the Club, including those referred to in Clause 3.13, but other than those required to be kept and maintained by, or in the custody of, either the Registrar or the Treasurer.
- 6.3.7. Keep a full and accurate record of the proceedings of all Committee, Executive Committee, Special Committee, Annual General and Special General Meetings of the Club. Take minutes and prepare a written record of all Committee meetings and General Meetings or for any extraordinary meetings as directed by the President. On preparation of the minutes, liaise with the President, or chairperson of the said meeting to which the minutes refer, before issuing a copy to all Committee members at least two (2) days prior to the next meeting.
- 6.3.8. Keep a list of the attendances of the members present at the Meetings of the Club.

- 6.3.9. Send out required notices for calling of meetings as directed by the Committee.
- 6.3.10. Prepare Committee Meeting agendas as directed by the President and issue to all Committee Members, at least two (2) days prior to the monthly Committee Meeting.
- 6.3.11. Collect reports from office holders and any other documents to be tabled at the monthly Committee Meeting and issue to all Committee Members, at least two (2) days prior to the monthly Committee Meeting.
- 6.3.12. Ensure all actions are identified at meetings and that responsible persons are appropriately recorded in the minutes.
- 6.3.13. Arrange for the keeping of Club records and the updating and categorising of such records.
- 6.3.14. Carry out purchasing for administrative items required by the Club as directed by the President.
- 6.3.15. Provide administrative and secretarial support to the Committee as required.
- 6.3.16. Act as Club liaison and first Club contact with the City of Wanneroo or any other Local Government authority who administers grounds or facilities required by the Club, on all matters including maintenance and bookings for meetings, training, games, presentation events and functions on/in parks, reserves, ovals, clubrooms and facilities owned and/or administered by the City of Wanneroo or other Local Government Authority.
- 6.3.17. Complete bookings of reserves, ovals, clubrooms and facilities required by the Club as required to meet the objects and purposes of the Club.
- 6.3.18. Collect keys from Local Government authority at commencement of football season and distribute to appropriate Committee Members.
- 6.3.19. Co-ordinate the handover of keys and facilities at the end of the season in line with Local Government authority requirements.
- 6.3.20. Attend Local Government workshops and forums where required.
- 6.3.21. Assist the President and Committee with communications and correspondence to members as required, including maintenance of Club website, Facebook updates and newsletters.
- 6.3.22. Present an Annual Report at the Annual General Meeting.
- 6.3.23. Provide a report of his/her activities at all Committee Meetings, including a list of correspondence sent and received since the last Committee Meeting.
- 6.3.24. Be responsible for other duties as listed in the specific Position Description for Secretary.

6.4. Treasurer

The Treasurer shall:

- 6.4.1. Be responsible for the management of the Club's financial matters and the recording of all transactions in approved suitable books of account.

- 6.4.2. Be responsible for ensuring the bank account details and signatories are maintained correctly. The nominated signatories are the President, Vice President, Treasurer and/or Secretary. The method of operation of the bank accounts will be any two nominated signatories to sign and authorise.
 - 6.4.3. In consultation with the President prepare the annual budget for the Club. The budget is to be prepared and submitted to the Committee for approval at the February Committee meeting.
 - 6.4.4. Examine all accounts to be paid by the Club and ensure all payments on behalf of the Club, are made in a timely manner and are signed or authorized in accordance with the bank account authority.
 - 6.4.5. Present a summary of all accounts paid and received on behalf of the Club since the last Committee Meeting at each monthly Committee meeting, including a record of current balances in all Club bank accounts.
 - 6.4.6. Ensure all Club insurance policies are kept up to date and required insurance levels are maintained as approved by the Committee. Prepare and submit all insurance claims, in liaison with the President.
 - 6.4.7. Administer the issuing of all invoices on behalf of the Club.
 - 6.4.8. Collect and receive in person or by appointed deputy all monies due to the Club and issue receipts for same. To cause all said monies to be deposited into a bank account in the name of the Club.
 - 6.4.9. Maintain and keep all account books showing the Club's financial records and transactions, including proper receipts.
 - 6.4.10. Arrange for review of the Club's accounts by the approved auditor.
 - 6.4.11. Liaise with financial bodies and government bodies as and when required in regards to all financial matters of the Club.
 - 6.4.12. Ensure all taxation commitments and reporting obligations are met by the Club.
 - 6.4.13. Submit an Annual Report and Audited Financial Statements showing the financial position of the Club at the end of the immediately preceding financial year to the Annual General Meeting. The reports must show the surplus or deficit of the club accounts and shall identify income and expenses into various categories to match budget figures and have a Balance Sheet.
 - 6.4.14. Assist other Committee Members as required.
 - 6.4.15. Provide a report of his/her activities at all Committee Meetings.
 - 6.4.16. Be responsible for other duties as listed in the specific Position Description for Treasurer.
- 6.5. Registrar
- The Registrar shall:
- 6.5.1. Keep and maintain in an up to date condition a register of the Members of the Club as per clause 3.12.
 - 6.5.2. Co-ordinate the Club's Annual Registration Day and any correspondence required to promote it or any online player registrations.

- 6.5.3. Process all player registrations on an Association approved database in accordance with Association guidelines or By-laws, or correct/update details provided directly by Members through any online registration process.
- 6.5.4. Arrange approvals for playing Members to transfer between clubs.
- 6.5.5. Liaise with Coaches Coordinators to allocate Playing Members to teams.
- 6.5.6. Keep a record of numbers of players in each team, and number of teams.
- 6.5.7. Recruit and train a Team Manager for each team.
- 6.5.8. Promote good communication channels between Team Managers and the Members of the Club.
- 6.5.9. Assist and support the Team Managers through mediation of conflict situations and engage resolution procedures to ensure the smooth running of the Club.
- 6.5.10. Ensure Team Managers have the necessary resources and/or training required to fulfil the duties of their position.
- 6.5.11. Recognise Team Managers by nominating them for appropriate awards and volunteer recognition schemes.
- 6.5.12. File and maintain injury reports lodged by teams.
- 6.5.13. Liaise with Treasurer regarding any outstanding Playing Member registration fees and advise Team Managers.
- 6.5.14. Arrange Team Photographs.
- 6.5.15. Arrange for end of season player trophies and medals.
- 6.5.16. Arrange team or individual club nominations and co-ordinate selection process and any medals, certificates or awards for successful nominees.
- 6.5.17. Present an Annual Report at the Annual General Meeting.
- 6.5.18. Provide a report of his/her activities at all Committee Meetings.
- 6.5.19. Be responsible for other duties as listed in the specific Position Description for Registrar.

7. DUTIES OF OFFICE BEARERS & GENERAL COMMITTEE MEMBERS

- 7.1. Duties of Office Bearers listed at clause 4.1.4 will be in accordance with the Club's By-laws.
- 7.2. Duties of the General Committee Members listed at clause 4.1.5 will be in accordance with the Club's specific Position Descriptions.

8. COMMON SEAL

The Common Seal of the Club engraved with the name of the Club shall be kept in the care of the President or his/her nominated representative. The seal shall not be affixed to any deed or other document except pursuant to a resolution of the Committee and in the presence of the President and two (2) Members of the Committee both of whom shall subscribe their names as witnesses.

9. FINANCIAL MATTERS AND AUDITORS

- 9.1. The financial year of the Club will be 1 January to 31 December each year.
- 9.2. The Auditor(s) shall be nominated and appointed at a Committee Meeting.
- 9.3. If directed by law, Auditor(s) shall audit the Annual Statement of Accounts and Balance Sheet of the financial year ending 31 December and certify to their authenticity.
- 9.4. Financials for the year including the previous season shall be presented to the AGM for acceptance by the Members.
- 9.5. The Auditor(s) shall have the power at any time to call forth product of all books, accounts, vouchers and other documents relative to the affairs of the Club.
- 9.6. The Auditor(s) shall not necessarily be Members of the Club.
- 9.7. A Member may, at any reasonable time, inspect without charge the financial records including the books, documents, records and securities of the Club.

10. DISSOLUTION

If upon the winding up or dissolution of the Club there remains after satisfaction of all its debts and liabilities any property whatsoever, the same must not be paid to or distributed among the Members, or former Members. The surplus property must be given or transferred to another Club incorporated under the Act which has similar objectives and which is not carried out for the purposes of profit or gain to its individual Members and which Club shall be determined by resolution of the Members.

11. AMENDMENTS TO THE CONSTITUTION AND INTERPRETATION OF RULES

- 11.1. Interpretation of these rules relating to the Club shall:
 - 11.1.1. Be the sole determination of the Committee whose decision shall be binding on all Members of the Club until set aside by the Annual General Meeting or Special General Meeting.
 - 11.1.2. Include all genders and any reference to a particular gender shall mean all genders.
- 11.2. Amendments to the Constitution:
 - 11.2.1. Subject to the Associations Incorporation Act 2015 as from time to time amended, this Constitution may be repealed or amended or added to by a notice of motion carried by a seventy-five (75) percent majority of all Members present at the Annual General Meeting or a Special General Meeting duly convened for that purpose.
 - 11.2.2. The following procedures shall apply in relation to any proposed amendments to the Constitution.
 - Notice of any proposed repeal or amendments of this Constitution shall be given by the Secretary by circular or other means not less than fourteen (14) days prior to the Annual General Meeting at which it is to be considered, or not less than fourteen (14) days prior to a Special General Meeting called for such purpose at which it is to be considered. Any notice of motion to repeal or amend the Constitution must be notified as a Special Resolution.

- The Secretary shall include in the notice of the proposed repeal or amendment of this Constitution a full and true copy of such proposed repeal or amendment.
- Within one month of the passing of a Special Resolution altering its rules, the Club must lodge with the Department of Commerce notice of the Special Resolution setting out particulars of the alteration together with a certificate given by a member of the Committee certifying that the resolution was duly passed as a Special Resolution and that the rules of the Club as so altered conform to the requirements of the Associations Incorporations Act 1987.
- Any alteration of the rules of the Club will not take effect until they are lodged with The Department of Commerce.