

**WYONG DISTRICT NETBALL
ASSOCIATION INC.**

CONSTITUTION

2004

WYONG DISTRICT NETBALL ASSOCIATION INC.

CONSTITUTION

1. **NAME:** The name of the Association shall be **WYONG DISTRICT NETBALL ASSOCIATION INCORPORATED** (referred to in these rules as "the Association").

2. **COLOURS:** The colours shall be BLUE, MAROON and WHITE.

3. **HEADQUARTERS:** The headquarters shall be at **BAKER PARK ITHOME STREET WYONG**.

4. **BOUNDARIES:** The Association's boundaries shall be as determined by the New South Wales Netball Association Limited from time to time.

5. **OBJECTS:** The objects of the Association shall be: -

- a. To further the interests of its members and promote and control the game of Netball within the boundaries of the Association.
- b. To promote, regulate and control competition matches between affiliated Clubs and to control all Premierships of the Association.
- c. To select and manage the Association Representative Teams.
- d. To affiliate with and support the New South Wales Netball Association Ltd. support and co-operate with other affiliated organisations in New South Wales for the furtherance of Netball.
- e. To be a court of appeal in the case of dispute connected with Netball within area controlled by the Association.

6. **PATRON:** The Association may from time to time appoint one or more Patrons and may also cancel any such appointment.

7. **MEMBERSHIP:**

- a. The Association is the controlling body for amateur Netball within its boundaries and its authority shall be recognised by all members who shall adopt and obey this Constitution and the Rules and By-Laws of the Association.
- b. All members shall be amateurs as defined by the Constitution of the International Federation of Netball Associations.
- c. Membership is open to:
 - (i) Affiliated clubs comprising:
 - (a) Ordinary Members of Netball NSW

- (b) Junior Members of Netball NSW
 - (c) Associate members of Netball NSW
 - (d) Life Members
 - (e) Honorary Members
- (ii). Sub-Groups: subject to the approval of the New South Wales Netball Association Limited and of this Association, one or more sub-groups may be established. The following provisions shall apply to sub-group being members of the Association:
- (a) Each sub-group shall pay to the Association a sum to be agreed upon from time to time.
 - (b) Teams to represent the Association shall be selected without having regard to whether or not any particular player is a member of a subgroup.
 - (c)
 - (i) The Association shall approve all carnivals.
 - (ii) With the agreement of a sub-group, a carnival or certain sections of a carnival may be played at the home courts of a subgroup
 - (iii) All carnival entries shall be forwarded through the Association.
 - (d) The same Rules and By-Laws shall apply to sub-groups as apply to all clubs under the control of the Association for the conduct of competitions.
- iii. Life members:
- (a) Any person may be elected a Life Member of the Association in recognition of at least ten (10) years outstanding service to the Association.
 - (b) Candidates for election as Life Members shall be nominated by two (2) members of the Association at least 28 days prior to the meeting at which such nomination may be considered. Such nominations must be firstly approved and recommended by the executive before being referred to the next Annual General Meeting of members for their approval.
 - (c) The nomination must be approved by a majority of at least two-thirds (2/3) of the members present and entitled to vote at an Annual General Meeting, provided that the members may, by resolution from time to time, fix the maximum number of persons who may at any time hold Life Membership.
 - (d) Life Members shall be entitled to attend all meetings and shall have full voting rights. Payment of all fees shall be waived by the Association.
 - (e) A person who was a life member immediately before the incorporation of the Association is deemed to be a life member pursuant to these rules of the incorporated body.
- iv. Honorary Members
- (a) An honorary members is one who is invited by General Assembly to join the Association for a specific time or purpose as determined by the General

Assembly, provided such person is nominated by two members of the General Assembly.

- (b) An honorary member may be admitted to the General Assembly without voting power.
- v. Such other Associations, Special groups or individuals as the Members from time to time decide to admit to membership.

8. DEFINITIONS

In these rules except in so far as the context of subject matter otherwise indicates or requires:

- a. 'Senior', 'senior player' or 'senior team' shall be in accordance with the definition of the New South Wales Netball Association Limited.
- b. 'Junior', 'junior player' or 'junior team' shall be in accordance with the definition of the New South Wales Netball Association Limited.
- c. 'Intermediate', 'intermediate player' or 'intermediate team' shall be in accordance with the definition of the New South Wales Netball Association Limited.
- d. 'N.S.W.N.A. Limited' shall mean the New South Wales Netball Association Limited, or its successor as may be from time to time.
- e. 'Primary Competition' shall mean those competitions conducted by the Association, now known as the winter competitions, for each of the various division and age groups of the Association, and shall not include such competitions as the twilight, pre-season, carnivals or other such subsidiary competitions.
- f. 'Full member' an Office Bearer or delegate as defined in Clause 17.

9. NOMINATION FOR MEMBERSHIP:

- a. A nomination for membership:
 - (i). Shall be lodged annually in writing in the form required by the Executive Committee together with the annual subscription fee from time to time prescribed.
 - (ii). Shall be lodged with the secretary.
- b. As soon as practicable the secretary shall refer the nomination to the Executive Committee, which shall determine whether to approve or reject the nominations.

10. REGISTER OF MEMBERS

- a. The Association shall establish and maintain a register of members of the Association specifying the name and address of each person who is a member of the Association, together with the date on which the person became a member.

- b. The register of members shall be kept at the principal place of administration of the Association and shall be open for inspection, free of charge, by any member of the Association at any reasonable hour.

11. CESSATION OF MEMBERSHIP:

A person ceases to be a member if the person

- a. Dies
- b. Resigns that membership
- c. Is expelled from the Association
- d. Fails to pay membership annual subscription fee on or before the due date.

12. MEMBERS' LIABILITY:

The members of the Association shall have no liability to contribute towards the payment of debts and liabilities of the Association or the costs, charges and expenses of winding up the Association except to the amount of any unpaid membership fees.

13. FINANCE:

Source of Funds:

- a. All Netball NSW fees shall be paid by the due date.
- b. The funds of the Association shall be derived from the fees of members, grants, levies, donations and such other sources approved by the Association. Fees may be set according to the various classifications of membership.
- c. The banking accounts of the Association shall be kept at a financial institution approved by the General Assembly and all cheques operating on the accounts shall be signed by any two (2) of the following Office Bearers: President, Secretary, Treasurer, Vice President and Assistant Treasurer.
- d. A canteen account shall be operated by the Association. All cheques operating on this account shall be co-signed by the Canteen Operator plus one (1) of the following office bearers: President, Secretary or Treasurer.
- e. The financial year of the Association shall commence on the 1st September and end on the 31st August.
- f. All current bank statements/pass books shall be tabled at each meeting of the General Assembly together with a written financial statement.
- g. The accounts of the Association shall be audited each year by the Association's Auditor and the audited accounts shall be presented to the Annual General Meeting.
- h. The assets and income of the association shall be applied solely in furtherance of its above mentioned objectives and no portion shall be distributed directly or indirectly to the members of

the organisation except as bona fide compensation for the services rendered or expenses incurred on behalf of the organisation.

14. FEES SUBSCRIPTIONS ETC

- a. The annual affiliation fee payable by each Club and annual subscription payable by each individual member shall be as determined from time to time by the Executive Committee.
- b. The annual subscription and affiliation fees shall fall due on Registration Day.

15. INSURANCE

- a. The Association shall effect and maintain insurance pursuant to section 44 of the Act.
- b. In addition to the insurance required under clause (1) of the Association may effect and maintain other insurance.
- c. Other than as contained in one (1) and two (2) herein neither the committee or any member or members of the committee acting in that capacity nor the Association is under any liability for any player, team official spectator or umpire for any injury/loss occurring from any organised game under their jurisdiction.

16. CLUBS:

- a. A club shall consist of one or more teams, comprised of members of this Association, entered in the Associations primary competitions.
- b. Clubs wishing to affiliate with the association shall lodge annually with the Registrar a nomination form as prescribed by the Executive Committee together with the annual fee as prescribed.
- c. A Club must notify the WDNA Secretary of the names and addresses of office bearers and delegates.
- d. A Club shall be responsible for paying of ground fees and all financial matters between the Club and WDNA.
- e. All correspondence pertaining to netball between a Club and the WDNA, NSW Netball Association or any District Netball Association must go through the WDNA Secretary.

17. DELEGATES:

- a. Each affiliated club shall appoint the following delegates to represent it at meetings of the association as provided in these rules:
 - i. Two delegates who are not Office Bearers of Wyong District Netball Association, from each Club.

- b. Delegates shall be financial members of this Association.

18. GENERAL ASSEMBLY:

- a. The General Assembly shall consist of:
 - (i). The Officer Bearers of the Association
 - (ii). Two delegates from each affiliated club who are ordinary or associate members of that Club (one of whom should be a member of that Club's Executive Committee). Delegates must not be Office Bearers of Wyong District Netball Association.
 - (iii). Life Members

19. MEETINGS OF THE GENERAL ASSEMBLY:

The General Assembly shall meet as often as necessary to conduct the business of the Association and not less than four times between February and October.

- a.
 - (i). The President shall take the Chair at all meetings and in the President's absence the Vice President shall take the Chair.
 - (ii). If neither the President nor Vice President is present within thirty (30) minutes of the time fixed for the commencement of the meeting, the members present shall elect a Chairperson.
- b.
 - (i). At least fourteen (14) day's notice of all general meetings shall be given to full members. In the case of general meetings where a special resolution is to be proposed, notice of the meeting shall be given to full members at least twenty-one (21) days prior to the meeting.
 - (ii). The accidental omission to give any member of the General Assembly such notice shall not invalidate the meeting or any of the business of the meeting.
- c.
 - (i). The quorum for a general meeting shall be the total of one half (1/2) of the number of members of the Executive Committee together with one third (1/3) of the delegates or alternate delegates.
 - (ii). If no quorum is present thirty (30) 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.
- d.
 - (i). Each Office Bearer shall have one (1) vote.
 - (ii). Each delegate entitled to one (1) vote.
 - (iii). The vote shall be taken in such manner, as the Chairperson shall direct except that a secret ballot shall be taken if any Office Bearer or delegate requests it.
 - (iv). In the case of equality of votes, the President shall in addition have a casting vote.

- (v). There shall be no proxy votes.
- (vi). Clubs failing to attend meetings of the General Assembly shall be subject to a fine which must be paid by the following meeting of the General Assembly.
- e. (i). At each meeting of the General Assembly each delegate present shall be recorded in the attendance book which shall state therein the club which that delegate represents at that meeting.
- (ii). A delegate may represent one club only at any meeting of the General Assembly.
- (iii). A delegate must be an Ordinary Member or an Associate Member.
- f. Order of business at General Assembly Meetings shall be: -
 - (i). Apologies
 - (ii). Confirmation of minutes
 - (iii). Business arising from minutes
 - (iv). Correspondence and Business Arising
 - (v). Notices of Motion
 - (vi). Elections
 - (vii). Reports - Executive Committee
 - Treasurer
 - Coaching Co-Ordinator
 - Rep Co-Ordinator
 - Umpires Co-Ordinator
 - Committee Reports
 - Sub-Committee Reports
 - Delegates to other associations
 - Any other reports
 - (viii). General Business
- g. Additional meetings of the General Assembly may be called from time to time.
 - (i). At the direction of the President, or
 - (ii). On a requisition signed by no less than one-quarter (1/4) of the members of General Assembly.
 - (iii). The secretary shall give notice thereof to members of the General Assembly at 48 hours before the time appointed for the holding of the meeting.

20. POWERS OF THE GENERAL ASSEMBLY:

The General Assembly shall be responsible for the execution of the objects of the Association and without in any way limiting this responsibility shall have power:

- a. To control and manage the affairs of the Association.
- b. Subject to the approval of the New South Wales Netball Association Limited, make or amend Rules and By-Laws not inconsistent with this constitution.

- c. And may exercise all such functions as may be exercised by the Association other than those functions that are required by these rules to be exercised by the Annual General Meeting of members of the Association.
- d. To delegate its powers to the Executive Committee to deal with and/or perform all such acts and do all such things which are desirable for the proper and efficient management of the Association. This shall also include but is not limited to all Representative matters.
- e. Take disciplinary action pursuant of this Constitution and/or By Laws against any Club or member, and the General Assembly may delegate its disciplinary powers to adjudicate upon disputes in respect of player(s), team(s), spectators(s) and/or Club official(s) which includes Coach, Manager, Scorer or Umpire(s) to a Disputes Committee and/or a Disputes Appeal Committee.
- f. To control the funds of the Association and for the purpose to open and operate banking accounts, to invest funds in any investment of trust funds, to acquire real and personal property of all descriptions and to sell or otherwise dispose of it, to borrow money on behalf of the Association and to give security therefore, and generally to carry out and attend to all such matters as shall be necessary for the proper management and control of the property of the Association.
- g. To appoint two (2) delegates and two (2) proxy delegates to represent the Association on the Council of the New South Wales Netball Association Limited.
- h. To appoint any delegate or delegates to represent the Association for any purpose with such powers as may be thought fit.
- i.
 - (i). to ensure that the Secretary or the Association forwards to the Secretary of the New South Wales Netball Association Limited, on or before APRIL 1 in each year, a list showing the names and addresses of existing members of New South Wales together with the names and addresses of new applicants for New South Wales membership, who have paid their annual subscription.
 - (ii).
 - (a) to ensure that supplementary lists with the names and addresses of additional applicants for New South Wales membership are forwarded on or before JULY 1, OCTOBER 1 and JANUARY 1, to the Secretary of the New South Wales Netball Association Limited.
 - (b) All such lists shall differentiate between classes of members.
 - (c) with each list there shall be forwarded a cheque to cover the total payable as subscriptions by the persons so listed.
 - (d) upon receipt by the Secretary of the New South Wales Netball Association Limited of each list and payment of the subscriptions for the persons whose names appear thereon, those persons shall be deemed to have renewed their membership until March 31 next.
 - (e) Promote Netball matches with other Associations, Clubs and groups affiliated with the N.S.W. Netball Association Limited.
 - (f) Make, amend and rescind Rules and By-Laws for the benefit of the Association.

- (g) Invite, or permit the attendance of any person at any meeting of the Association, provided that such person shall not have the right to move or second any motion or the right to vote.
- (h) Request detailed reports on the activities or program of any organisation or Club operating under the auspices of the Association and, where appropriate, to seek contribution towards the upkeep and maintenance of all playing fields of the Association or at Baker Park Wyong.
- (i) Any member of the General Assembly may inspect the books of account and members' roll and minute book of the Association at any reasonable time.

21. SPECIAL GENERAL MEETING:

Special meetings shall be called by the Secretary,

- a. At the direction of the President, or
- b. On a requisition of not less than one-third (1/3) of the members of the General Assembly.
 - (i). Not less than twenty-one (21) days written notice shall be given to each Office Bearer and affiliated club, specifying the time, date and place of such Special General Meeting by the Secretary.
 - (ii). The accidental omission to give any affiliated club or Office Bearers such notice shall not invalidate the meeting or any business of the Special General Meeting.
 - (iii). A quorum for a Special General Meeting shall consist of at least one-half (1/2) of the Members of the Executive Committee together with one third (1/3) of the delegates.
 - (iv). If no quorum is present thirty (30) minutes after the time fixed for the commencement of the Special General Meeting, it shall be adjourned to such time and place as the Chairperson shall decide.
 - (v). Voting shall be in accordance with those provisions applying to an Annual General Meeting.
 - (vi). A special resolution must be passed by a Special General Meeting of the Association to effect the following changes:
 - (a) A change of the Association's name;
 - (b) A change of the Association's rules;
 - (c) A change of the Association's objects;
 - (d) A change of the association's By-Laws and Standing Orders
 - (e) An amalgamation with another Incorporated Association
 - (vii). A special resolution shall be passed in the following manner;

- (a) A notice must be sent to all full members advising that a Special General Meeting is to be held to consider a special resolution;
 - (b) The notice must give details of the proposed special resolution and give at least 21 days notice of the Special General Meeting.
 - (c) A quorum must be present at the Special General Meeting.
 - (d) At least three-quarters of those present and voting must vote in favour of the resolution.
 - (e) In situations where it is not possible or practical for a resolution to be passed as described above, a request may be made to the Corporate Affairs Commission for permission to pass the resolution in some other way.
- (viii). Any alteration made to the Constitution, By-Laws or Standing Orders of the Association shall be forwarded to the New South Wales Netball Association Limited within twenty-eight (28) days of the meeting at which such alteration was made.

22. ANNUAL GENERAL MEETING

- a.
 - (i). An Annual General Meeting of the Association shall be held on the 2nd Monday of October in each year.
 - (ii). All financial and life members may attend but voting shall be restricted to Office bearers, Life Members and two (2) delegates from each club, **who shall be members of that club.**
 - (iii). The voting is to be taken in such manner, as the Chairperson shall direct except that a secret ballot shall be taken if any person entitled to vote shall request it.
- b. The business of the Annual General Meeting shall be:
 - (i). confirmation of the minutes of the previous Annual General Meeting.
 - (ii). the consideration and adoption of the Annual Reports and audited Balance Sheet.
 - (iii). appointment of an auditor for the ensuing year.
 - (iv). alterations to Constitution.
 - (v). notices of motion
 - (vi). election of Officer Bearers.
 - (vii). election of Sub-Committee.
 - (viii). election of Honorary Solicitor.
 - (ix). Such other business as the meeting sees fit.
- c. Office Bearers appointed at the Annual General Meeting shall assume office at the conclusion of the Annual General Meeting and shall hold office for the ensuing 12 month.

- d. Not less than twenty-one (21) days notice of the date and place shall be given to each Office Bearer and affiliated club.
- e. The accidental omission to give any Office Bearer or delegate such notice shall not invalidate the meeting or any business of the meeting.
- f. The quorum for the Annual General Meeting shall consist of one half (1/2) of the Members of the Executive Committee together with one third (1/3) of the delegates.
- g.
 - (i). if no quorum is present thirty (30) 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.
 - (ii). The Secretary shall give the Office Bearers and affiliated clubs written notice thereof.
- h.
 - (i). the President shall take the Chair at the Annual General Meeting and all Special Meetings of the Association.
 - (ii). In the President's absence the Vice-President shall take the Chair.
 - (iii). If neither the President nor Vice President is present within thirty (30) minutes of the time fixed for the commencement of the meeting, the members present shall elect a Chairperson.

23. EXECUTIVE COMMITTEE

- a. The Executive Committee shall consist of the Office Bearers in b. ii. hereunder:
- b.
 - (i). The ballot for the election of the Office Bearers to form the Executive Committee shall take place at the Annual General Meeting.
 - (ii) the following Office Bearers shall be elected:

President
 Vice President/Child Protection Officer
 Secretary
 Assistant Secretary/Carnival Co-Ordinator
 Treasurer
 Assistant Treasurer
 Minutes Secretary
 Umpires Co-Ordinator
 Assistant Umpires Co-Ordinator
 Games Secretary
 Assistant Games Secretary
 Registrar
 Assistant Registrar
 Promotions/Public Relations Officer
 Canteen Supervisor

Social Secretary
Representative Co-Ordinator
Representative Uniform Officer
Coaching Co-Ordinator

- c.
 - (i). Nominations for election signed by two (2) Ordinary Members and with the written consent of the nominee, shall be lodged with the Secretary at least seven (7) days prior to the meeting at which the elections are to be held.
 - (ii). Existing Office Bearers shall be eligible for re-election.
 - (iii). No person shall be qualified as an Office Bearer unless that person is a member of this Association.
 - (iv). All Office Bearers duly elected in accordance with these provisions shall on the taking of office become a member of the New South Wales Netball Association Limited.
 - (v). Should there be no nominations for an office then that office shall be declared vacant and written nominations shall be called for immediately. Nominations will close ten (10) days prior to the date of the next scheduled Meeting on the General Assembly. Clubs will then be notified of all nominations at least seven (7) days prior to such meeting where the position will then be voted on.
- d. The President of the Association shall not hold the position of President of an affiliated club.
- e. No person shall be elected to more than one (1) position on the Executive Committee.
- f. Not more than 50% less 1 of the persons elected to the Executive Committee shall be members of any one affiliated Club.
- g.
 - (i). The Executive Committee shall exercise the functions and powers of the General Assembly between meetings of Council.
 - (ii). The Executive Committee may function validly provided its number is not reduced below its quorum. Should the Executive Committee numbers fall below the quorum the remaining Committee members may act only to appoint new members of the Executive Committee.
 - (iii). Should a quorum of the Executive Committee be present, an emergency meeting may be convened.
 - (iv). The Executive Committee shall be empowered to make decisions on behalf of the General Assembly between meetings and shall report such decisions to the next meeting of the General Assembly.
 - (v). Not less than one third (1/3) of the members of the Executive Committee shall constitute a quorum.
- h. No Office Bearer shall be entitled to receive any remuneration for his/her services as such.

- i. The Executive Committee may meet at least once a month throughout the year.
- j. A special meeting of the Executive Committee may be called at anytime by the Secretary at the request of:
 - (i). President
 - (ii). Secretary
 - (iii). A sub-committee
- k. NON WDNA COMMITTEE MEMBERS:

Appoint two delegates and two Proxy Delegates to represent the Association and attend the Netball NSW Meetings

- (i). All positions to be voted for by members at the Annual General Meeting.
- (ii). Nominations posted as received.
- (iii). Nominations are not to be called for from the floor.

24. SUB-COMMITTEES:

- a. The President, Secretary and Treasurer shall be ex-officio members of all sub committees.
- b. The General Assembly may, from time to time, appoint such sub-committees as it thinks fit and define the functions thereof.
- c. Each sub-committee shall submit a written report to each meeting of the General Assembly for ratification.

25. PUBLIC OFFICER

- a. The General Assembly shall ensure that a person is appointed as Public Officer.
- b. The first Public Officer shall be the person who completed the application for incorporation of the Association.
- c. The General Assembly may at any time remove the Public Officer and appoint a new Public Officer provided the person appointed is 18 years of age or older and a resident of New South Wales;
- d. The Public Officer shall be deemed to have vacated their position in the following circumstances:
 - (i). Death
 - (ii). Resignation
 - (iii). Removal by the General Assembly or at a general meeting
 - (iv). Bankruptcy or financial insolvency
 - (v). Mental illness

- (vi). Residency outside New South Wales
- e. When a vacancy occurs in the position of Public Officer the General Assembly shall within 14 days notify the Corporate Affairs Commission by the prescribed form and appoint a new Public Officer.
- f. The Public Officer is required to notify the Corporate Affairs Commission by the prescribed form in the following circumstances:
 - (i). Appointment (within 14 days)
 - (ii). A change of residential address (within 14 days)
 - (iii). A change in the Association's objects or rules (within one month)
 - (iv). A change in the membership of the General Assembly (within 14 days)
 - (v). Of the Association's financial affairs (within one month after the Annual General Meeting)
 - (vi). A change in the Association's name (within one month)
- f. The Public Officer shall be an office bearer, committee member, or any other person regarded as suitable for the position by the General Assembly.

26. COMMON SEAL:

- a. The common seal of the Association shall be kept in the custody of the Public Officer.
- b. The common seal shall not be affixed to any instrument except by the authority of the Executive Committee and the affixing of the common seal shall be attested by the signatures either of two (2) members of the Executive Committee or of one (1) member of the Executive Committee and of the Public Officer or Secretary.

27. CUSTODY OF RECORDS:

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

28. ENFORCEMENT OF CONSTITUTION:

- a. The authority of the Association shall extend to and be recognised by all affiliated clubs and individual members.
- b. The General Assembly may delegate its power to deal with and adjudicate upon all questions and disputes as to the interpretation of the Constitution, Rules and By-Laws, upon any complaint made to it of misconduct detrimental to the policy, interests or welfare of the Association by any club or person to whom this Constitution/By-Laws applies.
- c. The General Assembly may fine, caution, expel or suspend from membership for any period as it thinks fit, any affiliated Club or member shall shall wilfully infringe any provision of the Constitution and/or By Laws of the Association, or who shall in the opinion of the

General Assembly, be guilty of conduct unbecoming of a Club member, or prejudicial to the interests of the Association

- d. When such matter is to be considered by the General Assembly, the Club or member concerned shall be notified in writing at least seven days before such meeting and invited to be present at the meeting. Before any such resolution is passed at the meeting, the Club or member concerned shall have an opportunity of giving orally or in writing an explanation or defence that Club or members considers appropriate.
- e. The Disputes Committee shall comprise of the President or another member of the Executive Committee, a representative of the umpires Committee, a representative from each of two Clubs not involved in the dispute, plus one other member appointed by the President, or such other persons as the General Assembly shall determine from time to time.
- f. The Disputes Appeal Committee shall comprise three members of the Executive Committee, or three members of the Association, or a combination of the Executive and Association members, appointed by the Executive Committee, who were not involved in the Disputes Committee hearing, or such other persons as the General Assembly shall determine from time to time.

29. DISPUTES BETWEEN MEMBERS

- a. In the event of a dispute arising between the members (in their capacity as members), or between a member and the association, or a member in the committee, the following procedure shall apply.
- b. Each side of the dispute shall nominate a representative who is not directly involved in the dispute. Those representatives shall then attempt to settle the dispute by negotiation.
- c. Should the nominated representatives be unable to resolve the dispute within fourteen (14) days (or such period as they may agree upon) the dispute shall be referred to a person appointed by the President of the Wyong District Netball Association Inc. for mediation.
- d. The appointed mediator shall determine the form and procedure of the mediation process

30. PROTESTS AND DISPUTES

- a. The Executive Committee shall make due provision for settling differences and disputes that may arise between or amongst members, players or affiliated clubs and shall make regulations as to all proceedings in reference to the matters aforesaid and as to enforce any award or decisions.
- b. The Executive Committee may at anytime refer to the Disputes Committee any matter pertaining to the Association or its affairs.
- c. The Executive Committee is hereby empowered to do as it may think fit with members, players, club officials, team officials, match officials, and affiliated clubs in respect of any offences, complaints and other matters not otherwise specifically provided for under these regulations.

- d. A member shall give written notice through their Club to the Association of a protest or dispute on the day of the incident or misconduct occurring.

31. ALTERATIONS TO CONSTITUTION, BY LAWS AND STANDING ORDERS

- a. This Constitution, By Laws and Standing Orders shall, subject to the approval of the New South Wales Netball Association Limited only be altered by resolution passed by a majority of at least three-quarters (3/4) of the full members present and voting at an Annual General Meeting or Special General Meeting of the Association of which not less than twenty-one (21) days' written notice specifying the resolution to be proposed has been given.
- b. Any alteration made to the Constitution, By Laws and Standing Orders of the Association shall be forwarded to the New South Wales Netball Association Limited within twenty-eight (28) days of the meeting at which such alteration was made.
- c. Notices of Motion of proposed alterations to the Constitution, By Laws and Standing Orders or Rules of the Association shall be submitted in writing to the secretary.

32. DISSOLUTION OF THE ASSOCIATION:

- a. The Association shall not be dissolved except by special resolution passed by a majority of at least three-quarters (3/4) of the full members present and voting at a Special General Meeting of the Association or which not less than twenty-one (21) days written notice specifying the resolution to be proposed has been given.
- b. On dissolution of the Association, any property whatsoever remaining after the determination and settlement of all debts and liabilities shall be paid or transferred to the New South Wales Netball Association Limited to be used in the promotion of Netball within the boundaries of the area referred to in Clause 4.

33. SURPLUS

In the event of the winding up or cancellation of the incorporation of the Association the surplus property of the Association shall be determined and distributed in accordance with the provisions of the Act PROVIDED THAT the recipient of the surplus property:

- a. must have a provision in its constitution the prohibits the distribution of income and property amongst its members to an extent at least as great as is imposed by clause 43;
- b. must have such other features as maybe required by any government or public authority that has granted an exemption concession or benefit to the association; and
- c. must be exempt from income tax under the Income Tax Assessment Act 1936 [C'th].

34. NON-PROFIT STATUS

The income and property of the Association shall be used only for promotion of the objects of the Association and shall not be paid or transferred to the members by way of dividends, bonus or profit PROVIDED THAT nothing shall prevent the payment in good faith of proper and reasonable remuneration to any officer or employee of the Association or any member in return for services rendered or prevent the allowance of an honorarium to any member in respect of special honorary services rendered, money lent or property leased to the Association.