

## **CONSTITUTION**

### **PART I: PRELIMINARY**

#### **1. TITLE**

The name of the Association shall be KINGBOROUGH NETBALL. Throughout this document KINGBOROUGH NETBALL ASSOCIATION shall be referred to as KNA or the Association.

Other definitions relevant to this document are:-

- AANA – All Australia Netball Association
- TNA – Tasmania Netball Association
- TNL – Tasmania Netball League (also known as Aurora League)
- CLUB – Affiliated Club/s with KNA
- BOARD – means the committee of management of the Association
- INDEPENDENT PERSON – means someone not connected with the Association or its committees in any way.
- DELEGATE – means a representative of an Affiliated Club

#### **2. HEADQUARTERS**

Headquarters of KNA shall be KINGBOROUGH NETBALL ASSOCIATION CLUBROOMS. Address: Kingston View Drive, KINGSTON.

The POSTAL ADDRESS of the Association shall be at PO Box 253 Kingston Tasmania, 7051.

#### **3. COLOURS**

The official playing colours shall be Light Blue, White and Navy.

#### **4. OBJECTIVES**

The main objective of the Association is to foster the game of netball within the Kingborough area and to contribute towards the advancement of the game throughout Tasmania in conjunction with the following -

1. To be affiliated with and support the Tasmania Netball Association
2. To further interests of its members, and promote the game of netball in accordance with the rules as set down by governing associations, (namely AANA and TNA)
3. To cooperate with other affiliated organizations to further the game of netball.
4. To promote netball through programs, courses and other relevant activities that provide all members the opportunity to increase knowledge in all facets of netball
5. To encourage all players and officials to participate in all developmental and educational programs for the improvement of netball within the Kingborough area

6. To select and manage graded teams for competition within local rosters, development and representative teams
7. To provide court of appeal, in form of disputes/grievance guidelines in cases of disputes connected with netball under the authority of the Association
8. To use the income and property of the Association whensoever derived solely in promotion of its objects and in accordance with its powers
9. To maintain, alter or construct buildings for any objects or purposes of the Association.
10. To encourage broadband participation and encourage sportsmanship

## **PART II MEMBERSHIP**

### **1. MEMBER**

- Membership is open to all persons wishing to participate in and support the sport of netball
- Members shall adopt and obey this Constitution and the By-Laws of the Association

### **2. MEMBERSHIP**

#### **2.1 APPLICATION FOR MEMBERSHIP**

Application for membership shall be on an official 'Application for Membership' form. Members must complete and sign the 'Application for Membership' form to be considered a member of the Association.

Each member must re-apply for membership at the start of each calendar year

Membership fees are referred to in clause 6 of this constitution.

#### **2.2 MEMBERS OF THE ASSOCIATION**

All affiliated players, coaches, umpires and other officials shall be a registered full member of the Association

##### **2.2.1 Life members**

- a) Any member of the Association may be elected a life member of the Association in recognition of a minimum of seven (7) years of outstanding service to the Association.
- b) A candidate for election as a life member must be nominated by two (2) Association or Affiliated Club members
- c) Any nomination for life membership must be submitted to the Association at a general Meeting at which the nomination will be considered. The Executive Committee must check the candidate's eligibility.
- d) The nomination must be approved by a vote of at least three-quarters of the members present and voting at the next annual general meeting.
- e) Voting for candidates for life membership must be by secret ballot
- f) A life member is entitled to attend all Association Meetings and have full voting rights.

- g) A life member who is actively participating in the Association is to be listed on the TNA registration list.
- h) A life member of the Association will not be liable for any membership fees set by the Association

### **2.2.2 Board Member**

A Board Member is one who has been elected to the Board of Management of the Association

### **2.2.3 Associate member**

An associate member is:

- a) Any player, non playing coach umpire or official who is 17 years and under as at the 1<sup>st</sup> January in the current year, or
- b) Any other person who has paid an Associate Membership fee for the current year.

## **3. VOTING**

### **3.1 MEMBER ELIGIBILITY**

A voting member is:

- a) Any registered player, coach, umpire or official, including members of the board, who is 18 years and over as at the 1<sup>st</sup> January in the current year
- b) A parent/guardian of a registered associate member (refer 2.2.3 (a)). Only one parent/guardian per member is eligible.
- c) All other Associate Members are ineligible to vote
- d) A life member

A list of all current members is to be kept by the Public Officer and be available at all meetings

### **3.2 MEMBER VOTING**

- a) On any question arising at a meeting of the Association, excluding Board meetings, a voting member has one vote only.
- b) All votes are to be given personally.
- c) In the case of an equality of voting on a question, the chairperson has the casting vote.

## **4. REGISTER OF MEMBERS**

- a) A register of the members and associate members of the Association must be maintained as delegated in the By Laws of the Association. For each person who is a member of the Association, the register shall specify:
  - 1. Name
  - 2. Address
  - 3. DOB
  - 4. Contact details
  - 5. Membership category
  - 6. Association / Club record
  - 7. State membership

- b) The register shall include all of the Association and affiliated Club members, including life members, and associate members
- c) This register shall be known as the Associations membership list
- d) The register of members shall be kept at the principal place of administration of the Association.
- e) Having regard to confidentiality consideration and privacy laws, an extract of the register, excluding address or the direct contact details, shall be available for inspection (but not copying) by members upon reasonable request.
- f) All membership lists shall be forwarded to the secretary of affiliated associations including TNA, as required on or before the date as set out by that association

#### **5. MEMBERS' LIABILITY**

The liability of a member of the Association to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the member in respect of membership of the Association.

#### **6. FEES**

Member subscriptions payable by members shall be determined and passed for acceptance from year to year at the Annual General Meeting

#### **7. CESSATION OF MEMBERSHIP**

A person ceases to be a member of the Association if the person:

- a) Dies
- b) Resigns that membership in writing, or
- c) Is expelled from the Association

#### **8. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE**

A right, privilege, or obligation, which a person has by reason of being a member of the Association:

- a) Is not capable of being transferred or transmitted to another person: and
- b) Terminates upon cessation of the person's membership.

#### **9. RESIGNATION OF MEMBERSHIP**

- a) A member of the Association is not entitled to resign that membership except in accordance with this rule
- b) A member of the Association who has paid all amounts payable by the member to the Association in respect of the member's membership may resign from membership of the Association by first giving notice (being not less than one month or no less than such other period as the committee may determine) in

writing to the Secretary of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.

- c) Where a member of the Association ceases to be a member, and in every other case where a member ceases to hold membership, the secretary shall ensure an appropriate entry is made in the register of members recording the date on which the member ceases to be a member.

## **10. EXPULSION, SUSPENSION**

### **10.1 Suspension in Exceptional Circumstances**

In addition to the rights of suspension and expulsion under this constitution, the Board may in its discretion suspend a member from the association in exceptional circumstances pending determination of a resolution under this Rule 10. For the purposes of this Rule "exceptional circumstances" means circumstances in which, after reasonable enquiry, it is considered that the Association or any of the members may suffer damage or detriment as a result of the actions or inactions by the member who is being considered for suspension under this Rule.

If a suspension is imposed under this Rule, the Public Officer shall notify the member concerned of the suspension in writing and send a copy of such notification to the Board. There is no right of appeal of a suspension made under this Rule.

### **10.2 Board of Resolution**

**10.2.1** Subject to this Constitution, the Board may by resolution:

- a) Expel a member from the association; or
- b) Suspend a member from membership of the association for a specified period.

**10.2.2** If the Board considers that the member has:-

- a) Breached, failed, refused or neglected to comply with a provision of this constitution and the By Laws;
- b) Acted in a manner unbecoming of a member or prejudicial to the objects and interests of the Association, or another member; or
- c) Brought the Association, or another member into disrepute.

Such grounds do not constitute a grievance.

### **10.3 Notice of Alleged Breach**

Where the Board considers that a member may have satisfied one or more of the grounds in **10.2**, the Public Office shall, as soon as practicable, serve on the member a notice in writing:

- a. Setting out the alleged breach of the member and the grounds on which it is based;
- b. Stating that the member may address the board at a meeting to be held not earlier than 14 (fourteen) and not later than 28 (twenty-eight) days after service of the notice;
- c. Stating the date, place and time of that meeting;
- d. Inform the member that he/she may do one or more of the following;
  1. Attend that meeting; or

2. Give the Association, before the date of that meeting, a written statement regarding the alleged breach.

#### **10.4 Determination of Board**

At a meeting of the Board held in accordance with **10.3**, the Board shall:-

- a) Give the Member every opportunity to be heard;
- b) Give due consideration to any written statement submitted by the member; and
- c) By resolution determine whether the alleged breach occurred.

#### **10.5 Appeal**

- a) If the Board passes a resolution at the meeting held in accordance with this section **10**, the member has a right to appeal the decision to the Appeals Tribunal.
- b) The Member must lodge the appeal with the Public Officer within 14 (fourteen) days of the date the resolution is passed. The appeal must specify the grounds of the appeal.
- c) Where the Public Officer receives an appeal under this rule, the Board shall convene a meeting of the Appeals Tribunal to be held within 30 (thirty) days of the date on which the Public Officer received the appeal.
- d) Where the member lodges an appeal to the Appeals Tribunal under this Rule, the resolution of the Board does not take effect unless the Appeals Tribunal confirms the resolution in accordance with Rule 11.

#### **10.6 Non Application of Rule 10**

This Rule **10** shall not apply to any incident or matter to which Competition By Laws or Member Protection regulations of the Association or Netball Tasmania applies. Any Competition related matter of Member Protection related matter should be dealt with in accordance with the disciplinary procedure set out in the Competition By Laws or Member Protection Regulation of the Association or Netball Tasmania, as the case may be.

### **11. APPEALS TRIBUNAL**

- a) An Appeals tribunal of up to 5 (five) persons who are members of the Association or TNA shall be appointed by the Board for the purpose of adjudication of appeals from Members under Rule 10.5.
- b) The Board shall appoint an independent chair of the Appeals Tribunal.
- c) No Affiliated Club shall have more than one of its registered members or officials on the Appeals Tribunal.
- d) No Member of the Appeals Tribunal shall be permitted to hold any executive office on the Board.
- e) A minimum of 3 (three) members of the Appeals Tribunal shall constitute a quorum.
- f) The Appeals Tribunal shall hear and determine the alleged breach in whatever manner it considers appropriate in the circumstances, provided that it does so in accordance with the principles of natural justice.

- g) The purpose of the hearing shall be to determine whether the alleged breach occurred.
- h) The Appeals Tribunal has the jurisdiction to vary the penalty imposed by the Board.
- i) Decisions of the Appeals Tribunal will be binding and final upon the Board and the Member.

## **PART III: MANAGEMENT**

### **1.AFFAIRS OF THE ASSOCIATION TO BE MANAGED BY A BOARD**

- a) A board of management constituted as provided in Part III 2 shall manage the affairs of the Association.
- b) The prime responsibility of the board is to ensure the effectiveness and future viability of the Association.
- c) The Board is ultimately accountable to the Association's members
- d) The Board shall carry out the objectives of the Association and, without in anyway limiting this responsibility, shall have power to:
  - 1. Control and manage the affairs of the Association
  - 2. Exercise all the powers and perform all the functions of the Association, other than those powers and functions that are required by these rules to be exercised by general meetings of members of the Association
  - 3. Appoint any delegates to represent the Association for any purpose with such powers as may be thought fit
  - 4. Control the funds of the Association and for that purpose
  - 5. Open and operate banking accounts
  - 6. Acquire related sporting property of all descriptions and lease, sell or otherwise dispose of it
  - 7. Make, amend or repeal such By Laws as maybe required from time to time

### **2. COMPOSITION OF THE BOARD OF MANAGEMENT**

**2.1** The Board of Management consists of the following:-

- a) Executive Board Members
  - 1. President
  - 2. Vice President
  - 3. Secretary
  - 4. Public officer
  - 5. Treasurer
  - 6. Registrar
  
- b) General non-executive board members
  - 1. Minimum of 3 (three) members

**2.2** Each Executive Board Member is to hold office until the Annual General Meeting next after the date of election and is only eligible to hold any one executive position for a maximum of 5 (five) years. An Executive Board member is eligible for re-appointment to

any one executive position after a lapse of 12 (twelve) months. Executive Board members are eligible for re-election as a general Board member without limitation.

**2.3** Each officer of the Association is to hold office until the Annual General Meeting next after the date of election, and is eligible for re-election.

**2.4** A casual vacancy of an Executive Board position shall be deemed to have occurred if the member –

- a) Ceases to be a member of the Association
- b) Becomes an insolvent under administration within the meaning of the Corporations Law;
- c) Resigns by notice in writing given to the Association
- d) Dies or becomes of unsound mind
- e) Ceases to be a resident of the State of Tasmania
- f) Fails to attend three consecutive meeting o the board without leave of absence.

**2.5** If a casual vacancy in any executive office occurs, the board may appoint one of its members to the vacant office or call for nominations from members to hold the office up to and including the conclusion of the Annual General Meeting next following the date of appointment. All nominations are to be in writing and submitted to the Public Officer for voting on at the next general meeting of the Association

**2.6** In the interests of managing the Association autonomously from affiliated Club/s, the same person is not to hold an Executive position on both KNA Board of Management and any affiliated Club/s committees in the same year.

### **3. MEETINGS**

The following clauses apply to all Associations meetings

- a) The accidental omission to give any person notice of a meeting shall not invalidate the meeting.
- b) If no quorum is present thirty (30) minutes after the time fixed for the commencement of the meeting, then it shall be adjourned to such time and place, as the Chairperson shall decide.
- c) The Association Secretary shall give written notice of the revised date, time and place of the meeting
- d) All those in attendance and formal apologies received at meetings shall be recorded in the minutes of meetings.
- e) Each voting member of the Association shall have one vote personally
- f) Each voting member present at a meeting (including Association office bearers and active life members) shall have one vote to be taken in such manner as the chairperson shall direct, except that a secret ballot shall be taken if any voting member requests it.
- g) The President shall, subject to this constitution, preside as Chairman at every Board meeting of the Association except,
  - 1) In relation to any election for which the President is nominee, or
  - 2) Where a conflict of interest exists.

- h) In the absence of the President, the Vice President shall preside as Chairman. If the Vice President is not present, or is unwilling or unable to preside, the members present shall appoint one of their numbers to preside as Chairman for that meeting only.

### **3.1 VENUE**

All committees of the Association shall meet at the KNA clubrooms.

### **3.2 TYPES OF MEETINGS –**

There are several different types of meetings that can be conducted by the Association. They are –

#### **3.2.1 Board Meetings –**

- a. involves only elected board members
- b. occurs on a monthly basis as determined by the board
- c. addresses the day to day business of the Association

#### **3.2.2 Special General Meetings -**

- d. Open to all members of the Association (although they may not necessarily have the right to vote)
- e. Meetings called only on occasions when a particular issue needs to be addressed
- f. Request for such meeting is made in writing to the Public Officer

#### **3.2.3 Annual General Meeting –**

- g. Open to all interested persons
- h. Occurs within 3 (three) months of the close of the financial year of the Association

## **4. BOARD MEETINGS**

- a) The Board members shall meet at least once in each month.
- b) Not less than seven days written notice shall be given specifying the date, time and place of the meeting of the members
- c) A quorum for Board meetings shall consist of 5 (five) of the Board members
- d) The business shall include:
  1. Present & Apologies
  2. Confirmation of the minutes of the previous Board meeting and of any Special General Meeting held since that Board Meeting
  3. Business arising from the minutes
  4. Motions for which due notice has been given
  5. Elections
  6. Correspondence
  7. Treasurer's report
  8. Reports
  9. General Business

## **5. SPECIAL GENERAL MEETINGS**

- a) Special General Meetings may be called by the Association Secretary or Public Officer after consultation with the President or at the request in writing by ten or more Association members to consider a specific matter or matters
- b) Not less than 7 (seven) days written notice shall be given specifying the date, time and place of the special meeting of the members and the special business to be dealt with
- c) A quorum for special general meetings shall consist of 5 (five) of the Board Members or two thirds of the requesting numbers.
- d) If the committee fails to convene a Special General Meeting to be held within one month after the date on which a requisition of members for the meeting is lodged with the Secretary or Public Officer, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.

## **6. ANNUAL GENERAL MEETING**

- a) The Association must hold an annual general meeting each year
- b) The Annual General Meeting is to be held on any day the committee determines (being not later than three (3) months after the close of the financial year of the Association, but within the calendar year)
- c) Not less than 14 (fourteen) days written notice shall be given specifying the date, time and place of the Annual General Meeting of the Association
- d) A copy of the Annual General Report and Financial Statement can be obtained on request from the executive
- e) Notices of motion to be considered at the Annual General Meeting shall be lodged with the Association Secretary or Public Officer by a nominated date.
- f) A quorum for Annual General Meetings shall consist of 5 (five) of the Board Members and five members.
- g) Either the patron or an independent person is to chair the meeting until the executive is elected.
- h) The business of the Annual General Meeting shall include:
  1. Present and Apologies
  2. Confirmation of the minutes of the previous Annual General Meeting and any Special General Meetings held since the last Annual general meeting.
  3. Consideration and adoption of the annual general report, audited balance sheet auditor's financial statement, and budget
  4. Presentation of all affiliated clubs annual reports
  5. Appointment of the Auditor
  6. Set fees for the next season

7. Election of executive and non-executive members
8. Election of patron.

## **PART IV: COMMITTEES**

### **1. ELECTION OF COMMITTEES**

- a) Nominations for all executive and non-executive positions to be elected at the Annual general meeting shall be
  1. Lodged in writing with the Associations Secretary or Public Officer on a specified nomination form indicating consent of the candidate
  2. Lodged within ten (10) days prior to the Annual General Meeting
- b) If insufficient nominations are received to fill all vacancies on the committee –
  1. Candidates nominated are taken to be elected, and
  2. Further nominations are to be received at the Annual General Meeting.
  3. The Club Secretary in the event of a Public Officer not being elected may perform the Public Officer duties.
- c) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- d) If the number of nominations exceeds the number of vacancies to be filled, a ballot is to be held
- e) A nomination of a candidate for election is not valid if that candidate has been nominated for election to another office at the same election.
- f) The maximum consecutive term a member can hold any one position is 5 (five) years.

### **2. EXECUTIVE MEMBERS OF THE BOARD OF MANAGEMENT**

- a) The following are the office bearers and shall be elected as the executive members of the Board:
  1. President
  2. Vice
  3. Secretary
  4. Public Officer
  5. Treasurer
  6. Registrar
- b) No person shall be elected to more than one executive position except in Part IV – 1 – b) above.
- c) The Executive of the Board shall act on behalf of the members between meetings and its decisions shall be subject to ratification by the members at its next meeting
- d) The executive of the Board shall:
  1. Carry out their responsibilities as set by the operational procedures and rules.
  2. Conduct their meetings in accordance with this constitution

3. Be answerable to the members
- e) Each member of the board shall, subject to these rules, hold office until the conclusion of the Annual General Meeting following the date of the member's election, but will be eligible for re-election.

### **3. MEETINGS OF ALL COMMITTEE MEMBERS**

The full board of management shall hold meetings in accordance with this constitution

### **4. SUB COMMITTEES**

- a) The Board may appoint sub- committee members when necessary
- b) All sub- committees shall:
  1. Be answerable to the members
  2. Carry out their responsibilities as set out in this Constitution and By Laws
  3. Conduct their meetings in accordance with this Constitution
  4. Report to each Board Meeting
  5. Be dissolved upon completion of the original function

### **5. COMMITTEE HANDOVER**

After the election of new board members at Annual General Meetings the outgoing executive officer of the Association is to hand over relevant documents to the incoming executive officer not more than 14 days after the Annual General Meeting.

### **6. DISCLOSURE OF INTEREST IN CONTRACTS**

- a) A member of the Board who is interested in any contract or arrangement made or proposed to be made with the Association shall disclose their interest at the first meeting of the Board at which the contract or arrangement is first taken into consideration. If the interest then exists, or, in any other case, at the first meeting of the Board after the acquisition of the interest.
- b) If a member of Board becomes interested in a contract or arrangement after it is made or entered into they shall disclose their interest at the first meeting of Board after they become so interested
- c) If at a meeting a member votes in respect of any matter in which the member has a direct or indirect pecuniary interest, that vote is not to be counted.

## **PART V: AFFILIATED CLUBS**

The Association has the power to approve nominations from netball Club/s to be affiliates of the Association.

All Affiliated Clubs will –

- a) Have their own Constitution which is consistent with the Association's and does not directly or indirectly impact or contravene the Associations Constitution
- b) Submit a copy of their Constitution to the Association upon application for affiliation.
- c) Pay a membership fee for each playing and non playing member of the Club to the Association at the end of each financial year for the current season.
- d) Nominated Fees are to be set annually at the Annual General Meeting

A Delegate at Association Board meetings will represent affiliated Clubs. The Club Delegate is to be nominated by the Club Board. In the absence of the nominated Delegate, a nominee of the Delegate (who must also be a member of the same Affiliated Club as the Delegate) is the only person who may represent the Club at Association Board Meetings. The Delegate will have the right to be present, to debate and to vote at Association Board Meetings.

All affiliated Club playing and non playing members shall be a registered member of the Association.

## **PART VI: ADMINISTRATION**

### **1.FINANCE**

- a) The funds of the Association are derived from donations and fees and other sources as determined by the members from time to time.
- b) The banking accounts of the Association must be kept at a financial institution approved by the members
- c) All cheques operating on the accounts must be signed by any two of the following office bearers
  1. President
  2. Vice President/s
  3. Secretary
  4. Treasurer
  5. Public Officer
- d) The financial year of the Association shall commence on 1<sup>st</sup> November and conclude on the 31<sup>st</sup> October
- e) The monthly bank statement must be tabled at each meeting of the members, together with the written financial report.
- f) The book of the Association must be audited on each year by a qualified person independent of signatories of Association account as set down at the Annual General Meeting.

- g) This report shall form part of the annual financial statement that shall be presented at each Annual General Meeting.
- h) All money received by the Association must be deposited as soon as practicable and without deduction to the credit of the Association's bank account
- i) The Association must, as soon as practicable after receiving any money, issue an appropriate receipt
- j) The Treasurer will hold all financial records and books in relation to the current year.

In addition to the basic financial objects, the purposes of the Association shall include -

- k) The borrowing and raising of money in such manner and on such terms as the Board may think fit or as may be approved or directed by resolution passed at a Board meeting.
- l) Subject to the provisions of the *Trustee Act 1898*, the investment of any moneys of the Association not immediately required for any of its objects of purposes in such manner as the committee may from time to time determine.
- m) The purchase or acquisition and undertaking of all or any part of the property assets, liabilities and engagements of any Association with which the Association may at time become amalgamated in accordance with provisions of the Act and the Rules of the Association.
- n) The Association may pay a servant or member of the Association
  - 1. Remuneration in return for services rendered to the Association, or for goods supplied to the Association, in the ordinary course of business of the servant or member; or
  - 2. Remuneration that constitutes a reimbursement for out-of-pocket expenses incurred by the servant or member for any of the objects or purposes of the Association; or
  - 3. Interest at a rate not exceeding 7.25% p.a. on money lent to the Association by the servant or member on approval from the Board; or
  - 4. A reasonable amount by way of rent for premises, or a part of premises, let to the Association by the servant or member on approval from the Board.

## **2. CUSTODY OF BOOKS AND RECORDS**

- a) Except as otherwise provided by this Constitution, all current records, books and other documents relating to the Association shall be kept in the custody of the relevant officer elected to carry out particular duties of the Association and a copy or statement to be kept with the Public Officer.
- b) At the end of each financial year all records, books and other documents relating to the Association for the previous year are to be archived for Association history records at the Association's headquarters

## **3.INSPECTION OF BOOKS**

Any member of the Association may inspect the books of account, the Association membership list and the member's minute book having regard to confidentiality consideration and privacy laws. An extract excluding address or other direct contact details shall be available for inspection upon reasonable request.

#### **4.SERVICE OF NOTICES**

- a) For the purpose of this Constitution, a notice may be serviced by or on behalf of the Association upon any member either personally or by sending it by ordinary post to the member at the member's address shown in the register of members.
- b) Where a document is sent to a person properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved be deemed for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered by the ordinary course of post.

#### **5.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 signatures of two members of the Board of Management shall attest the affixing of the common seal.

#### **6. ENFORCEMENT OF THE CONSTITUTION AND BY LAWS**

- a) The Constitution and By Laws shall extend to and be recognised by all members and associate members of the Association
- b) The Board shall have power to deal with and adjudicate upon all questions and disputes as to the interpretation of the Constitution and By Laws and of any complaint made to it of misconduct detrimental to the objectives. policy, interests or welfare of the Association by any person to whom this Constitution applies.
- c) The Board may formulate issue, adopt and amend By Laws. Amendments, alterations, interpretation or other changes to By Laws shall be advised to members by means of notice approved by the Board. Notices shall be binding upon all members.

#### **7. GRIEVANCE PANEL**

- a) The Association's Board shall appoint a Grievance Panel relevant to By Laws of the Association to address general grievance and/or harassment notifications.
- b) The purpose of the panel is to ensure that all members are treated fairly and equitably whilst participating within a positive and safe environment
- c) Members of the Grievance Panel are to treat all matters discussed by it as confidential with a report on the outcomes of its discussions to be provided in writing to the Board as required.

## **8. ALTERATIONS TO THE CONSTITUTION, BY LAWS**

- a) The Constitution may be altered by a special resolution passed by a majority of at least three quarters of the members present and voting at the Annual General Meeting or Special General Meeting of the Association of which not less than 21 ( twenty one)days notice specifying the resolution/s to be proposed has been given.
- b) By laws may be altered by a resolution passed by a simple majority of the members present and voting at a Board Meeting, Special General Meeting or Annual General Meeting of the Association which not less than 14 (fourteen) days notice specifying the resolution/s to be proposed has been given.
- c) Any proposed constitutional or by laws changes that may directly or indirectly impact on any affiliated Club/s of the Association as determined by the Board is to be tabled in writing at a General Committee meeting of the Club. The Club should respond in writing to the Association within 21(twenty one) days of meeting notification tabled if any item requires further investigation or consultation before ratification and formalisation of change.

## **9. DISSOLUTION**

- a) The Association shall not be dissolved except by a resolution passed by a majority of at least three quarters of the members present and voting at Special General Meeting of the Association of which not less than 21 (twenty one) days notice in writing 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 TNA to be used in the promotion of netball.
- c) A member of the Association is not liable towards the payment of debts and liabilities of the association except to the value of any outstanding regular fees by that member in that year.

KNA  
CONSTITUTION  
27TH JANUARY 2010