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# PINE PANTHERS NETBALL CLUB INCORPORATED

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CONSTITUTION, BY-LAWS & POLICIES  
AUGUST 2018



# PINE PANTHERS NETBALL CLUB INCORPORATED

## CONSTITUTION

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## CONSTITUTION

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# PINE PANTHERS NETBALL CLUB INCORPORATED

## BY – LAWS

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**1. NAME**

The name of the club shall be Pine Panthers Netball Club Incorporated.

**2. INTERPRETATIONS**

The following term shall, wherever used in the Constitution and By-Laws, bear the meanings respectively referred to in this paragraph unless the same be inconsistent with the context in which they are used:-

“The Club”	-	Pine Panthers Netball Club Incorporated
“P.R.N.A”	-	Pine Rivers Netball Association Incorporated
“N.A”	-	Netball Australia
“N.Q”	-	Netball Queensland
“Amateur”	-	As defined by I.N.F
“I.N.F”	-	International Netball Federation
“The Act”	-	Associations Incorporation Act 1981 (Qld) <b>or as amended</b>
Member	-	Anyone who falls within a class of membership under section 10

**3. OBJECTS**

The objects of the Club shall be:-

- a) To encourage, promote, control and manage the game of Netball within the scope of the Club’s sphere of influence.
- b) To promote competitive sportsmanship, fair play and to create team spirit between players.
- c) To encourage companionship whilst engaging in healthy, active sport.
- d) To play in accordance with the official rulebook as set down by the N.A.
- e) To act for all members in all matters pertaining to Netball in so far as this Constitution and By-Laws permit.
- f) Generally to do all such acts and things as may be conducive to the furtherance of these objects or any of them.

**4. POWERS**

- a) The club has, in the exercising of its affairs, all the powers of an individual
- b) The club may, for example:-
  - 1) Enter into contracts, and
  - 2) Acquire, hold, deal with and dispose of property, and
  - 3) Make charges for services and facilities it supplies, and

- 4) Do other things necessary or convenient which are deemed relevant in carrying out its affairs.

## 5. PATRON

- a) To be appointed each year at the Annual General Meeting.
- b) The club patron is a person who supports and promotes the Club. They can also be called upon for guidance and support.

## 6. AFFILIATIONS

The club shall affiliate with P.R.N.A and such other associations and or bodies as the club shall from time to time see fit.

## 7. MOTTO

The club motto shall be "Our goal is to achieve through genuine sportsmanship and fair play".

## 8. UNIFORM AND CLUB COLOURS

The club uniform shall be as prescribed in the By-Laws with the colours of Red, Black and White.

## 9. HEADQUARTERS

The Headquarters of the club shall be in the Pine Rivers district.

## 10. CLASSES OF MEMBERS

The membership of the club shall consist of the following classes of members:-

- a) Amateur Players: Shall consist of persons who are amateurs.
- b) Ordinary Members: Are the immediate family members of the Amateur player or any other person wishing to join the club for the better interests of the Club. This class of membership therefore includes coaches, managers, umpires and committee members.
- c) Financial Member: Any person who is a registered player with the club, having paid their registration fees.
- d) Life Member: A life member shall be elected by members at any Annual General Meeting in recognition of not less than ten (10) years outstanding service to the club. The life member must be nominated in writing by (2) financial members and such nomination to be in the hands of the club Secretary not less than (8) weeks prior to the relevant meeting and **voted for** by a two-thirds majority of the members present. The period of this membership lasts for the lifetime of the member from the date of appointment. **A life member may have their membership terminated in the same manner as any other member of the club as set out in 13.** Life members are afforded the same privileges as that of an ordinary financial member, however to maintain voting rights Life Members must be actively involved within the club and also must attend the Annual General Meeting.

- e) Honorary Member: Are those elected by the club at any Annual General Meeting to further the interest of the name of Netball for such period as determined by the meeting providing that they are nominated in writing by 2 financial members of the club and accepted by a two-thirds majority of the members present. Nominations to be in the hands of the Secretary not less than (8) weeks prior to the relevant meeting. Honorary members shall not have voting rights.

## 11. MEMBERSHIP

- a) Number of memberships shall be unlimited in each class.
- b) A person who, on the day the club is incorporated, was a member of the unincorporated club and who, on or before a day fixed by the Management Committee, agrees in writing to become a member of the incorporated association, must be admitted by the management committee to the same class of membership of the association as the member held in the unincorporated club.
- c) All adult members of the club shall have full voting rights at all General Meetings as outlined below:
- 1) Each member shall have (1) one vote only per issue.
  - 2) Each member over the age of 18 years shall be entitled to vote on any issue and to hold any Committee position **subject to section 22**.
- d) Membership of the club shall be as previously described in Section 10, "Classes of Members".
- e) Unless otherwise provided for in section 10, the period of membership shall be for 12 months from the date the member became financial with the club unless sooner terminated or cancelled.

## 12. MEMBERSHIP FEES

Membership, Registration and other Fees:

- 1) Membership fees shall be as prescribed in the By-Laws and shall include a separate fee for each season or fixture played.
- 2) Any member who desires to withdraw from the club shall remain liable for all membership fees and or levies incurred on behalf of that member up to the time of withdrawal and shall forfeit the balance of any club membership fee paid for that period.
- 3) Subject to the By-Laws of the club, the Management Committee may at its discretion accept reduced membership fees for players joining during a season or fixture and in special cases of hardship having regard to the objects of the club.
- 4) The club has the right to refuse membership to any person regarded as unsuitable by two-thirds of members present at a general meeting provided that at least seven days' notice of such matters shall have been previously given.
- 5) The membership fees for each class of membership shall be discussed prior to each season and said fees will be set at the Annual General Meeting.

- 6) Upon acceptance of an application for membership, a member shall be deemed to be affiliated and bound by the Constitution and By-Laws of the club and the resolutions of the Management, Committee and Members in General Meeting.
- 7) A player shall not participate in fixtures until all fees have been paid in full or as the Management Committee deems fit.

### **13. TERMINATION OF MEMBERSHIP**

- 1) A member may resign from the club at any time by giving notice in writing to the Secretary and such resignation shall take effect from the date received by the Secretary or by the later date specified in the notice.
- 2) The Management Committee may terminate a members membership if the member:-
  - a) Is convicted of an indictable offence; or
  - b) Does not comply with any of the provisions of these rules; or
  - c) Has membership fees in arrears for at least 2 months; or
  - d) Conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the club.
- 3) Before the Management Committee terminates a member's membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.

### **14. APPEALS AGAINST REJECTION OR TERMINATION OF MEMBERSHIP**

- 1) A person whose application for membership has been rejected, or whose membership has been terminated, may give the Secretary written notice of the person's intention to appeal against the decision, but must be done within (1) one month of notification of rejection or termination.
- 2) If the Secretary receives a notice of intention to appeal, the Secretary must, within (1) one month after the day of receipt, call a general meeting to decide the appeal.
- 3) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated, and will be decided upon by the members present at the meeting.
- 4) If, after considering all representations made by the member, the members present at the meeting vote in favour of the termination of the membership, the Secretary of the committee must give the member a written notice of the decision.
- 5) If a person whose application has been rejected does not appeal against the decision within (1) one month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the Secretary must, as soon as possible, refund any registration fees paid by the person.
- 6) If a person's membership is terminated the person will not be entitled to a refund.

### **15. REGISTER OF MEMBERS**

- a) The Management Committee must keep a separate register of members, which shall contain the following:-
  - 1) The full name and residential address of each member;
  - 2) The date of admission as a member;



- 3) The membership number of the member;
  - 4) Details about the termination or reinstatement of membership;
  - 5) Any other particulars the management committee or the members at a general meeting decide.
- b) The register must be open for inspection at all reasonable times, however, the member must apply to the secretary to inspect it.
  - c) If there are privacy concerns surrounding a member and their details being displayed on this register they must inform the club. Subsequently their details will not be open for inspection.

## **16. SECRETARY**

If a vacancy occurs in the office of secretary, the members of the Management Committee must ensure a secretary is appointed or elected for the club within (1) one month after the vacancy occurs.

## **17. GOVERNMENT**

The Administration of the Club shall be vested in a Management Committee.

- a) The Management Committee shall consist of:

President

Vice President

Secretary

Treasurer

### Committee Positions:

Registrar

Assistant Secretary

Umpire Convenor

Coaching Convenor

Uniform Convenor

Carnival Convenor

Events Coordinator

Equipment Coordinator

- b) The duties of office bearers shall be as described in the By-Laws.
- c) No member shall hold more than (1) one office position on the Management Committee at any one time. Irrespective of a member already holding one position on the Management Committee, if any other committee position remains vacant then a member may nominate for that position, as long as it is not a Management position.

- d) Not less than 50% plus (1) one of the total Committee presently in office shall constitute a quorum at any meetings.

#### **18. MANAGEMENT COMMITTEE**

- a) The decisions of the Management Committee made in accordance with this Constitution and By-Laws shall be conclusive and binding upon all club members.
- b) Management Committee may meet for the dispatch of business, adjourn and otherwise regulate its meetings and proceedings as it sees fit.
- c) A Management meeting, may be convened by the Secretary on the direction of any two members of the Management Committee and two days' notice thereof shall be given where practical to all management committee members.
- d) Questions arising at any meeting of the Management Committee shall be decided by a majority of votes and in the case of equal votes, the questions will be deemed in the negative.
- e) A member of the Management Committee shall not vote in respect of any contract or proposed contract with the club in which the member has an interest, or may derive profit therefrom.

#### **19. POWERS OF THE MANAGEMENT COMMITTEE**

- a) The Management Committee shall have the power to:
  - 1) Appoint delegates to represent the club at all meetings to which the club requires representation, including affiliated bodies. Such delegates, if need be, will vote expressing the club's opinions and decisions, which have been previously discussed at a Management or General meeting.
  - 2) Appoint team coaches (subject to recommendation of Coaching Convenor) and ensure all team managers are aware of their responsibilities as described in the By-Laws.
  - 3) Be a disputes committee for all matters, control and manage all business for the club, make recommendations to members on matters of policy and finance, act on behalf of the club when so empowered by the club, receive and consider reports from team coaches, managers and members.
  - 4) Have the general control and management of the administration of the affairs, property and funds of the club (as outlined in section 19(b)).
  - 5) Authority to interpret the meaning of these rules and any matter relating to the club on which the rules are silent.
- b) The Management Committee may exercise the powers of the Club to -
  - 1) Borrow, raise or secure the payment of amounts in such manner as the members of the club may think fit.

- 2) Secure amounts or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the club in any way; and
- 3) Purchase, redeem or pay off any securities issued; and
- 4) Borrow amounts from members and pay interest on the amounts borrowed, but said interest to be no higher than the current rate of interest being earned by the Club's Financial Institution; and
- 5) Mortgage or charge the whole or part of its property; and
- 6) Provide and pay off any securities issued; and
- 7) Invest in a way the members of the club may from time to time decide.

## **20. RESIGNATION OR REMOVAL FROM OFFICE OF MEMBER OF MANAGEMENT COMMITTEE**

- a) Any member of the Management Committee may resign from the management committee at any time by giving notice in writing to the Secretary.
- b) If the Secretary wishes to resign, notice must be given in writing to the President.
- c) Such resignation shall take effect at the time that the notice is received by the Secretary or President respectively, unless a later date is specified in the notice, when it shall take effect on that later date.
- d) A member may be removed from office at a general meeting of the club where that member shall be given the opportunity to fully present the member's case.
- e) The question of removal shall be determined by a majority vote of the members present at such a general meeting.
- f) There is no right of appeal against a member's removal from office under this section.
- g) In the case of resignation or removal of the Treasurer, the books and accounts shall be audited before handover to the newly appointed Treasurer.

## **21. VACANCIES ON MANAGEMENT COMMITTEE**

- a) The Management Committee shall have power at any time to appoint any member of the club to fill any casual vacancy on the management committee until the next Annual General Meeting.
- b) The continuing members of the management committee may act despite a casual vacancy on the Management Committee.
- c) However, if the number of committee members is less than the number fixed under these rules at section 24(a)(iii) as a quorum of the Management Committee, the continuing members may act only to:-
  - 1) increase the number of management committee members to the number required for a quorum; or
  - 2) call a general meeting of the club.

## 22. ELECTIONS

- a) Nominations for all offices and for each position on either the Management Committee or Committee are to be filled by election at the Annual General Meeting and shall comply in all respects with the provisions of the By-Laws. Such nominations shall be called for by the club Secretary by notice in writing attached to the notice calling the Annual General Meeting.
- b) All nominations shall be in writing, proposed and seconded by members of the club and signed by the nominee and indicate willingness to act in such a position to the best of their ability.
- c) At each Annual General Meeting of the Club, the members of the Management Committee and Committee must retire from office. Existing office bearers shall be eligible for re-election, subject to clause 22(l).
- d) Any other member of the Club can nominate for a committee position as long as they are 18 years of age or older **and have been an active member of the club within the previous 12 months. Any member nominated for a position on the Management Committee must have been appointed to the general committee for a minimum 1 year term, or be able to demonstrate prior experience suitable for the role they wish to nominate for.**
- e) A Chairperson, being a member of the club but not being part of the outgoing committee, shall be appointed by the Management Committee prior to the election to chair proceedings at the Annual General Meeting.
- f) If no valid nomination for any position is received, the Chairperson shall call for nominations from the floor of the Annual General Meeting and such nominations shall be proposed and seconded as hereinbefore provided.
- g) When only (1) one nomination for a position is received, such candidate shall be **elected as per 22 j).**
- h) If there are more than the required number of candidates nominated for any position, an election by ballot shall be held at the Annual General Meeting and the Chairperson shall appoint a Returning Officer and (2) two scrutineers (none of whom shall be persons standing for Committee positions).
- i) Voting for election of positions as may be required from time to time shall be decided on the primary count.
- j) Every member of the club present who is of the age of 18 or older is entitled to **vote for or against each nominee. A maximum of (1) one vote per member per position. For an election to be valid, the result must be in the majority.**
- k) Any position not filled by election at the Annual General Meeting may be dealt with by the Management Committee as **per 21 a)** and shall be ratified at the next General Meeting.
- l) A person may hold the same Management or Committee office for a period of **3** consecutive years only. **A committee member must, after 3 years in office, stand down from the position. If the position is not filled at an AGM the committee member who has served the three year term may be re-appointed to the position at the following General Meeting if a majority of members present vote for the appointment.**

### 23. SUB COMMITTEES

- a) The Management Committee shall have power to appoint Sub Committees for management of such affairs.
  - 1) Each Sub Committee shall submit its recommendations and report to the Management Committee for approval.
  - 2) Each Sub Committee shall elect a convenor to be responsible for ensuring that the appointed tasks are carried out and for the reporting of those tasks to the Management Committee.
- b) A team selection and grading Sub Committee shall be appointed annually at the Annual General Meeting and shall consist of three members including the Club's Coaching Convenor.

### 24. MEETINGS

#### a) Management Committee

The order of business of the meetings of the Management Committee shall be:-

- 1) Recording of attendance and apologies
  - 2) Minutes of previous meeting
  - 3) Discussion of business arising therefrom
  - 4) Correspondence Inwards and Outwards (as deemed necessary)
  - 5) Presidents Report
  - 6) Finance – Treasurer's Report
  - 7) General Business
- i. Subject to the limitation that it shall meet once in every three calendar months, the Management Committee may meet for the dispatch of business, adjourn and otherwise regulate its meetings and proceedings as it sees fit.
  - ii. The date and time of these meetings will be determined by the Management Committee or as stated in item 18(c), and the place of the meetings shall be in the Pine Rivers area.
  - iii. The number to constitute a quorum shall be 50% plus (1) one of the total Management Committee members.
  - iv. Any member of the Management Committee who fails to attend three (3) consecutive General or Management meetings without leave of absence granted by the Management Committee will cease to be an Office bearer of the Club and a casual vacancy shall be deemed to have occurred.

#### b) General

The order of business of the General Meetings shall be:-

- 1) Recording of attendance and apologies
- 2) Minutes of previous meeting
- 3) Discussion of business arising therefrom
- 4) Correspondence Inwards and Outwards (as deemed necessary)
- 5) Management Committee Report
- 6) Finance –Treasurer's Report
- 7) General business

- i. Meetings shall be held monthly during the fixture season or on direction of the Management Committee
- ii. If no quorum is present within (15) minutes of the nominated time of the meeting, such meeting may be postponed to a date to be fixed by the management committee.

c) Special General

Special General Meetings shall be called by the Secretary:-

- 1) At the direction of the Management Committee; or
- 2) Upon receipt of written notice from (3) three or more members collectively.

A Special General Meeting must occur within (21) twenty-one days of direction or upon receiving notice. The notice to members convening a Special General Meeting must state the business for which the meeting has been called and no other business shall be dealt with at that meeting.

d) Annual General

The Annual General Meeting shall be held within (3) three months from the end of the club's previous financial year. The business of this meeting shall be:-

- 1) Opening, recording attendance and apologies
- 2) President's address and welcome
- 3) Minutes of Previous Annual General Meeting
- 4) Presidents Report
- 5) Treasurer's Report
- 6) Presentation and receipt of the Auditor's Report on the financial affairs of the Club for the last financial year.
- 7) Receive and adopt amendments and additions to the Constitution and By-Laws
- 8) Review fees and levies and decide on any increase for the coming year
- 9) Election of Officers and Committees
- 10) Appointment of Patron
- 11) Appointment of Auditor
- 12) Appointment of Life and Honorary Members

e) First Annual General Meeting

The first Annual General Meeting must be held not less than (1) one month and not more than (3) three months after the day the club is incorporated

f) First General Meeting

- a. The First General Meeting must be held not less than (1) one month and not more than (3) three months after the day the club is incorporated.

- b. The Management Committee must decide where the meeting is to be held.
- c. The Business to be conducted at the first General Meeting must include the appointment of an Auditor.

## 25. PROCEDURE AT MEETINGS

- 1) Unless otherwise provided by these rules, at every General/Special/Annual Meeting:-
  - a. The President shall preside as Chairperson, or if there is no President, or if the President is not present within (15) fifteen minutes after the time appointed for the meeting, or is unwilling to act, the Vice-President shall be the Chairperson. If the Vice-President is not present or is unwilling to act then the members present shall elect one of their number to be chairperson of the meeting.
  - b. The Chairperson shall conduct the meeting in a proper and orderly manner.
  - c. Every question, matter or resolution shall be decided by a majority of votes of the members present.
  - d. Every member present, **that is eligible to vote**, shall be entitled to (1) one vote.
  - e. In the case of an equality of votes the Chairperson shall have a second or casting vote.
  - f. A member is not entitled to vote at a meeting if the member's annual subscription is in arrears at the date of the meeting.
  - g. Voting may be by a show of hands or a division of members, unless at least one fifth (20%) of the members present demand a secret ballot.
  - h. If a secret ballot is to be held, the Chairperson must abide by the members to conduct the secret ballot as directed in Item 22(h).
  - i. The result of a secret ballot as declared by the Chairperson is taken to be a resolution of the meeting at which the ballot was held.
  - j. A member may vote in person or by proxy:-
    1. On a show of hands every person present who is a member or a representative of a member shall have (1) one vote: and
    2. In a secret ballot, each member present in person or by proxy or by attorney or other properly authorised representative has one (1) vote.
  - k. The Secretary shall ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of every Management Committee, Special General, General, and Annual General meeting. These minutes must be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection.
  - l. The minutes of every Annual/Special/Management or General meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding general meeting, (providing that the Chairperson was in attendance at that previous meeting).
  - m. A quorum shall consist of 50% plus (1) one of the total Management and Committee members.

**26. PROXIES**

- a. Proxy votes will only be permitted at the Club’s Annual General Meeting.
- b. An instrument appointing a proxy must be in writing: and:-
  - 1. If the appointor is an individual – signed by the appointor or the appointor’s attorney properly authorised in writing: or
  - 2. If the appointor is a corporation – either under seal or signed by a properly authorised officer or attorney of the corporation.
- c. A proxy may, but need not be a member of the club.
- d. The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot.
- e. If someone wants to give a member an opportunity to vote for or against a resolution, the instrument appointing a proxy must be in the following like form;

PINE PANTHERS NETBALL CLUB INCORPORATED

I, \_\_\_\_\_ of \_\_\_\_\_ being a member of the above club, hereby appoint \_\_\_\_\_

As my proxy to vote for me on my behalf at the Annual General Meeting of the above mentioned club to be held on the \_\_\_\_\_ day of \_\_\_\_\_ 2\_\_\_\_\_

Signed: \_\_\_\_\_

This form is to used \*in favour of / \* against, the \_\_\_\_\_ resolution.

\*strike out whichever is not desired. (Unless otherwise instructed, the proxy may vote as the proxy considers appropriate.

- f. Each instrument appointing a proxy shall be deposited with the Secretary prior to the commencement of the Annual General Meeting or adjourned meeting at which the person named in the instrument proposes to vote.

**27. CONSTITUTION**

- a) Subject to the provisions of the Act, these rules may be amended, rescinded or added to from time to time by a special resolution carried at any General Meeting. However, no such amendment, rescission or addition shall be valid unless the same shall have been previously submitted to and approved by the Chief Executive of the Department administering the above Act.
- b) Notice of such special resolution setting out in full the proposed amendment rescission or addition shall be given to each member not less than two (2) weeks nor more than four (4) weeks prior to the meeting.
- c) No such alteration, repeal or addition shall be effective unless it is carried by a majority of three-quarters of members present and entitled to vote.
- d) No copy of the Constitution shall be issued unless a correct copy of the By-Laws in force at the date of issue is appended.



- e) For the purpose of controlling the operation of the club, the Constitution and By-Laws shall be equally binding on all members.

### **28. BY-LAWS & Policies**

- a) The By-Laws **& policies** of the club shall be made for the purpose of enlarging upon, extending and developing the provisions of the Constitution and the interpretation thereof and shall be attached to the Constitution as an Appendix thereto.
- b) By-Laws **& policies** shall be repealed, altered, added to or set aside at any General Meeting. No existing By-Law **or policy** shall be repealed altered, added to or set aside and no new By-Laws **or policies** shall be made without the consent of three quarters of the members present at such meeting and entitled to vote.

### **29. INCOME & PROPERTY**

- a) The income and property of the club whence ever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers.
- b) The Common Seal of the Club shall be held securely by the Club Secretary and shall be used only in conjunction with two (2) signatures being the President, Secretary or Treasurer of the Club.

### **30. DOCUMENTS**

- a) The Management Committee shall provide for the safe custody of books, documents instruments of title and securities of the Club.

### **31. AUDITORS**

- a) The auditors shall conduct a full and proper audit, examine the books, papers, records and correspondence dealing with the finance of the Club and shall make any enquiries they deem fit or expedient in connection with reporting upon its financial affairs.
- b) They shall audit the books prior to the Annual General Meeting or any adjournment thereof and shall have power (if requested to do so by a General Meeting) to make a special audit at any time. If the Auditors so desire they shall make a continuous audit.
- c) The books of account of the Club shall be closed on the 31<sup>st</sup> **September** in each year.

### **32. FINANCE**

- a) The funds of the Club shall consist of registration fees, levies, grants, sponsorship, fund-raising and donations.
- b) The funds of the Club shall be banked in the name of the Club in such recognised financial institution as the Management Committee may from time to time direct.

- c) Accounts shall be paid only after being passed for payment at any Management/General Committee meeting, except in unforeseen circumstances where immediate payment is necessary and same will be ratified at the next General Meeting.
- d) All receipts shall be issued by the Club Secretary, Treasurer **or appointed committee member.**
- e) A detailed statement showing the financial position of the Club shall be tabled at each meeting of the Management committee and also at General Meetings. This statement must show details of receipts and or payments and give details of any monies outstanding and due for payment.
- f) All amounts of **\$100.00** or over shall be approved by any two (2) of the club President, Secretary, Treasurer and other members authorised from time to time by the Management Committee.
- g) The Treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared for audit (item 31) for presentation to the Annual General Meeting.
  - i. The income and expenditure for the financial year just ended;
  - ii. The Club's assets and liabilities at the close of the year;
  - iii. The mortgages, charges and securities affecting the property of the Club at the close of the year.

### **33. DISBANDMENT**

- a) The Club shall not disband without the consent of three quarters of its members. A motion to disband the Club signed by the proposer and seconder, must be submitted in writing to the club Secretary, who shall give at least twenty-one (21) days' notice of such motion to all members.
- b) Such notice shall be dealt with at a Special General Meeting of the Club.
- c) If carried by three quarters of members present at such meeting, then said notice shall be given in writing to P.R.N.A and other affiliated bodies.

### **34. INDEMNITY**

- a) No official or member of the club shall have any claim, legal or otherwise against the Club or its officers for any act done in the execution of their duties.
- b) The Club shall indemnify all of its Officers acting in good faith and within the scope of their duties against any claim, liability, loss or damage which they may incur in consequence of any act, omission or error on their part.

### **35. FINANCIAL YEAR**

The financial year of the Club closes on 30<sup>th</sup> September, of each year.

### **36. DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY**

- 1. This Section applies if the Club;
  - a. Is wound up under part of the Act; and
  - b. It has surplus assets.

2. The surplus assets must not be distributed among the Club members.
3. The surplus assets must be given to another entity –
  - a. Having objects similar to the club's objects; and
  - b. The rules of which prohibit the distribution of the entity's income and assets to its members.
4. In this section –  
“surplus assets” has the meaning given by section 92(3) of the Act.

## **“BY-LAWS”**

### **1. DUTIES OF OFFICERS**

#### **1.1. President shall:-**

- a) Preside at all meetings of the Club and conduct meetings in accordance with the rules of the Club.
- b) Provide leadership.
- c) Provide direction to all Committee members in the execution of their duties.
- d) Provide direction regarding facilities and the general running of the Club.
- e) Present a report on any Management Meeting to the next General Meeting.
- f) Represent the Club whenever possible.
- g) Present a report at the Annual General Meeting on Club activities and achievements for the past year and events and projects planned for the following ex-officio year.

#### **1.2. Vice President shall:-**

- a) Attend all meetings of the Club and in the absence of the President, preside over meetings or represent the Club as may be directed.
- b) Act as Convenor of all Fundraising and carry out duties as such in accordance with Section 2 (d) of the By-Laws.
- c) Perform any such other duties as may be directed.
- d) Actively pursue sponsorship and promotions for the Club.

#### **1.3. Secretary shall:-**

- a) Attend all Meetings of the Club and carry out all directions given at such meetings.
- b) Attend to the clerical work of the Club and keep current a list of all registrations and complete records of all fixtures conducted by the Club, assisted by such persons as the Management Committee shall appoint.
- c) Issue all notices of meetings in accordance with the Constitution and By-Laws to ensure all members are aware of meetings.
- d) Keep the books containing the minutes of records of proceedings of all meetings of the Club and of its Committees/Sub-Committees and produce them as required.
- e) In the absence of an Assistant Secretary, record minutes of all club meetings and ensure a copy of the minutes of meetings and a financial statement of accounts is made available to members of the club via the club website.
- f) Conduct the correspondence of the Club and keep in proper files all Club records and reports of the Committees/Sub-Committees officers and officials.
- g) Keep a record of all Life Members and a register of all members.
- h) Keep a written record of all By-Laws of the Club and alterations thereto, including the date on which alterations came into force and advise members of alterations thereto.
- i) Maintain and update the club Facebook page.

- j) Carry out all such other duties as may be required under the Constitution or By-Laws, or as may be directed.
- k) Be responsible for the recording of the Minutes of all meetings of the Club.
- l) Prepare a report of all meetings for submission by the President for the next General Meeting.
- m) Ensure all coaches and managers are made aware of all rules and regulations governed by the P.R.N.A. (or other affiliated bodies that the Club may deal with), with regards to fixtures and carnivals.

1.4. Treasurer shall:-

- a) Attend all meetings of the Club.
- b) Keep all books and accounts of the Club and prepare a statement of receipts and expenditure and present to each Management Meeting and General Meeting.
- c) Receive all monies and issue receipts for monies, pay all monies received into the bank and produce the bank receipts and bank statements at each Management and General Meeting.
- d) Present all Accounts incurred to the Club to be passed for payment by the Committee. In matters of urgent necessity, payment may be made but must be ratified at the next General Meeting.
- e) Prepare a Balance Sheet for the inspection and signature of the Auditors and present it at the Annual General Meeting.
- f) Furnish all books of account at any time to members on fourteen (14) days' notice.
- g) Perform any such other duties as may be directed.

1.5. Registrar shall:-

- a) Attend all meetings of the Club.
- b) Be responsible for the Team and Master Registration Records for each player registered with the Club and to ensure the Club Secretary has copies of the registrations being sent onto the P.R.N.A.
- c) Perform any such other duties as may be directed.

1.6. Assistant Secretary shall:-

- a) Attend all meetings of the Club.
- b) Assist the secretary with duties as required.
- c) Record minutes of Club meetings and ensure a copy of the minutes and financial statement of accounts is forwarded to Club members.

1.7. Umpires Convenor shall:-

- a) Attend all meetings of the Club.
- b) Keep a record of all Badged Umpires within the Club.
- c) Keep a record with detailed results of all theoretical and practical examinations the Club Umpires may sit.
- d) Foster the growth and raise the standards of umpires

- e) Ensure that all Umpiring Clinics and Courses being held by the P.R.N.A. or other Associations are duly advertised within the Club.
- f) Actively encourage the Club Juniors to learn to umpire, and supporting them with their decisions to do so.
- g) Perform any such other duties as may be directed.

1.8. Coaching Convenor shall:-

- a) Attend all meetings of the Club
- b) Be an accredited Level 1 Coach where possible.
- c) Assist the Club Coaches whenever possible with coaching advice.
- d) Promote Club Coaches to attend further training courses when available.
- e) Keep a record of all accredited Coaches within the Club.
- f) Perform any such other duties as may be directed.
- g) Ensure that all team Managers are aware of their duties as will be outlined by the team Coach.

1.9. Uniform Convenor shall:-

- a) Ensure the Club Uniforms are available to all players, be they new or used uniforms.
- b) Liaise with Uniform supplier and to give them at least two (2) weeks' notice of supply date.
- c) Ensure that on sign-on days, uniforms and accessories are prominently placed for members to inspect.
- d) Keep a current and accurate stock list and to make available any uniform piece when given notice to do so.

1.10. Carnival Convenor shall:-

- a) Ensure all Coaches and Managers have current detailed list of Carnivals for the coming season.
- b) Give all Coaches and Managers due notice of nomination dates for carnivals and at least ten (10) days' notice of when money must be to the Carnival Convenor.
- c) To ensure that all Coaches and Managers are aware for the need of an appropriate Umpire for each team entering a Carnival. The Carnival Convenor and the Umpire Convenor shall have consultation regarding this.
- d) Ensure that all Coaches and Managers are aware of the procedure to follow at Carnivals regarding arrival times, collecting the draw etc.

1.11. Events Coordinator shall:-

- a) Organise photographer for team photographs.
- b) Assist teams who wish to attend carnivals.
- c) Coordinate the end of season breakup and other Club events.
- d) Organise trophies for end of season breakup in conjunction with the Registrar.
- e) Produce a monthly newsletter.
- f) Delegate duties to Events sub-committee as required.

- g) Maintain and update the club website, and social media sites.

1.12. Equipment Coordinator shall:-

- a) Store all Club equipment.
- b) Distribute all necessary equipment to coaches/managers for the season at the start of the season, and as necessary throughout the season.
- c) Keep a log of all equipment.
- d) Source pricing/stockists for new equipment when needed.
- e) Purchase new equipment as needed.

## 2. SUB COMMITTEES

- a) All members of Sub-Committees shall be members of the Club.
- b) Members of Sub-committees may be elected at the Annual General Meeting or at any General Meeting.
- c) The Management Committee shall appoint a Convenor for all Committees/Sub-Committees (save those prescribed).
- d) The Convenors shall arrange and preside over meetings of the Committee/Sub-Committees and shall forward copies of the Minutes, Reports and recommendations to the Secretary of the Club within seven (7) days of the meeting or 48 hours prior to the next General Meeting whichever is the sooner. This is for approval by the Management Committee and/or the General Meeting. The Convenor is to notify the Secretary prior to conducting meetings
- e) The President shall be an ex-officio member of all Committees/Sub Committees and shall be entitled to vote at all meetings of such Committees/Sub-Committees.
- f) At the meeting of Sub-Committees, a quorum shall comprise of 50% of the members elected to that Sub-committee.
- g) The Management Committee shall have the power to appoint Sub-Committees for the management of such affairs as are necessary
- h) The Convenor of all Sub-Committees shall be available to attend any Management meeting as directed.

### 2.1 Grading Sub-Committee:-

- a) A team selection and grading Sub Committee shall be appointed annually at the Annual General Meeting and shall consist of three members including the Club's Coaching Convenor. The Grading Sub Committee, generally, will NOT take part in the actual grading process but will be the liaison between independent graders and players.
- b) **Shall** meet when required to complete their duties in the grading process, or as requested by the executive committee.
- c) Duties:-
  - i. Collate paper grading of Teams

- ii. Appoint independent graders where necessary and oversee practical grading of players and / or teams.
- iii. Organise and schedule practical grading of all Teams, if necessary
- iv. Submit final grading recommendations to the Management Committee, and where necessary to PRNA for approval.
- v. Organise and schedule grading of late registrations where required.

#### 2.2 Fundraising Sub-Committee shall:

- a) Consist of the Club Vice President and up to the maximum number as directed by the Management Committee.
- b) Meet when required
- c) Duties:-
  - I. Conduct all raffles on behalf of the Club.
  - II. Organise and conduct such fund-raising activities as may be approved by the Management Committee.
  - III. Arrange such entertainment and functions for the benefit of the Club and to carry through such as is approved by the Management Committee

### 3. UNIFORMS

- a) The Club colours shall be Red, Black and White.
- b) The Club uniform is a black A-line dress with the club logo in the top left corner of the dress. Red and white stars can be found at the bottom of the dress and in the top right corner. A red panel is located on both sides of the dress displaying the word 'Panthers'.
- c) Correct uniform must be worn at all matches. No player shall be allowed to compete in competition matches unless wearing the registered uniform of the Club.

### 4. GRADING

#### Please refer to the Pine Panthers GRADING POLICY AUGUST 2018 - Attached

- ~~a) When the Club has more than one Team in the same age group the Grading Committee shall grade their teams and number them in order of standard.~~
- ~~b) The Grading Sub-Committee shall decide as to whether practical grading is necessary for all or any teams.~~
- ~~c) The prescribed nomination fees must be paid in full before the commencement of the grading process or financial arrangements must be agreed to between the club treasurer and the player or the parent/guardian.~~
- ~~d) During the grading process, the Grading Sub-Committee may consider:
 
  - ~~i) The player's past performance within the club in conjunction with the previous season's coach.~~
  - ~~ii) The player's attitude and fitness levels; and~~
  - ~~iii) The player's performance during any grading sessions.~~~~



- ~~e) The Grading Sub-committee will trial players in their two (2) nominated positions but may also trial players, at their discretion, in any position they may identify that will be of benefit to the player, the team and / or club.~~
- ~~f) As the grading process is undertaken as early as possible, but within close proximity to the requirements set down by PRNA, the Grading Sub-committee must be notified in writing, of any concerns by players or parents / guardians. This notification must be addressed to the Secretary of the club and be received within 72 hours of grading. Any concerns must address circumstances why the player may not have trialed in their usual manner. I.E. Illness or emotional distress.~~
- ~~g) Any request for consideration of grading should be accompanied by notes from previous coaches and, where possible, grading notes from previous processes. The Grading Sub-committee's decision will be final and no further correspondence will be entered into.~~
- ~~h) The Grading Sub-committee's final decisions will be considered by the Management Committee for endorsement before notification is made to players. Notification will be made on the club's website and teams and names may be posted in no particular order.~~
- ~~i) If a player wishes to withdraw their nomination after the grading process has been commenced this must be discussed with the committee. Refunds may be provided for players who withdraw their nomination however an administration fee will be deducted. The administration fee will be equivalent to the fee charged, to the club, by Netball Queensland and PRNA. An extra administration fee may also be charged by the club.~~
- ~~j) If a player withdraws their nomination after teams have been allocated and placements made a refund may be provided under the same provisions as i) above.~~

## 5. GRADING FEEDBACK

Please refer to the Pine Panthers GRADING POLICY AUGUST 2018 - Attached

- ~~a) Players and / or parents / guardians are encouraged to request feedback about the grading process. Feedback is to be requested via email to [pinepanthers@pinepanthers.com](mailto:pinepanthers@pinepanthers.com), marked to the attention of the Secretary, stating the players name, age group and trial number.~~
- ~~b) Generally, the club will provide feedback as soon as possible, however as this is a very busy time please allow up to ten (10) business days from the time of the request being received.~~
- ~~c) The feedback will be collated by the Club's Coaching Convener from the responses of all graders and provided in summary, by email, from the Secretary of the club. Requests to see the actual grading notes will not be granted due to privacy requirements of other players involved in the grading process.~~

**6. FEES AND LEVIES**

- a) Fees will include those of the P.R.N.A. or any other body the Club affiliates with.
- b) Fees and Levies to be decided at Annual or General Meeting but only with the approval of the Management Committee.
- c) Reduced Membership may be granted if a member is suffering financial hardship, but only by decision of the Management Committee at its discretion and such matter will remain confidential.

**7. PRESENTATION OF BADGES AND TROPHIES**

- a) Presentation badges, trophies, certificates or gifts shall be presented annually to each financial club member, Executive members, Patron, Coaches, Managers, Life, Honorary members or any other member in which the Management Committee deems duly entitled.
- b) This shall not prevent, however, the presentation of one or more specific trophies or badges for varying purposes to specific members or non-members.
- c) The Management Committee reserves the right to alter the above in any manner they deem fit, but must be passed by majority of votes at any General Meeting.

## **PINE PANTHERS GRADING POLICY**

### **AUGUST 2018**

#### **THE PURPOSE**

The purpose of this document is to guide committee members, parents and players through the grading process for the Pine Panthers Netball Club. The aim is to ensure grading of teams is undertaken in a fair and effective manner that is in the best interests of the Club and players.

#### **WHAT IS GRADING?**

Grading is the process used to determine the composition of teams which will play in the Pine Rivers Netball Association competition. The aim of grading is to form teams that have a balanced group of players of similar ability levels across all playing positions.

#### **WHY DO WE GRADE?**

To ensure the best chance of success for all our teams and the greatest level of enjoyment and development for our players, it is necessary to grade players into teams with players of similar ability.

Stronger players enjoy the challenge of harder, faster competition and do not develop to their potential if graded to a lower team. Playing in a team with other stronger players will also help their ability to advance their netball to higher levels, eg. Representative netball.

Similarly, players who are placed in teams above their ability will also not develop to their potential when being constantly overshadowed by more talented players around them. In such situations, these players can quickly become disheartened and lose self-esteem.

Due to the different timings of both physical and mental development and new registrations, players may not stay in the same team from year to year. Requests for playing with friends will only be accepted for modified players (those turning 8, 9 and 10 years during the season).

#### **PLAYERS TO BE GRADED**

Those players in the modified age groups (turning 8, 9 or 10 during the season) will not be required to grade. For modified players, the Registrar will attempt to keep players in their correct age groups and with their friends if possible.

Junior (turning 11 years – 17 years) & Senior (18 years and above) will be required to grade if player registrations exceed 9 players per division. Pine Panthers has a policy of having a maximum of 9 players per team.

Senior players will have an option to play socially rather than competitively but are still asked to attend grading.

Where possible, Pine Panthers will restrict registrations to ensure that there are only 9 players per team in an age group or 9 players from two age groups which can be joined to form a team. Parents will be consulted prior to arranging for players to play up in a higher age group.

Requests may be received for players to play in higher divisions. These requests must be made in writing to the committee and received at least 7 days prior to the commencement of grading. For grading purposes these players will attend grading for their own age group in the first instance. Graders will consider their requests as part of the grading process and make a recommendation to the Selection & Grading committee. They may then be required to attend grading for the higher division.

In exceptional circumstances permission can be gained for a player to play in a lower age group or division. There are specific criteria around these requests and Pine Panthers would need to seek this permission from PRNA.

If a team from another club wishes to join and stay together as a team they may do so only if they provide their own coach and umpire. This team will still be required to attend grading so that it can be determined in which division this team should be nominated. A whole team must come over for this to apply. If some members from another team come and wish to play with Panthers players they must attend grading and be allocated a team as per the usual process.

Notifications of grading dates and times will be made by both Facebook and email.

### **WHO IS INVOLVED IN GRADING PROCESS**

Pine Panthers appoints a Selection & Grading committee annually at the AGM. This committee is made up of three members including the Club's Coaching Convenor. The duties of the Selection & Grading committee are:

1. Collate paper grading of teams
2. Appoint independent graders where necessary and oversee practical grading of players and /or teams
3. Organise and schedule practical grading of all teams, if necessary
4. Submit final grading recommendations to the Management Committee (President, Secretary & Treasurer), and where necessary to PRNA for approval
5. Organise and schedule grading of late registrations where required.

When appointing the graders consideration should be given to prior experience with grading, independence and availability.

When appointing the Selection & Grading committee care needs to be taken to ensure that multiple committee members do not have family members in the same age group. Members of either the Selection & Grading committee or graders will stand aside and will not be involved in grading or any discussions regarding the grading of family members.

## **PROCESS**

Each year all coaches will be asked to provide feedback on all players in the teams that they coached the previous year. These notes will be used to confirm grading decisions if required.

Physical grading will be the main means of determining the makeup of teams.

Following physical grading the graders and Selection & Grading committee will meet to discuss draft teams and proposed playing divisions as formulated by the graders. Coach's notes will be used if required to settle any disagreements.

Once agreement has been reached the Selection & Grading committee will present the proposed teams to the Pine Panthers Management committee for endorsement.

Final teams will be posted to the Pine Panthers website within 3 days following the Management Committee meeting.

Final teams and proposed playing divisions will be submitted to PRNA in the timeframes as per the PRNA Fees, Fines and Dates document.

PRNA looks at all submissions from all clubs, results from previous years, players in teams etc. and grades teams accordingly. Following PRNA paper grading the playing divisions for all teams will be published on the Pine Panthers website.

After round 5 of competition, or as designated by PRNA, results are reviewed along with requests from Clubs and teams are regraded if deemed necessary.

## **PHYSICAL GRADING**

Only those players who are financial members (registered and paid in full) will be eligible to physically grade.

Those required to grade may be asked to attend a number of sessions which could include during weeknight training and/or weekend sessions.

Players are requested to take grading seriously and play to the best of their ability. To ensure that this occurs without distraction parents are not allowed to attend grading sessions.

Players will trial in the **2 positions nominated upon registration**. Requests for changes to playing positions must be emailed to the Coaching Convenor no less than 7 days prior to grading commencing. The Selection & Grading committee will then formulate games to be played based on the positions nominated by all players. The number of games to be played depends on number of players wanting to play each position.

All players will get an opportunity to play in their two positions while some may also be asked to trial in another position. This may be due to the graders wishing to see the player in another position or just to make up teams to ensure all players get to play in their requested positions.

At least 3 graders per age group will watch the games and make notes on all players based on the following criteria:

- Footwork
- Movement – speed and ability
- Ball handling
- Attacking skills
- Defence skills
- Vision – ability to read the play
- Sportsmanship & attitude

Upon the completion of grading trials players will be placed in draft teams for discussion with the Selection & Grading committee.

### **FAILURE TO ATTEND GRADING**

Pine Panthers endeavours to provide sufficient advance notice of dates for grading trials. It is understood however that some players may not be able to attend due to illness, injury or a conflict of commitments.

If a player is unable to make a grading time an email must be sent to the Pine Panthers Secretary. This is requested even if the player is sick on the day of the trials.

As there will be multiple times to trial for each age group it is anticipated that if a player is sick or unable to attend due to another commitment that they will be able to attend another session. If this is not the case then coach's notes will be referred to. If the player is new to the club and cannot attend grading the general rule is that the player will be placed in the lowest division. This decision is however subject to the discretion of the Management Committee.

If no correspondence is received detailing the reasons for missing grading the player will be placed in the lowest team.

If a player is injured a medical certificate is required detailing the injury and the expected recovery time. This is to ensure that the injury is not going to impact the player's ability to play to expectations in the upcoming season. Coach's notes will be used to grade in this instance.

### **FEEDBACK**

Players and / or parents are encouraged to request feedback following the grading process. Feedback is to be requested via email to [pinepanthers@pinepathers.com](mailto:pinepanthers@pinepathers.com) stating the players name, age group and trial number. Feedback can be sought up to 7 days following the announcements of teams.

The Club will provide feedback within 10 business days from received the request.

The feedback will be collated by the Club's Coaching Convenor from the responses of all graders and a summary formulated and emailed. Requests to see actual grading notes will not be granted due to privacy requirements of other players involved in the grading process.

Grading feedback will also be shared with all coaches so that they can help to develop all players.

**ADDITIONAL REFERENCE**

Please also refer to the Pine Panthers Netball Club Inc Constitution and By-Laws for additional detailed information.