

# PUKEKOHE NETBALL CENTRE INCORPORATED

## CONSTITUTION

### 1. NAME

The Centre shall be called "Pukekohe Netball Centre Incorporated", hereafter referred to as "The Centre" or "This Centre".

### 2. REGISTERED OFFICE

The Registered Office of The Centre shall be at Bledisloe Park, Queen Street, Pukekohe or at such other place as the Executive Committee may from time to time determine.

### 3. OBJECTS

3.1. To affiliate directly to Netball New Zealand Incorporated **and Netball Northern Zone.**

3.2. To contribute towards the advancement of the game of Netball throughout New Zealand.

The Centre shall have power to:

- a) Make, maintain and enforce Rules, Standing Orders and By-Laws for the control and governance of the game in the area administered by The Centre.
- b) Be the Court of Appeal in the said districts for hearing and determining all cases of dispute, and to decide all doubtful and disputed points in connection with the game, and the Rules, Standing Orders and By-Laws.
- c) To employ the funds of The Centre as shall be deemed to be in the best interests of the game of Netball.
- d) **At all times to act on behalf of, and be in the interest of the members and Netball.**
- e) **Seek and obtain improved facilities for the enjoyment of Netball.**
- f) **Provide information, assistance and resources to its Members.**

### 4. MEMBERSHIP

The membership of The Centre shall consist of the following persons:

4.1. **Pukekohe Netball Centre shall consist of Life Members, Members of the Executive Committee and Games Committee duly elected in accordance with this constitution, members of Clubs registered by Pukekohe Netball Centre and non-playing members.**

Membership shall be by application to Pukekohe Netball Centre, and shall be for a period of one year from 1<sup>st</sup> January to 31<sup>st</sup> December.

- 4.2. A member shall be financial on payment of any fees or levies imposed by Pukekohe Netball Centre.

## 5. LIFE MEMBERSHIP AND SERVICE AWARD

The distinction of "Life Membership" and "Service Award" may be conferred for outstanding services rendered in connection with Netball.

- 5.1. The distinction shall be conferred only at an Annual General Meeting.
- 5.2. "Life Membership" shall carry with it the privileges of full membership and the right to attend and speak at all meetings, but not to vote unless otherwise qualified.
- 5.3. Recommendations for "Life Membership" and "Service Award" shall be made in writing by members of The Centre to the Office Administrator and **Awards Committee** not later than 31<sup>st</sup> October in any year and shall set out details of outstanding service rendered.
- 5.4.
- a) There shall be an Awards Committee. The Committee shall consist of three members appointed at the Annual General Meeting.
  - b) Nominations for awards shall be communicated by the Office Administrator of the Centre to the Awards Committee.
  - c) The Committee shall consider the nomination and forward a report to the Office Administrator of The Centre by 1<sup>st</sup> February.
  - d) **A person shall become a Life Member of Pukekohe Netball Centre by nomination, recommendation from the Awards Committee and then vote by two-thirds majority of those entitled to vote at a Pukekohe Netball Centre Annual General Meeting**
- 5.5. A "Life Member" badge/"Service Award" badge shall be duly awarded.

## 6. AFFILIATION

- 6.1. All applications for affiliation shall be made to the Executive Committee together with affiliation fees as set by The Centre, and when accepted the affiliation and fee shall date from the Annual General Meeting in the year of application.
- a) Every Club/School applying for affiliation with This Centre shall have adopted already, or adopt, recommended Guidance Rules (By-Laws) as accepted or approved by the Executive Committee.
  - b) Every Club/School, on application for affiliation, shall submit samples of desired colour(s), combination of colours, and style of uniform for approval and registration, and if approved by the Executive Committee, these shall not be worn by any other Club/School whilst the original Club/School is an active member of The Centre.

## 7. REGISTRATIONS & RECESS

- 7.1. Clubs/Schools or Members wishing to resign their affiliation or membership shall notify the **Office Administrator** in writing, not later than 31<sup>st</sup> March in any year, provided that in default of such notification such Club/School or Members shall be liable for the subscriptions to The Centre due at the date of resignation.
- 7.2. No Clubs/Schools which have resigned their affiliation with This Centre shall be allowed to apply again for affiliation except by paying a further affiliation fee, in addition to any fees due or unpaid by such Clubs/Schools when previously a member of This Centre.
- 7.3. Clubs/Schools which have been in recess longer than **3 (three) years** automatically lose their colours, and affiliation unless they re-affiliate.

## 8. OBLIGATIONS

Every Club/School upon affiliation, shall be the medium of communication between its members and The Centre, and shall with its members be bound by this Constitution.

- 8.1. Every affiliated Club/School will be expected to carry out their responsibilities of membership according to the following:
  - a) This Constitution
  - b) All **Centre** By-Laws
  - c) The rules of play
  - d) **NNZ Regulations**
  - e) **NNZ Zone Regulations**

## 9. MANAGEMENT

- 9.1. The management of This Centre shall be vested in:
  - a) An Executive Committee
  - b) Sub-committees as deemed necessary by the Executive Committee
- 9.2. Members of the Executive Committee and Sub-Committees shall be proposed, seconded and elected at each Annual General Meeting for The Centre and each of the said person(s), during office, will be responsible to the Executive Committee
- 9.3. Cases of Emergency – Matters requiring urgent attention shall be decided by the Officers of The Centre, who shall be present at the time, but shall be not less than four, one of whom must be the President or Designate. Such decisions shall be ratified at the next Executive Committee meeting.

## 10. HONORARY OFFICERS

The Honorary Offices of The Centre shall be:

- 10.1. A Patron

10.2. Up to three Vice-Patrons

Such Officers shall be proposed, seconded and elected at each Annual General Meeting of The Centre and the said persons, during office, shall be deemed to be honorary members of The Centre.

## **11. OFFICERS AND EXECUTIVE COMMITTEE**

11.1. The Officers of The Centre shall consist of:

- a) President
- b) Immediate Past President
- c) One Vice President
- d) Up to Five Committee Members
- e) Games Convenor
- f) Umpire Convenor

11.2. The above shall comprise the Executive Committee of The Centre and shall hold office until the conclusion of the next Annual General Meeting. The Executive shall be elected at the Annual General Meeting from nominations received in writing 14 (fourteen) days prior to the Annual General Meeting. They shall hold Office until the conclusion of the next Annual General Meeting at which the next election shall take place.

11.3. The Centre President shall not be President of any Club/School affiliated to This Centre.

**11.4. Employ a part time or full time Office Administrator to carry out the duties of Pukekohe Netball Centre, on terms and conditions the Executive Committee consider appropriate.**

## **12. EXECUTIVE COMMITTEE**

12.1. The Executive Committee shall meet at least once a month from February to November, on set dates determined at the beginning of each season.

12.2. Duties and powers of the Executive Committee shall be:

- a) To carry out the objects of This Centre as regards to all administrative details
- b) To grant affiliation to Clubs/Schools
- c) To manage and control the finances of The Centre
- d) To establish By-Laws for the benefit of members of This Centre
- e) To revise the By-Laws at the November meeting along with Advisory Committee
- f) To appoint sub-committees, prescribe their duties and powers, and to receive and deal with their reports
- g) To summon witnesses to appear and give evidence at any enquiry held by the Committee or any member appointed by it, and in the event of failure or refusal to attend, impose such penalty as the Committee may consider fair and reasonable
- h) To appoint Selectors or Selection Committees and a Coach/Coaches and manageress for representative teams

- i) To fix at the **final** Executive Committee meeting of each year, honoraria of Officers of The Centre
- j) To enlist by co-option for any special purposes, the services of any person or persons
- k) To consider and adjudicate on any apparent infringement of this Constitution or enquire into the conduct of any affiliated Club/School, team member, umpire or official connected therein, and impose an interim penalty which the Committee may consider necessary, this to be advised to the Games Committee

12.3. Any member of the Executive Committee being absent from three consecutive meetings of the Committee without leave of absence or a written explanation to the satisfaction of the Committee, shall be deemed to have vacated office.

12.4. The Executive Committee shall fill any or all vacancies, except that of President, which may occur in its body or in any of the Sub-Committees. This will be determined on the necessary skill set required.

12.5. If any matter occurs which in the opinion of the Executive Committee is not provided for in this Constitution, it shall be determined by the Committee in such manner as may be deemed expedient.

12.6. Half of the registered membership of the Executive Committee shall constitute a quorum.

### **13. VOTING AT EXECUTIVE COMMITTEE MEETINGS**

13.1. Each member of the Executive shall be entitled to one vote.

13.2. The President of The Centre shall have a second or casting vote in the case of equality of votes.

13.3. At all meetings of the Committee the vote of the majority shall rule.

13.4. Voting on any question shall be by ballot if desired by any member present.

13.5. Other assistants co-opted for special purposes, shall have speaking rights, but be without voting rights.

### **14. SUB-COMMITTEES**

14.1. Sub-committees shall be formed to assist in the running of The Centre. Each sub-committee shall be convened by a member of the Executive who will liaise with and table a report to each Executive Meeting.

### **15. ANNUAL GENERAL MEETINGS**

15.1. The Annual General meeting of The Centre shall be held in the month of March each year, at a date to be fixed by the Executive Committee. At least 14 (fourteen) clear days' notice in writing shall be given of an Annual General Meeting, to the Secretaries of all affiliated Clubs/Schools and financial non-playing members.

15.2. The business of the Annual General Meeting shall be:

- a) Roll Call

- b) Confirmation of Minutes
- c) Adoption of Annual Report and Financial Accounts which have been previously circulated
- d) Special awards
- e) Election of officers
- f) To consider motions, notice of which have been lodged by any member of This Centre with the Office Administrator by 1<sup>st</sup> February each year
- g) To decide policy matters to the Centre which will then be acted upon by the Executive Committee
- h) Reports (if any)
- i) Adopt levies and fees
- j) General business
- k) Special business may be brought forward without notice provided two-thirds of the members present and entitled to vote, agree

15.3. Half the registered membership of The Centre, entitled to vote, shall constitute a quorum.

## **16. SPECIAL GENERAL MEETINGS**

16.1. A special General Meeting of The Centre may be called:

- a) By the Executive Committee upon its own motion
- b) On receipt of a requisition signed by three financial members, who are entitled to vote at General Meetings, setting forth the object of such meetings. Such meetings shall be held within 21 (twenty one) days of such requisition.

16.2. At least 14 (fourteen) days' notice in writing shall be given to the Secretary of each Club/School, and financial non-playing members, stating the business to be transacted.

16.3. Half the registered membership of The Centre, entitled to vote shall constitute a quorum.

## **17. VOTING AT GENERAL MEETINGS**

17.1. At any General Meeting of The Centre, the following shall be entitled to vote:

- a) Members of the Executive and Games Committee / Life Members of the Centre shall be entitled to one vote each
- b) Each Club/School shall be entitled to one vote
- c) No delegate shall represent more than one Club/School
- d) A non-playing member who directly affiliates to This Centre shall have one vote

**17.2. Voting may be by a show of hands, or if requested by Delegate by secret ballot. The Chairperson of the meeting shall hold a casting vote. There shall be no proxy votes.**

17.3. Members of Clubs/Schools, other than delegates entitled to vote, shall have speaking rights, but be without voting rights.

## **18. FINANCE**

- 18.1. The financial year of The Centre shall close on the 31<sup>st</sup> day of October in each year.
- 18.2. The Financial Accounts of The Centre shall be audited **bi-annually** by an Auditor appointed at the Annual General Meeting of The Centre, who shall not hold any other office in the Centre.
- 18.3. Any two of the President or Executive Committee shall be empowered to operate on the General Banking Accounts of The Centre. Any of the above may endorse on behalf of The Centre. The canteen account shall be similarly operated.
- 18.4. Power to Borrow – This Centre shall have power to borrow money in such manner and on such security and terms as it shall deem fit, but such power shall not be exercised except by resolution of an Executive Committee Meeting.
- 18.5. Power to Invest – This Centre shall have power to invest funds of The Centre as shall not be required for immediate use, or to meet the usual occurring liabilities, for the time being of The Centre, in such ways as the Executive Committee may direct.
- 18.6. Power to Acquire, Sell or Lease Property – This Centre shall have power to purchase, take on lease, rent, hire or otherwise acquire any real or personal property for the purpose of The Centre and to sell, lease, let or otherwise dispose of the same. Such power shall not be exercised except by resolution of the Executive Committee.

## **19. SUBSCRIPTIONS AND LEVIES**

- 19.1. Each Club/School on application for affiliation shall pay a fee as adopted by the Annual General Meeting.
- 19.2. The annual fees and levies of each affiliated Club/School and non-playing members, accredited umpires and coaches, shall be decided by the Annual General Meeting.
- 19.3. Any Affiliated Club/School whose subscriptions or levies remain unpaid after the due date in any year, may be suspended by the Executive Committee, and shall not have any vote at any meeting of The Centre until such dues have been paid.

## **20. UNIFORM AND COLOURS**

- 20.1. All players shall wear a team uniform, such uniform to be approved by the Executive committee.
- 20.2. The representative colours of The Centre shall be green and gold.

## **21. MISCONDUCT**

- 21.1. In the cast of infringement by any affiliated Club/School team, member, umpire or official connected therein, of any of the rules, Standing Orders or By-Laws of This Centre, such as to bring discredit on the game of Netball or its players, the said person/s shall be liable to suspension or expulsion, cancellation or acceptance of resignation of affiliation, after an enquire is held.

- 21.2. In all cases of alleged misconduct by individual players, officials or teams, while under the control of This Centre, the Executive Committee will hold an enquiry, and if necessary, import such penalty as it may deem fit.
- 21.3. Nothing in this section shall be deemed to prevent the Executive Committee from suspending a Club/School for failure to pay fees by the due date, or from action under the powers conferred upon it by this Constitution.

## **22. RIGHT OF APPEAL**

- 22.1. Any appellant wishing to exercise Right of Appeal is bound to adhere to the section of Right of Appeal in the **Netball Northern Zone Rules of Regulations**, to which This Centre may comply.

## **23. DISSOLUTION**

- 23.1. Upon the winding up of Pukekohe Netball Centre or its dissolution by the Registrar, all facilities shall revert to the local authority for continued use by the community. All surplus assets remaining after payment of all costs, debts, and liabilities, shall be distributed to a charitable society or societies, at the discretion of a Special General Meeting. One month's notice by circular of the proposed winding up shall be given to every financial member, club and Sub-Centre, and there shall be no winding up of Pukekohe Netball Centre unless by note of the majority of the members present at a Special General Meeting called for the purpose, and confirmed at a subsequent meeting as provided in Selection 24 of the Incorporated Societies Act 1908

## **24. COMMON SEAL**

- 24.1. Pukekohe Netball Centre shall have a common seal.
- 24.2. The Pukekohe Netball Centre Executive shall determine when and by whom the common seal is to be used and make provision for its safe custody, subject to the Act.

## **25. RULES AND REGULATIONS DECISION BINDING**

- 25.1. The Rules of Netball New Zealand and **Northern Zone** official decisions shall apply and guide the decisions of The Centre.
- 25.2. No member of The Centre shall be entitled to any private pecuniary profit from The Centre. However any such member may be reimbursed for expenditure incurred.

## **26. ALTERATION OF RULES**

- 26.1. No rescission of, addition to, or alteration of this Constitution shall be made except at a General Meeting or at a Special Meeting called for the purpose, by resolution carried by a majority of at least two-thirds of the voting power properly recorded at the Meeting.
- 26.2. At least 14 (fourteen) days' notice of such proposed alterations shall be given to all Clubs/Schools affiliated, and financial non-playing members of The Centre in either case.



26.3. In case a difference in opinion arises as to the meaning of any of these clauses, such differences may be referred to and decided by the Executive Committee, subject to appeal to a General Meeting.

26.4. No such rescission of addition to or alteration of this Constitution shall affect the terms of clauses 23 and 26 of this Constitution.

## 27. INDEMNITY CLAUSE

27.1. Pukekohe Netball Centre shall indemnify its Executive Members, Officers or Appointed Personnel and employees against all damages and costs (including legal costs) for which and such Executive Officer, Appointed Personnel or employee may be, or become, liable to any third party as a result of any act or omission, except wilful misconduct.

- a) In the case of an Executive Member, Officer, or Appointed Personnel performed or made whilst acting on behalf of and with the authority, express or implied, of the Pukekohe Netball Centre Executive
- b) In the case of an employee, performed or made in the course of, and within the scope of their employment by Pukekohe Netball Centre.

## 28. DEFINITION

*The Office* means the registered office of Pukekohe Netball Centre Incorporated.

*Pukekohe Netball Centre* means Pukekohe Netball Centre Incorporated.

*The Office Administrator* means the Office Administrator of Pukekohe Netball Centre Incorporated.

*Rules* means the Rules within this Constitution, and the By-Laws and Regulations of Pukekohe Netball Centre Incorporated. Where a masculine is used, the feminine is included; where the singular is used, plural forms of the noun are also inferred; headings are a matter of reference and not a part of the rules.

*Written Notice* means communication by post, electronic means (including email and website posting) or advertising in newspapers, periodicals, or a combination of the methods.

*General Meeting* means either an Annual General Meeting or a Special General Meeting

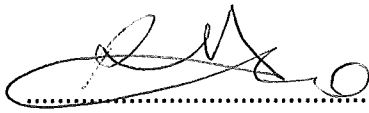
*Seal* means the Common Seal of Pukekohe Netball Centre Incorporated

*Club* means one or more affiliated terms

*Executive Committee* means elected officers of Pukekohe Netball Centre Incorporated

*Money or other Assets* means any real or personal property or any interest therein, owned or controlled to any extent by Pukekohe Netball Centre

Matters not covered in this Constitution shall be decided upon by the Executive Committee



..... Executive Committee Member    President



..... Executive Committee Member    Vice President



..... Life Member

*Maree Bernasconi*

This Constitution shall rescind all previous Constitutions and shall become the Constitution of the  
PUKEKOHE NETBALL CENTRE INCORPORATED

Signed and dated on the *20<sup>th</sup>* ..... day *November* ..... month *2018* ..... year