



CONSTITUTION OF THE
PHOENIX NETBALL CLUB TOWNSVILLE
INC

1. TITLE

The title shall be Phoenix Netball Club Townsville Inc. (hereafter referred to as the Club).

2. COLOURS

The colours of the Club shall be Navy, Green and White.

3. AFFILIATION

The Club shall be affiliated with the Townsville City Netball Association Inc (TCNAI). The Club shall play in accordance with the official rulebook as provided by the All-Australian Netball Association.

4. OBJECTIVES

To encourage all players to behave in a sportsmanlike manner at all times.

To encourage all players to play together as a team.

Be willing to accept any person who wishes to participate.

To help promote Junior teams, Townsville representatives and State representatives.

To provide umpires as required by the Townsville City Netball Association Inc.

To encourage players and members to learn how to umpire

Maintain finances to enable equipment to be available for all players.

5. CODE OF CONDUCT

Attached

6. POWERS

- (1) In all aspects of its affairs, the Club has the powers of an individual.
- (2) The Club may, for example –
 - a. enter into contracts; and
 - b. acquire, hold, deal with and dispose of property; and
 - c. make charges for services and facilities it supplies; and

7. CLASSES OF MEMBERSHIP

The membership of the Club shall be made up of ordinary members, and any of the following classes of members:

- a. Ordinary Member – A financial registered player or parent/guardian of a financial registered player of the Club and the TCNAI. A junior member is under the age of 18, and has not voting rights and cannot hold a place on the executive committee.
- b. Associate Member – A person who has affiliated with the Club as an individual.
- c. Honorary Member – A person who is invited to membership by the executive committee in the interest of netball for a period deemed appropriate. This person must be nominated by three quarters of the executive committee at the meeting at which the nomination is considered.
- d. Life Member – A person who has provided meritorious and extraordinary service to the Club and who has been nominated to this category by three quarters of the executive committee at the meeting at which the nomination is considered.

The number of ordinary members shall be unlimited.

8. MEMBERSHIP FEES

- (1) The current executives shall determine the membership fees for each class of membership.
- (2) The membership for each class of membership shall be payable at such time and in such manner as the executive committee shall determine.

9. ADMISSION AND REJECTION OF MEMBERS

- (1) After the receipt of any application and the fee for membership, such application shall be considered at the next meeting of the executive committee, who shall decide upon the admission or rejection of the applicant.
- (2) If an application receives a majority of votes from the members of the executive committee present at the meeting, then that applicant shall be accepted for membership applied for.
- (3) The Secretary shall give the applicant notice in writing of such acceptance or rejection.

10. TERMINATION OF MEMBERSHIP

- (1) A member may resign from the Club at any time by giving notice to any executive member.
- (2) If a member:
 - a. fails to comply with any of the rules of the Club; or
 - b. is convicted of an indictable offence; or
 - c. has membership fees in arrears for a period of one (1) month or more; or
 - d. conducts himself or herself in a manner considered to be detrimental, prejudicial or injurious to the character of the Club, the executive shall decide whether his/her membership shall be terminated.
- (3) The member concerned shall be given a full and fair opportunity of presenting his/her case to the executive committee. If the executive committee decides to terminate the membership, the Secretary is to advise the member in writing accordingly.

11. APPEAL OF TERMINATION / REJECTION

- (1) A person whose application has been rejected or whose application has been terminated may within one (1) month of receiving written notification thereof, lodge with the Secretary written notice of the intention to appeal.
- (2) Upon receipt of a notification of intention to appeal against rejection or termination of membership, the Secretary shall convene, within three (3) months of the date of receipt by the Secretary of such notice, a General meeting to determine the appeal.
- (3) At any such meeting the applicant shall be given the opportunity to fully present the applicant's case and the executive committee or those members thereof who rejected the application for membership or terminated the membership subsequently shall likewise have the opportunity of presenting its or their case.

- (4) The appeal shall be determined by the vote of the members present at such meeting.
- (5) Where a person whose application is rejected, does not appeal against the decision of the executive committee within the time prescribed by these rules or appeals but the appeal is unsuccessful, the Secretary shall forthwith refund the amount of any fees paid.

12. REGISTER OF MEMBERS

- (1) The executive committee shall maintain a register to be kept by the Registrar in which shall be entered the names and residential addresses of all persons registered with the Club.

13. EXECUTIVE

- (1) Office Bearers of the Club are as listed below:

President
Secretary
Treasurer
Registrar

14. DUTIES OF OFFICE BEARERS

President:

The President shall:

- a. Oversee all aspects of the Club.
- b. Preside at all General Meetings of the Club and its Exec Committee.
- c. Represent the Club wherever possible
- d. Be an ex-officio member of all Sub-Committees.
- e. Prepare the Club's Annual Report for the Annual General Meeting.

Secretary:

The Secretary shall:

- a. Issue all notices of meetings in accordance with the rules of the Club and prepare agenda items.
- b. Keep copies of the minutes of record of proceedings of all formal meetings of the Club for use as may be required.
- c. Prepare all Club newsletters and disperse to members.
- d. Conduct the correspondence of the Club and keep files of all such correspondence, records and reports of sub-committees, delegates and officials.

- e. Ensure that a copy of the current Constitution of the Club is available for perusal of any member of the Club.
- f. Keep updated copies of the Constitution of the Club.
- g. Arrange for the carrying out of all clerical work associated with the conduct of the affairs of the Club.
- h. Maintain internet web page.

Treasurer:

The Treasurer shall:

- a. Keep all books and accounts of the Club and prepare a statement of all receipts and expenditure for each executive committee meeting and each general meeting.
- b. Receive all monies and issue receipts of all payments, pay such money into the bank and produce the bank receipts at each executive committee meeting and each general meeting.
- c. Present all accounts incurred by the Club to be passed for payment by the executive committee.
- d. Prepare a balance sheet for the inspection and signature of the auditors and present same at the annual general meeting.
- e. Furnish all books of account at any time to the office bearers on seven (7) days notice.

Registrar:

The Registrar shall:

- a. Receive and place before the executive committee all applications for membership.
- b. Maintain the register of members.
- c. Keep a record of all Life Members of the Club.
- d. Notify TCNAI of all current members.

15. MEMBERSHIP OF THE EXECUTIVE COMMITTEE

- (1) The executive committee of the Club shall consist of the president, secretary, treasurer and registrar, all of whom shall be members of the Club.
- (2) At the annual general meeting of the Club, all the members of the executive committee shall retire from office, but shall be eligible for nomination for re-election.
- (3) The election of officers and other members of the executive committee shall take place in the following manner:
 - a. Any two members of the Club shall nominate any other member to serve as an office or other member of the executive.
 - b. The nomination shall be carried out at the annual general meeting either in writing or verbally and requires both a proposer and a seconder.

- c. Should there be an insufficient number of candidates nominated, nominations may be taken at a later date.
- (4) Any member of the executive may resign from membership of the executive committee at any time by giving notice in writing to the secretary. The resignation shall take effect at the time such notice is received by the secretary unless a later date is specified in the notice when it shall take effect on that later date.
- (5) The member may be removed from office at a general meeting of the Club where that member shall be given the opportunity to fully present their case.
- (6) The question of removal shall be determined by the vote of the members present at a general meeting.

16. EXECUTIVE VACANCIES

- (1) The executive committee shall have power at any time to appoint any member of the Club to fill any casual vacancy on the executive committee until the next annual general meeting.
- (2) The continuing members of the executive may act notwithstanding any casual vacancy in the executive committee, but if and so long as their number is reduced below the number fixed by or pursuant to these rules as the necessary quorum of the executive committee, the continuing member or members may act for the purpose of increasing the number of members of the executive committee to that number or of summoning a general meeting of the club, but for no other purpose.

17. FUNCTIONS OF THE EXECUTIVE COMMITTEE

- (1) Except as otherwise provided by these rules and subject to resolutions of the members of the Club carried at any general meeting of the executive committee—
 - a. shall have the general control and management of the administration of the affairs, property and funds of the Club; and
 - b. shall have authority to interpret the meaning of these rules and any matter relating to the Club on which these rules are silent.
- (2) The executive committee may exercise the powers of the Club up to \$2,000 in relation to the following –
 - a. to borrow, or raise or secure the payment of money in such manner as the members of the Club may think fit and secure the same 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 in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the association's property, both present and future, and to purchase, redeem or pay off any such securities.
 - b. To invest in such manner as the members of the Club may from time to time determine.

18. SUB-COMMITTEES

- (1) The executive committee may delegate any of its powers to a subcommittee consisting of such members of the club as the executive thinks fit.
- (2) Any subcommittee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the executive committee.
- (3) A subcommittee may elect a chairperson of its meetings.
- (4) If no such chairperson is elected, or if at any meeting the chairperson is not present within 10 minutes after the time appointed for holding the meeting, the members present may choose one of their number to be chairperson of the meeting.
- (5) A subcommittee may meet and adjourn, as it thinks proper.

19. MEETINGS OF THE EXECUTIVE COMMITTEE

- (1) The executive committee shall meet at least once every two calendar months to exercise its functions.
- (2) Notice of a meeting is to be given in the way decided by the executive committee.
- (3) A special meeting of the executive committee shall be convened by the secretary on the request of a member of the executive committee. This request shall briefly and clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted.
- (4) At every meeting of the executive committee a simple majority of a number equal to the number of members elected and/or appointed to the executive committee as at the close of the last general meeting of the members, shall constitute a quorum.
- (5) However, questions arising at any meeting of the executive committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be deemed to be decided in the negative.
- (6) A member of the executive committee shall not vote in respect of any contract or proposed contract with the club in which the members is interested, or any matter arising, and if the member does vote the member's vote shall not be counted.
- (7) Not less than seven (7) days notice shall be given by the secretary to members of the executive committee of any special meeting.
- (8) Such notice shall clearly state the nature of business to be discussed.
- (9) The president shall preside as chairperson at every meeting of the executive committee, or if there is no president, or if at any meeting the president is not present within ten (10) minutes after the time appointed for holding the meeting, the secretary shall be chairperson.
- (10) If within half an hour from the time appointed for the commencement of a Executive committee meeting a quorum is not present, the meeting shall lapse.
- (11) It shall stand adjourned to the same day in the next week at the

same time and place, or to such other day and at such other time and place as the executive committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall lapse.

20. ANNUAL GENERAL MEETINGS

Each annual general meeting must be held:

- a. Once each year; and
- b. Within three months after the end of the Club's previous financial year.

21. BUSINESS AT GENERAL MEETING

The following business must be transacted at every annual general meeting –

- a. presentation of the statement of income and expenditure, assets, liabilities and of mortgages, charges and securities affecting the property of the club for the last financial year;
- b. presentation of the auditor's report on the financial affairs of the club for the last financial year;
- c. presentation of the audited statement to the meeting for adoption;
- d. the election of members of the executive committee.
- e. the appointment of an auditor.

22. NOTICE OF GENERAL MEETING

- (1) The secretary shall convene all general meetings of the club by giving not less than fourteen (14) days' notice of any such meeting to the members of the club.
- (2) The executive committee shall determine the manner by which such notice shall be given.
- (3) However, notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of his/her membership by the executive committee, shall be given in writing.
- (4) Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

23. PROCEDURE AT GENERAL MEETING

- (1) Unless otherwise provided by these rules, at every general meeting –
- a. the president shall preside as chairperson, or if there is no president, or if the president is not present within fifteen (15) minutes after the time appointed for the holding of the meeting or is unwilling to act, the Secretary shall be the chairperson.
 - b. The chairperson shall maintain order and conduct the meeting in a proper and orderly manner, and
 - c. Every question, matter or resolution shall be decided by a majority of voters of members present; and
 - d. Every member present shall be entitled to one vote and in the case of an equality of votes the chairperson shall have a second or casting vote; and
 - e. No member shall be entitled to vote at any general meeting if the member's fees is in arrears at the date of the meeting; and
 - f. Voting shall be by show of hands or a division of members, unless not less than one-fifth of the members present demand a ballot, in which event there shall be a secret ballot; and
 - g. The chairperson shall appoint two members to conduct the secret ballot in such manner as the chairperson shall determine and the result of the ballot as declared by the chairperson shall be deemed to be the resolution of the meeting at which the ballot was demanded.
- (2) Minutes of Meetings –
- a. The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each committee meeting are entered in a minute book.
 - b. To ensure accuracy of the minutes, the minutes of each meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next meeting, verifying their accuracy.

24. ALTERATION OF RULES

- (1) Subject to the provisions of the Associations Incorporation Act 1981 (the Act), these rules may be amended, rescinded or added to from time to time by a special resolution carried at any general meeting.
- (2) However an amendment, repeal or addition is valid only if it is registered by the Chief Executive.

25. MINUTES OF ALL MEETINGS – General, Annual & Committee

- (1) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each meeting are entered in a minute book.
- (2) To ensure the accuracy of the minutes—

- (a) the minutes of each meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting, verifying their accuracy; and
 - (b) the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the association that is a general meeting or annual general meeting, verifying their accuracy.
- (3) If asked by a member of the association, the secretary must, within 28 days after the request is made—
- (a) make the minute book for a particular meeting available for inspection by the member at a mutually agreed time and place; and
 - (b) give the member copies of the minutes of the meeting.
- (4) The association may require the member to pay the reasonable costs of providing copies of the minutes.

26. COMMON SEAL

- (1) The Executive Committee must ensure the association has a common seal.
- (2) The common seal must be:
 - a. Kept securely by the Secretary; and
 - b. Be used only under the authority of the Executive Committee.
- (3) Each instrument to which the seal is attached must be signed by a member of the Executive Committee and countersigned by:
 - a. the Secretary; or
 - b. Another member of the Executive Committee; or
 - c. Someone authorized by the Executive Committee.

27. GENERAL FINANCIAL MATTERS

- (1) On behalf of the Executive Committee, the Treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year prepared.
- (2) The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

28. DOCUMENTS

The Executive Committee must ensure the safe custody of books, documents, instruments of title and securities of the association.

29. FINANCIAL YEAR

The end date of the association's financial year is 30 September in each year.

30. FUNDS AND ACCOUNTS

- (1) The funds of the club must be kept in the name of the club in a financial institution decided by the executive.
- (2) Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the club and the particulars usually shown in books of a like nature.
- (3) All moneys shall be deposited as soon as practicable after receipt thereof.
- (4) All amounts of \$100 or over shall be paid by cheque signed by any two of the president, vice-president, secretary or treasurer.
- (5) Cheques shall be crossed “not negotiable” except those in payment of wages, allowances or petty cash recoupments which may be open.
- (6) The executive committee shall determine the amount of petty cash which shall be kept on the imprest system.
- (7) All expenditure shall be approved or ratified at an executive committee meeting.
- (8) As soon as practicable after the end of each financial year the treasurer shall cause to be prepared a statement containing the particulars of –
 - a. The income and expenditure for the financial year just ended; and
 - b. The assets and liabilities and of all mortgages, charges and securities affecting the property of the club at the close of that year.
- (9) Within three(3) months of the club’s financial year, audited records must be posted to the Office of Fair Trading.
- (10) The auditor must examine the statement prepared under subsection (8) and present a report on it to the Secretary before the next annual general meeting following the financial year for which the audit was made.
- (11) The income and property of the club must be used solely in promoting the club’s objectives and exercising the club’s powers.

31. DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

- (1) This rule applies ifth association:
 - a. Is wound-up under part 10 of the Act; and
 - b. Has surplus assets.
- (2) The surplus assets must not be distributed among the members of the association.
- (3) The surplus assets must be given to another entity –
 - a. Having objects similar to the association’s objects; and
 - b. The rules of which prohibit the distribution of the entity’s income and assets to its members.
- (4) In this rule – *surplus assets* see section 92(3) of the Act.

32. GRIEVANCE POLICY

Attached



Code of Conduct and Behaviour for Players and Coaches

1. All players, coaches, club officials and association representatives must abide by the rules of Netball and the conditions set by the Phoenix Netball Club (PNC), Townsville City Netball (TCNAI), and/or any game under auspices of the Queensland Netball Association.
2. Act respectfully to Club, opposition and Association coaches, players and officials. Never argue with an umpire or appointed/rostered timekeeper. If you disagree, consider your best option as asking your Captain or preferably Coach to discuss the matter with the official.
3. Avoid individual or collective behaviour that may be reasonably held by spectators as offensive.
4. Control your temper. Verbal abuse of officials or opponents, and/or deliberately distracting or provoking an opponent is Unacceptable and Not permitted at any game.
5. Do not interfere with, bully or take an unfair advantage of any player, ours or opposition.
6. Swearing and/or abusive language is unacceptable during training or any game.
7. Adhere to the requests your coach asks you.
8. In the event of a disagreement or grievance with your coach, team mate, club or TCNAI official or any spectator, follow the 'Grievance Policy' guidelines, terms and conditions as adopted by the PNC.
9. Abide by the constitution of the PNC.
10. Respect all facilities at training and playing venues.
11. Any form of discrimination – i.e. racial, sexual, age – is totally unacceptable, and the consequences for such a breach may include a formal apology, counselling, suspension, dismissal, and any other appropriate action as set by the PNC Committee.



Code of behaviour for coaches of Junior Teams

1. Remember that children participate for pleasure, and that winning is only part of the fun.
2. Never ridicule or yell at a child for making a mistake or the team losing.
3. Be reasonable in your demands on young players' time, energy and enthusiasm.
4. Teach your players to follow the rules.
5. Avoid over-playing the talented players. The "just average" players need and deserve equal time.
6. Develop team respect for the ability of opponents, and for the judgement of officials and opposing coaches.
7. Follow the advice of a physician when determining when an injured player is ready to recommence training or playing.
8. Keep up-to-date with the latest coaching practices and the principles of growth and development of children in sport.
9. Display appreciation of our club and other volunteer officials and administrators, without them our children cannot participate.

Code of behaviour for parents/carers

10. Remember that children play sport for their enjoyment – not yours.
11. Encourage children to participate rather than force them.
12. Focus on the child's efforts and performance rather than winning or losing.
13. Encourage children to always compete in accordance to the rules.
14. Never ridicule or yell at a child for making a mistake or losing a game.
15. Remember that children learn best by example. Applaud good play by all players from all teams.
16. Support all efforts to remove verbal and physical abuse from sporting activities.
17. Respect the decisions of officials as an example to children.
18. Display appreciation of volunteer coaches, officials and administrators; without them our children cannot participate.



Grievance Policy

1. The Phoenix Netball Club (PNC) accepts the widely-held view within sporting clubs and sporting communities that there may always be grievances between members. The actions or differences should not be confused with breaches of the codes of behaviour as established by the Club.
2. Grievances may arise in many ways, such as (but not limited to):
 - a. a parent is dissatisfied with a coach,
 - b. a player who feels she/he is being treated unfairly by the coach,
 - c. not being given a reasonable opportunity, or
 - d. a coach who feels the committee is not treating him/her properly.
3. The basic aim of this policy is to resolve any issue that may come up in the best interests of all concerned, especially the Club. Should a member of the PNC have a grievance with another member, the grievance policy recommends these steps take place.
4. Person A, who has the complaint, approaches Person B, whom the complaint is about, to discuss the issue. Should this be inappropriate or cause either Person A or B to feel intimidated or pressured, other resolution options must be considered including:
 - a. If the issue relates to players and/or spectators, approach the Coach to mediate in a calm and respectful manner. If it involves a Coach, ask a member of the Committee to act as a mediator.
 - b. At all times the issue should not become personal or emotional. If the issue does become personal or emotional, the mediator should immediately cease being involved and should refer the matter to the Committee. The Committee shall then investigate the incident/complaint.
 - c. The person who has the grievance or complaint should state the facts or explain the issue at hand in writing to the Committee.
 - d. Upon investigating the grievance the Committee shall consider the appropriate action, which may include calling those concerned for a discussion in an attempt to resolve the issue. If the PNC's "Code of Conduct" has been breached, the Committee shall have the right to consider applying the appropriate action. Such appropriate actions can include an apology, counseling, suspension, dismissal, and any appropriate action deemed necessary by the PNC Committee.
 - e. If the PNC Committee decides a written apology is warranted to either or both person/s involved in a grievance, the person/s must comply with the Committee's instruction within the time set. If the person/s refuse to make such an apology the Committee has the right to take whatever action it deems necessary.
 - f. Persons involved in the grievance or complaint shall accept the view that the PNC Committee is trying to resolve the matter in the best interests of all concerned, especially the Club, and that the decision is final.