

# Constitution Of Handball West



<b>Version</b>	<b>Date reviewed</b>	<b>Date endorsed</b>	<b>Content reviewed/purpose</b>
<i>One</i>	<i>January 2007</i>	<i>September 2007</i>	<i>Endorsed at Annual General Meeting</i>
<i>Two</i>	<i>August 2013</i>	<i>15 September 2013</i>	<i>Endorsed at Annual General Meeting</i>
<i>Three</i>	<i>August 2015</i>	<i>September 2015</i>	<i>Endorsed at Annual General Meeting</i>

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## **1.0 Name**

The name of the Association is Handball West, hereinafter referred to as the “Association”.

## **2.0 Objects**

The objects of the Association are:

- 2.1** To act as the governing body of the sport of Handball in Western Australia.
- 2.2** To promote, control and manage the sport of Handball in Western Australia.
- 2.3** To provide the best opportunity for all members to participate.

## **3.0 Attaining Objects**

The Association shall be empowered to do all things necessary which are incidental to and necessary for the attainment of the objects of the Association.

## **4.0 Non-Profit Statement**

The income and property of the Association shall be applied solely towards the promotion of the objects of the Association. No portion of the income or property shall be paid, transferred or distributed directly or indirectly to members of the Association, provided that nothing shall prevent the payment in good faith of remuneration to any officer or employee of the Association, to any person other than a member, in return for services rendered to the Association.

## **5.0 Powers of the Association**

- 5.1** To acquire, hold, deal with, and dispose of any real or personal property;
- 5.2** To open and operate bank accounts;
- 5.3** To invest its money –
  - 5.3.1** In any security in which trust moneys may be invested; or
  - 5.3.2** In any other manner authorised by the rules of the Association
- 5.4** To borrow money upon such terms and conditions as the Association thinks fit;
- 5.5** To give such security for the discharge of liabilities incurred by the Association as the Association thinks fit;
- 5.6** To appoint agents or employees to transact any business of the Association on its behalf for reward or otherwise;
- 5.7** To build, construct, erect, maintain, alter and repair any premises, building or other structure of any kind and to furnish equip and improve the same for use by the Association;

- 5.8** Print and publish any information by any media including newsletters, newspapers, articles or leaflets for promotion of the Association;
- 5.9** Organise social events for members and the promotion of the Association; and
- 5.10** To enter into any other contract the Association considers necessary or desirable to achieve its objects

## **6.0 Membership**

Membership shall be open to any person who wished to further the interests of the Association. Any person seeking membership shall make application to the Executive Committee, and the Executive Committee shall determine whether the application is successful or not.

- 6.1** Each person admitted to membership shall be;
  - 6.1.1** Bound by the constitution and by-laws of the Association;
  - 6.1.2** Become liable for such fees and subscriptions as may be fixed by the Association
  - 6.1.3** Entitled to all advantages and privileges of membership;
  - 6.1.4** Entitled to inspect the record and documents of the Association
- 6.2** Memberships categories:
  - 6.2.1** Ordinary Member  
Any person who is a financial member of the Association is entitled to hold any office and enjoy the privileges of the Association.
  - 6.2.2** Social Member  
Persons other than ordinary members who are interested in promoting the Association, but who do not wish to participate in playing the activities of the Association, may become a social member
  - 6.2.3** Junior Member  
Any person under the age of 18 years may become a junior member. Junior members shall have no voting rights, nor be entitled to hold any office. The parents or guardians of any junior member automatically become a member of the Association.
  - 6.2.4** Life member  
The Executive Committee may elect any member who has given outstanding service to the Association to become a life member. Any member may nominate a person to the Executive Committee for consideration for Life membership
  - 6.2.5** Patron  
The Association may, at its discretion, elect a patron(s) or vice patron(s) of the Association for such period as may be deemed necessary. Such patron(s) or vice patron(s) shall not be eligible to vote unless they are

current members of the Association under another category of membership.

**6.2.6** Affiliated clubs or teams

A club or team desirous of becoming an affiliated club or team must take application in accordance with the by-laws of the Association. Such application must be lodged with the Secretary on or before a date as determined by the Executive Committee of the Association.

## **7.0 Subscriptions**

- 7.1** The board has the right to join any organisation it deems beneficial to the Association and its objects
- 7.2** Membership fees and structure will be determined according to the by-laws.

## **8.0 Termination of Membership**

- 8.1** Any person's membership may be terminated by the following events;
  - 8.1.1** Resignation
  - 8.1.2** Expulsion
  - 8.1.3** A members annual membership fee remains unpaid after one month of falling due;
- 8.2** The Executive Committee shall have the power to suspend or expel any member of the Association for;
  - 8.2.1** Any of the events in item 8.1
  - 8.2.2** False or inaccurate statements made in the member's application for membership of the Association;
  - 8.2.3** Breach of any rule, regulation or by-law of the Association
  - 8.2.4** By any act detrimental to the Association after having undertaken due inquiry
- 8.3** Any member who is expelled, suspended or has their membership terminated, shall have the right to appeal against their suspension or expulsion by presenting their case to a General Meeting called for such purpose, and the decisions shall be final.

## **9.0 Office Bearers**

- 9.1** The affairs of the Association shall be conducted by a board that consists of the Executive Committee, and one Delegate from each club
- 9.2** No person shall hold more than one position on the board at any given time.
- 9.3** A quorum of the board shall be half of its members plus one.

- 9.4** If the Chairman is unable to attend, then a chairperson nominated by the meeting shall chair that meeting.
- 9.5** Club delegates shall be chosen by their respective clubs.
- 9.6** Each club delegate has a one-year term.
- 9.7** The delegate must be a financial member for both the Association and the club they are representing.
- 9.8** All board members shall be allocated a portfolio to be determined by the Chairman.
- 9.9** A board member may lose his or her seat on the committee for either of the following;
- 9.9.1** Absence from three or more meetings without leave of absence.
  - 9.9.2** Found not to be a financial member.
- 9.10** If an office bearer should vacate his or her seat more than six months prior to their term ending, either their club nominates a new representative (for Club Delegates), or a Special General Meeting is called to elect someone in his or her place.
- 9.11** In the case of an Executive Committee Member vacating his or her seat, the person elected at a Special General meeting to fill a vacated position is only elected for the remainder of the original term, not two years from time of election.
- 9.12** Should an office bearer vacate his or her seat less than six months from the end of their term, the Chairman (President) can choose a replacement until the next AGM (see 12.3), except as set out in 10.10;
- 9.13** If the Chairman (President) vacates his or her seat less than six months from the end of their term, the Vice President will assume the seat of the Chairman, and appoint a temporary Vice President until the next AGM.

## **10.0 The Executive Committee**

- 10.1** The Chairman (President), Vice President, Treasurer, and Secretary, and up to four other board members, nominated by the Chairman, constitutes the Executive Committee
- 10.2** The Executive Committee may act in any way beneficial to the Association when immediate action is required and is not practicable or convenient to call a meeting of the board.

## **11.0 Powers of the Executive Committee**

- 11.1** The Executive Committee shall carry out the day-to-day running of the Association and shall have the power to;
- 11.1.1** Administer the finances, appoint bankers, and direct the opening of bank accounts for specific purposes and to transfer funds from one account to another, and to close any such account.

- 11.1.2** Fix the manner in which such banking accounts shall be operated upon, providing the Executive Committee passes all payments;
- 11.1.3** Fix fees and subscriptions payable by members and decide such levied, fines and charges as is deemed necessary and advisable, and to enforce payment thereof;
- 11.1.4** Adjudicate on all matters brought before it, which in any way affect the Association.
- 11.1.5** Make, amend and rescind rulings and by-laws;
- 11.1.6** May at their discretion employ a person or persons to carry out certain duties required by the Association, at salaries or remunerations for such period of time, as may be deemed necessary;
- 11.1.7** Appoint an officer(s) or agent of the Executive Committee to have custody of the Association's records, documents and securities. The Chairman has the power to form and appoint any sub-committee(s) as required for specific purposes
- 11.2** The Chairman has the power to form and appoint any sub-committee(s) as required for specific purposes
- 11.3** Should a vacancy occur on the Committee more than six months since the last Annual General Meeting, the Chairman shall appoint a successor until the next Annual General Meeting

## **12.0 General Meeting**

- 12.1** Annual General Meeting
  - 12.1.1** The Annual General Meeting of the Association must be held within 4 months of the end of the Association's financial year
  - 12.1.2** The Secretary shall give at least 14 days notice of the date of the Annual General Meeting to members.
  - 12.1.3** All financial members may attend the Annual General Meeting.
  - 12.1.4** The quorum of the Annual General Meeting shall be a minimum of 14 members. If, at the end of 30 minutes after the time appointed in the notice for the opening of the meeting, there be no quorum, the meeting shall stand and adjourned for one week. If at such meeting there is no quorum those members present shall be competent to discharge the business of the meeting.
  - 12.1.5** The agenda for an Annual General Meeting shall be:
    - Opening of Meeting
    - Apologies
    - Confirmation of Minutes of previous Annual General Meeting
    - Presentation of Annual Report
    - Adoption of Annual Report

- Presentation of Treasurer's statement
- Election of New Executive
- Vote of thanks to outgoing Executive
- Determination of Annual Membership Fee
- Notice(s) of Motion
- Urgent general business
- Closure

**12.1.6** The election of the new Executive Committee shall be done at the Annual General Meeting. All office bearers will have a term of one year, except for the Chairman (President), Vice President, Treasurer and Secretary, who will all be elected for terms of 2 years.

**12.1.7** The election of the positions with two year terms, as outlined in 14.1.6, will be conducted on a fixed cycle in a way to ensure only two of these positions are elected each year. The Chairman (President) and Treasurer will be elected in the same year, the Vice President and Secretary will be elected in the same year.

## **12.2** General Meetings

**12.2.1** General Meetings may be called by the Executive Committee or on the written request of ten members of the Association.

**12.2.2** The Secretary shall give at least seven days' notice, in writing, of the date of the General Meeting to members. Notice of General Meetings shall set out clearly the business for which the meeting has been called. No other business shall be dealt with at that General Meeting.

**12.2.3** The quorum at the General Meeting shall be minimum of 10 members.

## **13.0** Voting

**13.1** Voting powers at the Annual General Meeting and General Meeting:

**13.1.1** The Chairman shall be entitled to a deliberate vote and, in the event of a tied vote, the Chairman shall exercise a casting vote.

**13.1.2** Each individual financial member present shall have 1 vote.

**13.1.3** An individual financial member not present at the Annual General Meeting or General Meeting may, in advance of the meeting, nominate another individual financial member or the chairperson to vote on his or her behalf

**13.2** Voting powers at board meetings

**13.2.1** The Chairman shall be entitled to a deliberate vote, and in the event of a tied vote, the Chairman shall exercise a casting vote.

**13.2.2** Each individual board member present shall have 1 vote.

**13.2.3** An individual board member not present at the meeting may, in advance of the meeting, nominate the chairperson as proxy to vote on his or her behalf.

**13.3** Voting powers at Executive Committee Meetings;

**13.3.1** The Chairman shall be entitled to a deliberate vote, and in the event of a tied vote, the Chairman shall exercise a casting vote.

**13.3.2** Each individual executive committee member present shall have 1 vote.

**13.3.3** An individual Executive Committee member not present at the meeting may, in advance of the meeting, nominate the chairperson as proxy to vote on his or her behalf.

## **14.1 Finance**

**14.2** All funds of the Association shall be deposited into the Association's accounts at such bank or recognised financial institution as the Executive Committee may determine.

**14.3** All accounts due by the Association shall be paid by cheque or bank transfer after having been passed for payment at the Executive Committee Meeting and when immediate payment is necessary, account(s) shall be paid and the action endorsed at the next Executive Committee Meeting

**14.4** The Secretary shall not spend more than 100 AUD Petty Cash without the consent of the Executive Committee, and shall keep a record of such expenditure in a Petty Cash Book.

**14.5** A statement showing the financial position of the Association shall be tabled at each Executive Committee Meeting by the treasurer.

**14.6** A statement of income and expenditure, assets and liabilities shall be submitted to the Annual General Meeting.

**14.7** The financial year of the Association shall commence July 1 each year.

**14.8** The signatories to the Associations account(s) will be the Treasurer and any one from the following;

Chairman

Secretary

Vice President

One other nominated Executive Committee member

## **15.0 Membership Register**

**15.1** The membership register of the Association shall be maintained by and kept in the custody of the Secretary or a delegate, as determined by council.

**15.2** Upon request to the Secretary, the membership register shall be made available to a member for inspection.

## **16.0 Records and Documents**

- 16.1** The treasurer shall have custody of all financial records of the Association.
- 16.2** The Secretary shall have custody of other documents and records of the Association, including this constitution.
- 16.3** Upon request to the Secretary, a member may inspect the documents and records of the Association.

## **17.0 Common Seal**

The common seal of the Association shall be kept in the care of the Chairman and Secretary. The seal shall not be used or affixed to any deed or affixed to any deed or document except pursuant to a resolution of the Executive Committee and in the presence of at least the President and two members of the Committee, both of whom shall subscribe their names as witnesses.

## **18.0 Alterations to the Constitution and By-laws**

- 18.1** No alteration, repeal or addition shall be made to the constitution except at the Annual General Meeting, or General Meeting called for that purpose, and notice of all motions to alter, repeal or add to the constitution shall be given to members 14 days prior to the Annual General Meeting, or 7 days prior to a General Meeting called for such purpose.
- 18.2** The Secretary shall forward such notices of motion to each Executive Committee member at least 14 days prior to the Annual General Meeting or 7 days prior to a General Meeting.
- 18.3** Alterations to the by-laws can be made only at Executive Committee meetings provided notice of the proposed alteration(s) has been duly notified to Committee members.
- 18.4** Such motions, or any part thereof, shall be of no effect unless passed by a seventy five percent (75%) majority (special resolution) of those present and entitled to a vote at the Annual General Meeting, General Meeting or Executive Committee Meeting, as the case may be.
- 18.5** Within one month of the passing of a special resolution, the Secretary shall notify the Department of Consumer and Employment Protection of the amendment.

## **19.0 Member Protection Policy**

- 19.1** The Australian Handball Federation (AHF) National Member Protection Policy, as endorsed by the AHF Board November 2010 (as amended from time to time), will apply to the Association and its

members;

- 19.2** The Handball West Member Protection Policy, as endorsed by the Executive Committee 16 August 2015, supplements the AHF National Member Protection Policy, and will apply to all members of the Association, as well as trainings, games and events organised or sanctioned by the Association, except national competitions as per 19.3;
- 19.3** In National competitions, including those hosted by the Association, the Handball West Member Protection Policy will not apply.
- 19.4** Where there is discrepancy or conflict between the AHF National Member Protection Policy and the Handball West Member Protection Policy, the AHF National Member Protection Policy will prevail.

## **20.0 Dissolution**

If upon the winding up or dissolution of the Association there remains after satisfaction of all its debts and liabilities any property whatsoever, the same must not be paid to or distributed among the members, or former members. The surplus must be given or transferred to another Association incorporated under the act which has similar objects and which is not carried out of the purposes of profit or gain to its individual members, and which Association shall be determined by resolution of the members.