

**THE RULES
OF
WARATAH LEAGUES NETBALL CLUB INC.**
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Part 1 - Preliminary

1. Interpretations:

In these rules,

- (1) except in so far as the context or subject-matter otherwise indicates or requires:
- (a) “associate member” means a person who has an interest in the game of Netball and in the affairs of the Club but who is unavailable or unable to play Netball for the Club and who is admitted as a member of the Club and pays the entrance fee and annual subscription referred to in Rule 8 (1) and (2) respectively;
 - (b) “by-laws” means the by-laws of the Club for the time being in force;
 - (c) “club” means the association named Waratah Leagues Netball Club Inc., incorporated under the Act;
 - (d) “elected position” means any appointed position or elected office in the Club other than that of an office-bearer or of an ordinary member of the Committee;
 - (e) “player member” means a person who desires to play netball for the Club and who is admitted to membership of the Club and pays the entrance fee and annual subscription referred to in Rule 8 (1) and 8 (2), respectively;
 - (f) “rules” means the rules of the Club for the time being in force;
 - (g) “Secretary” means –
 - (i) the person holding office under these rules as Secretary of the Club; or
 - (ii) where no such person holds that office – the Public Officer of the Club;
 - (h) “Special General Meeting” means a General Meeting of the Club other than an Annual General Meeting;
 - (i) “the Act” means the Association Incorporated Act, 1984;
 - (j) “the Regulation: means the Associations Incorporation Regulation, 1985;
 - (k) “the unincorporated body” means the unincorporated association known as the Waratah Leagues Netball Club.
- (2) a reference to
- (a) a function includes a reference to a power, authority and duty;

- (b) and the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.

(3) The provisions of the Interpretation Act, 1987, apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

PART II - Membership

2. Membership qualifications:

(1) A person is qualified to be a member of the Club if, but only if:

- (a) The person is a person referred to in section 15 (1) (a), (b) or (c) of the Act and has not ceased to be a member of the Club at any time after incorporation of the Club under the Act; or
- (b) the person is a natural person who-
 - (i) has been nominated for membership of the Club as provided by rule 3; and
 - (ii) has been approved for membership of the Club by the Committee.

3. Nomination for membership:

(1) A nomination of a person for membership of the Club:

- (a) shall be in writing in the such form as is prescribed by the Committee, and
- (b) shall be lodged with the Secretary of the Club.

(2) As soon as practicable after receiving a nomination for membership, the Secretary shall refer the nomination to the Committee which shall determine whether to approve or to reject the nomination.

(3) Where the Committee determines to approve a nomination for membership, the Secretary shall, as soon as practicable after that determination, notify the nominee of that approval and request the nominee to pay within the period of 28 days after receipt by the nominee of the notification the sum payable under these rules as entrance fee and annual subscription for the nominee's type of Membership. The Committee shall have the power to grant an extension of time to pay such fees to any paying members.

(4) The Secretary shall, on payment by the nominees of the amounts referred to in clause (3) within the period referred to in that clause, enter the nominee's name in the register of members and, upon the name being so entered, the nominee becomes a member of the Club but the Committee shall have the power to grant membership to any nominee before the nominee shall have paid the amount referred to in clause (3).

4. Cessation of Membership:

- (1) A person ceases to be a member of the Club if the person:
 - (a) dies,
 - (b) resigns that membership,
 - (c) is expelled from the Club, or
 - (d) fails to pay the annual fee as determined from time to time by the Committee.

5. Membership Entitlement Not Transferable

- (1) A right, privilege or obligation which a person has by reason of being a member of the Club:
 - (a) is not capable of being transferred or transmitted to another person, and
 - (b) terminates upon cessation of the person's membership.

6. Resignation of Membership:

- (1) A member of the Club is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the Club who has paid all amounts payable in respect of the member's membership may resign from membership of the Club by first giving notice (being not less than 1 month or not less than such other period as the Committee may determine) in writing to the Secretary of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.
- (3) Where a member of the Club ceases to be a member pursuant to clause (2), and in every other case where a member ceases to hold membership, the Secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

7. Register of Members:

- (1) The Public Officer of the Club shall establish and maintain a Register of Members of the Club specifying the name and address of each person who is a member of the Club together with the date on which the person became a member, and the date on which the member was born.
- (2) The Register of Members shall be kept at the principal place of administration of the Club and shall be open for inspection, free of charge, by any member of the Club at any reasonable hour.

8. Fees, subscriptions, etc:

- (1) A member except original members of the Club shall, upon admission to membership, pay the Club a fee of \$1.00 or where such other amount is determined by the Committee of that other amount.
- (2) Such sum shall be an annual membership payable by the member on or before the 1st day of April in each calendar year or such date as approved by the Committee.

9. Members' Liabilities:

- (1) The liability of a member of the Club to contribute towards the payment of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership of the Club as required by Rule 8.

10. Disciplining of Members:

- (1) Where the Committee is of the opinion that a member of the Club:
 - (a) has persistently refused or neglected to comply with a provision or provisions of these rules or the by-laws made under Rule 13(c); or
 - (b) has persistently or wilfully acted in a manner prejudicial to the interests of the Club, the Committee may, by resolution:
 - (i) expel the member from the Club, or
 - (ii) suspend the member from membership of the Club for a specified period.
- (2) A resolution of the Committee under clause (1) is of no effect unless the Committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under clause (3) confirms the resolution in accordance with this rule.
- (3) Where the Committee passes a resolution under clause (1), the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member:
 - (a) setting out the resolution of the Committee and the grounds on which it is based;
 - (b) stating that the member may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that the member may do either attend and/or speak at the meeting.
- (4) At a meeting of the Committee held as referred to in clause (3), the Committee shall:
 - (a) give to the member an opportunity to make oral representations;
 - (b) by resolution determine whether to confirm or to revoke the resolution.

- (5) Where the Committee confirms a resolution under clause (4), the Secretary shall, within 7 days after that confirmation, inform the member in writing of the fact and of the member's right of appeal under Rule 11.
- (6) A resolution confirmed by the Committee under clause (4) does not take effect:
- (a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
 - (b) where within that period the member exercises the right of appeal, unless and until the Club confirms the resolution pursuant to Rule 11 (4).

11. Right of Appeal of Disciplined Member:

- (1) A member may appeal to the Club in a General Meeting against a resolution of the Committee which is confirmed under Rule 10 (4), within 7 days after notice of resolution is served on the member, by lodging with the Secretary a notice to that effect.
- (2) Upon receipt of a notice from a member under clause (1), the Secretary shall notify the Committee which shall convene a General Meeting of the Club to be held within 21 days after the date on which the Secretary received the notice.
- (3) At a General Meeting of the Club convened under clause (2):
- (a) no business other than the question of the appeal shall be transacted,
 - (b) the Committee and the member shall be given the opportunity to state their respective cases orally, and
 - (c) the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (4) If at the General Meeting the Club passes a Special Resolution in favour of the confirmation of the resolution, the resolution is confirmed.

12. Patrons and Life Members:

- (1) The Club may in General Meeting by majority of two-thirds of those present and entitled to vote confer on any person the title of Patron.
- (2) The existing Life Members of the Unincorporated Body shall, on the incorporation of the Club, become life members of the Club and be entitled to have their names entered into the Register of Members.
- (3) The Club may in General Meeting, on the recommendation of the Committee, by majority of two-thirds of those present and entitled to vote confer Life Membership on a Club member or members who have rendered meritorious service to the Club as in the opinion of the meeting entitled thereto.
- (4) Provided, however, that the Committee shall not recommend Life Membership for:
- (a) any committee member or non playing member who has less than 5 years consecutive and current membership, or

(b) any ordinary member who has not less than 10 years total membership.

(5) A Life Member shall be presented with a badge signifying their membership and a suitable trophy determined by the Committee and shall retain all the rights and privileges of and be subject to all the obligations of an ordinary member.

(6) A Patron or Life Member shall be invited to attend and be permitted to attend all functions and meeting of the Club. A Patron or Life Member shall be permitted to address any such meetings and join in discussions but shall not be entitled to vote except that when the Patron or Life Member continues to play netball for the Club or is an office bearer they shall be entitled to vote.

PART III – THE COMMITTEE

13. Powers, etc, of the Committee:

(1) The Committee shall be called the Committee of Management of the Club and, subject to the Act, the Regulation, and these rules and to any resolution passed by the Club in General Meeting:

- (a) shall control and manage the affairs of the Club;
- (b) may exercise all such functions as may be exercised by the Club other than those functions that are required by these rules to be exercised by a General Meeting of the Club;
- (c) may make such by-laws not inconsistent with these Rules as in the opinion of the Committee are necessary or desirable for the proper control, administration and management of the Club's finances, affairs, interests, property and activities including, without limiting the generality thereof the specification of the powers, duties and responsibilities of elected positions, selection policies, practice, the use of Club's grounds, gear and facilities and may amend and rescind from time to time any such by-law; and
- (d) has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Club.

14. Constitution and Membership:

(1) Subject in the case of the first members of the Committee to Section 21 of the Act, the Committee shall consist of the present office bearers of the unincorporated Club who shall be the office-bearers of this club on incorporation and such office bearers shall be eligible to be re-elected at the incorporated Club's first Annual General Meeting (AGM).

(2) The office bearers of the Club shall be:

- (a) the President,
- (b) the Vice-President,
- (c) the Secretary,

- (d) the Treasurer;
- (e) the Registrar;
- (f) the Assistant Secretary;
- (g) Coaching Convenors;
- (h) Umpiring Convenor;
- (i) Social Convenor,
- (j) Publicity Officer.

(3) The Committee shall be the Club's office bearers together with the number of members in accordance with Rule 15 as Committee persons, the number of which from time to time be determined by the members at the AGM of the Club.

(4) Each member of the Committee shall, subject to these rules, hold office until the commencement of the AGM following the date of the member's election but is eligible for re-election.

(5) In the event of a casual vacancy occurring in the membership of the Committee or of an elected position, the Committee may appoint a member of the Club to fill the vacancy and the member so appointed shall hold office of the elected position, subject to these rules, until the commencement of the AGM next following the date of the appointment.

15. Election of Members:

(1) Nominations of candidates for elections as office bearers.

- (a) shall be made in writing, signed by two members of the Club, and endorsed by the candidate who shall be a financial member of the club at the time of nomination;
- (b) shall be delivered to the Secretary of the Club not less than 7 days before the date fixed for the holding of the AGM at which the election is to take place; and
- (c) nominations may be made and received at the AGM.

(2) If insufficient further nominations are received, any vacant position remaining on the Committee shall be deemed to be casual vacancies, and further nominations may be received at the AGM.

(3) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

(4) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.

(5) The ballot for the election of office bearers and ordinary members of the Committee shall be conducted at the AGM in such manner as the Committee may direct.

16. Secretary:

- (1) The Secretary of the Club shall, as soon as practicable after being appointed as Secretary, lodge notice with the Club of their address.
- (2) Minutes of proceedings at a meeting shall be signed by the Chairperson of the meeting and the Secretary, or by the Chairperson of the next succeeding meeting and the Secretary.
- (3) The Secretary shall:
 - (a) be the Chief Executive of the Club to carry out the business of the Club, but shall report to the Committee at the next meeting for endorsement or otherwise of any action they may have taken since the last meeting;
 - (b) conduct and control all correspondence of the Club, subject to the approval of the Committee and shall preserve all copies of correspondence which shall be available to any meeting when required;
 - (c) prepare all Agendas and papers for meetings of the Committee; and
 - (d) prepare the Annual Report and submit same to the Committee for approval before the date of the AGM.
- (4) The Secretary of the club shall keep records of:
 - (a) all appointments of office bearers and members of the Committee;
 - (b) the names of members of the Committee present at a Committee meeting or a General Meeting; and
 - (c) all proceedings at Committee meetings and General Meetings;
- (5) In the absence of a Publicity Officer, the Secretary shall perform the role of the Publicity Officer.

17. Treasurer:

- (1) The Treasurer of the Club shall ensure that:
 - (a) all money due to the Club is collected and received and that all payments authorised by the Club are made; and
 - (b) correct books and accounts are kept showing the financial affairs of the Club including full details of all receipts and expenditure connected with the activities of the Club.

18. Registrar:

- (1) The Registrar of the Club shall:
 - (a) co-ordinate registration of all members (playing and non-playing) of the Club; and
 - (b) assist the Treasurer as required.

19. Assistant Secretary:

(1) The Assistant Secretary shall assist the Secretary as directed.

20. Social Convenor:

(1) The Social Convenor shall be responsible for the fundraising activities of the Club and shall co-opt any sub-Committee formed under Rule 24, to help in such fund raising activities.

21. Publicity Officer:

(1) The Publicity Officer shall be responsible for all publicity pertaining to the Club and its activities and shall prepare regular newsletters which shall be sent to all members of the Club.

22. Casual Vacancies:

(1) For the purposes of these rules, a casual vacancy in the office of a member of the Committee or in an elected position occurs if the member or person:

- (a) dies;
- (b) ceases to be a member of the Club;
- (c) becomes an insolvent under administration within the meaning of the Companies (New South Wales) Code;
- (d) resigns office or the elected position by notice in writing given to the Secretary;
- (e) is removed from office under Rule 22 or is removed from the elected position by the Committee;
- (f) becomes of unsound mind or a person whose person or estate if liable to be dealt with in any way under the law relating to mental health; or
- (g) is absent without the consent of the Committee from all meetings of the Committee held during a period of 3 months or in the case of the holder of an elected position fails to perform the duties of the position to the reasonable satisfaction of the Committee.

23. Removal of Member:

(1) The Club in General Meeting may by resolution remove any member of the Committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

(2) Where a member of the Committee to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the Secretary or the President (not exceeding a reasonable length) and requests that the representations be notified to the members of the Club, the Secretary or the President may send a copy of the representations

to each member of the Club or, if they are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

24. Meeting and Quorum:

- (1) The Committee shall meet at least six (6) times in each period of 12 months at such place and time as the Committee may determine.
- (2) Additional meetings of the Committee may be convened by the President or Secretary or 3 members of the Committee.
- (3) Oral or written notice of a meeting of the Committee shall be given by the Secretary to each member of the Committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the Committee) before the time appointed for the holding of the meeting.
- (4) Any five (5) members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- (5) No business shall be transacted by the Committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place at the same hour of the same day in the following week.
- (6) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting the meeting shall be dissolved.
- (7) At a meeting of the Committee:
 - (a) the President shall preside, or
 - (b) if the President is absent or unwilling to act such one of the remaining members of the Committee as may be chosen by the members present at the meeting shall preside.

25. Delegation by Committee to Sub-Committee:

- (1) The Committee may, by instrument in writing, delegate to one or more sub-Committee (consisting of such members of the Committee or other members of the Club as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument, other than:
 - (a) this power of delegation, and
 - (b) a function which is a duty imposed on the Committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-Committee under this Rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-Committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.

- (4) Notwithstanding any delegation under this rule, the Committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by the sub-Committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the Committee.
- (6) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) A quorum for a meeting of a sub-Committee shall be one half of its members plus one.
- (8) A sub-Committee may meet and adjourn as it thinks proper.

26. Voting and Decision:

- (1) Motions arising at a meeting of the Committee or of any sub-Committee appointed by the Committee shall be determined by a majority of the votes of the members of the Committee or sub-Committee present at the meeting.
- (2) Each member present at a meeting of the Committee or of any sub-Committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of any equality of votes on any motion, the person presiding may exercise a casting vote.
- (3) Subject to Rule 24(4) the Committee may act notwithstanding any vacancy on the Committee.
- (4) Any act of thing done or suffered, or purporting to have been done or suffered, by the Committee or by a sub-Committee appointed by the Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-Committee.

PART IV – GENERAL MEETINGS

27. Annual General Meetings – Holding Of:

- (1) With the exception of the first AGM of the Club, the Club shall meet at least once in each calendar year.
- (2) The Club shall hold its first AGM:
 - (a) within the period of 18 months after its incorporation under the Act; and
 - (b) within the period of 2 months after its expiration of the first financial year of the Club.
- (3) Clauses (1) and (2) have effect subject to any extension or permission granted by the Commission under Section 26 (3) of the Act.

28. Annual General Meeting – Calling Of and Business at:

- (1) The AGM of the Club shall, subject to the Act, be convened in January or February each year.
- (2) In addition to any other business which may be transacted at an AGM the business of an AGM shall be:
 - (a) to confirm the minutes of the last preceding AGM and of any Special General Meeting held since that meeting;
 - (b) to receive from the Committee reports upon the activities of the Club during the last preceding financial year;
 - (c) to elect office-bearers of the Club and ordinary members of the Committee; and
 - (d) to elect:
 - (i) Patrons (if any);
 - (ii) a Returning Officer;
 - (iii) an Auditor;
 - (iv) Life Members (if any);
 - (e) notices of motion of which fourteen days prior written notice must have been given;
 - (f) general business;
 - (g) to receive and consider the statement which is required to be submitted to members pursuant to Section 26(6) of the Act.
- (3) An AGM shall be specified as such in the notice convening it.

29. Special General Meetings – Calling Of:

- (1) The Committee may, whenever it thinks fit, convene a Special General Meeting of the Club.
- (2) The Committee shall, on the requisition in writing of not less than 20 per cent of the total number of members, convene a Special General Meeting of the Club.
- (3) A requisition of members for a Special General Meeting:
 - (a) shall state the purpose or purposes of the meeting,
 - (b) shall be signed by the members making the requisition,
 - (c) shall be lodged with the Secretary; and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

(4) If the Committee fails to convene a Special General Meeting to be held within 1 month after the date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a Special General Meeting to be held no later than 3 months after that date.

(5) A Special General Meeting convened by a member or members as referred to in clause (4) shall be convened as nearly as is practicable in the same manner as General Meetings are convened by the Committee and any member who thereby incurs expense is entitled to be reimbursed by the Club for any expense so incurred.

30. Notice:

(1) Except where the nature of the business proposed to be dealt with at an AGM requires a Special Resolution of the Club the Secretary shall, at least 14 days before the date fixed for the holding of the AGM, cause to be served on each member a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

(2) Where the nature of the business proposed to be dealt with at General Meeting requires a Special Resolution of the Club the Secretary shall, at least 21 days before the date fixed for the holding of the General Meeting, cause notice to be served on each member specifying the intention to propose the resolution as a Special Resolution.

(3) No business other than that specified in the notice convening a General Meeting shall be transacted at the meeting except, in the case of AGM, business which may be transacted pursuant to Rule 28.

(4) A member desiring to bring any business before a General Meeting may give notice in writing of that business to the Secretary who shall include that business in the next notice calling a General Meeting given after receipt of the notice from the member.

31. Procedure:

(1) No item of business shall be transacted at a General Meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.

(2) Ten members present in person (being members entitled under these rules to vote at a General Meeting) constitute a quorum for the transaction of the business of a General Meeting.

(3) If within half an hour after the appointed time for the commencement of a General Meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved and in any other case shall stand adjourned to the same day the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to member given the day before to which the meeting is adjourned) at the same place.

(4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 7) shall constitute a quorum.

32. Presiding Member:

- (1) The President shall preside as Chairperson at each General Meeting of the Club.
- (2) If the President is absent from a General Meeting or unwilling to act, the members present shall elect one of their number to preside as Chairperson at the meeting.

33. Adjournment:

- (1) The Chairperson of a General Meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where a General Meeting is adjourned for 14 days or more, the Secretary shall give written or oral notice of the adjourned meeting to each member of the Club stating that place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in clauses (1) and (2), notice of an adjournment of a General Meeting or of the business to be transacted at an adjourned meeting is not required to be given.

34. Making of Decisions:

- (1) A motion arising at a General Meeting of the Club shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the Chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Club is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (2) At a General Meeting of the Club, a poll may be demanded by the Chairperson or by not less than 3 members present in person at the meeting.
- (3) Where a poll is demanded at a General Meeting the poll shall be taken:
 - (a) immediately in the case of a poll which relates to the election of the Chairperson of the meeting or to the question of an adjournment; or
 - (b) in any other case, in such manner and at such time before the close of the meeting as the Chairperson directs.
- (4) The resolution of the poll demanded at clause (3) of the matter shall be deemed to be the resolution of the meeting on that matter.

35. Special Resolution:

- (1) A resolution of the Club is a Special Resolution if:
 - (a) it is passed by a majority which comprises not less than three quarters of such members of the Club as, being entitled under these rules so to do, vote in person or by proxy at a General Meeting of which not less than 21 days' written notice

specifying the intention to propose the resolution as a Special Resolution was given in accordance with these rules: or

- (b) where it is made to appear to the Commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (1) the resolution is passed in a manner specified by the Commission.

36. Voting:

- (1) Upon any motion arising at a General Meeting of the Club a member has one vote only, provided, however, that the persons under the age of 16 years as at the date of the meeting shall not be entitled to vote notwithstanding that they are a financial member of the Club.
- (2) All votes shall be given personally or by proxy, but no member may hold more than five proxies.

37. Appointment of Proxies:

- (1) Each member shall be entitled to appoint another member as proxy by notice through the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (2) The notice appointing the proxy shall be in a form as is prescribed by the Committee.

38. By-Laws:

- (1) The by-laws made by the Committee pursuant to Rule 13(c) shall have the same force and effect as these rules have by virtue of the Act, provided that a by-law is of no effect if it is inconsistent with the Act or these rules or is contrary to law.

PART V - MISCELLANEOUS

39. Insurance:

- (1) The Club shall effect and maintain insurance pursuant to Section 44 of the Act.
- (2) In addition to the insurance required under clause (1), the Club may effect and maintain other insurance.

40. Funds – Source:

- (1) The funds of the Club shall be derived from entrance fees and annual subscriptions of members, donations, and, subject to any resolution passed by the Club in General Meeting, such other sources as the Committee determines.
- (2) All money received by the Club shall be deposited as soon as practicable and without deduction to the credit of the Club's bank account.

(3) The Club shall, as soon as practicable after receiving any money, issue an appropriate receipt.

41. Funds – Management:

(1) Subject to any resolution passed by the Club in General Meeting, the funds of the Club shall be used in pursuant of the objects of the Club in such manner as the Committee determines.

(2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by 2 members of the Committee, being members authorised to do so by the Committee.

42. Alteration of Objects and Rules:

(1) The statement of objects and these rules may be altered, rescinded or added to only by a Special Resolution of the Club.

43. Common Seal:

(1) The Common Seal of the Club shall be kept in the custody of the Public Officer.

(2) The Common Seal shall not be affixed to any instrument except by the authority of the Committee.

44. Custody of Books Etc:

(1) Except as otherwise provided by these rules, the Public Officer shall keep in their custody or under their control all records, books and other documents relating to the Club.

45. The Inspection of Books etc:

(1) The records, books and other documents of the Club shall be open to inspection, free of charge, by any member of the Club at any reasonable hour.

46. Service of Notices:

(1) For the purpose of these rules, a notice may be served by or on behalf of the Club upon any member either orally or by notification in a suitable public notice.

47. Surplus Property:

(1) At the first General Meeting of the Club, the Club shall pass a Special Resolution nominating an Association as the Association in which it is to vest its surplus property pursuant to section 53(2) of the Act in the event of the winding up or the conciliation of the incorporation on the Club.

(2) The Association so nominated shall be one which fulfils the requirements specified in section 53(2) (a)-(c) of the Act.

48. Newcastle Netball Association:

(1) All matters relating to the Welfare of the Club and not herein before provided for shall be governed by the constitution and by-laws of the Newcastle Netball Association.