

# Cornwall Netball Constitution

1. The Association shall be called **Cornwall Netball**.

2. Its aim shall be to promote and further the availability of netball throughout the County, to assist in the provision of facilities to further growth and development of the game. To act as sole controller and governing body of the game of netball in the county.

3. Cornwall Netball shall consist of the elected officers, affiliated clubs and individual members who have paid the agreed Cornwall affiliation fee.

## 4. Officers

the Officers of Cornwall Netball shall be as follows:

(a) President

(b) Honorary Life members (persons who are still active in netball in Cornwall and have been nominated by the Management Board for their services to netball)

(c) Honorary Life Non-Active Vice Presidents (persons previously elected as (b) above but are no longer active in netball in Cornwall).

(d) The Board Members - Chairperson, Vice Chairperson, County Secretary, County Treasurer and League Secretary.

## 5. Management Board

There shall be an Management Board comprising of the following:

(a) The Board Members;

(b) Netball Development Officer, Coaching co-ordinator, Umpiring co-ordinator, Junior League co-ordinator, Performance Pathway Coach (s), Safeguarding officer, Publicity Officer, Disciplinary Secretary.

(c) A representative from the Cornwall Schools netball association.

The Management Board shall meet not less than 4 times a year. All management and league meetings are held in confidence. Board members may not discuss committee decisions until the interested member(s) or club(s) has been officially informed. 5 members shall form a quorum. **Board Members will hold their position for three years before standing down but will be available for re nomination if asked.**

- The Management Board shall have the power to co-opt and replace any officer resigning during the year.
- The Management Board decide the polices of Cornwall Netball.
- The Management Board administers the funds for Cornwall Netball.
- The Management Board will decide upon bylaws and receive any amendments from the league committee and change such rules as thought fit.
- The Management Board can invite any person having specialist knowledge to attend any meeting of the executive in an advisory capacity only and without prior consent.
- The Management Board may set up any sub committee, ad hoc committee, or working party as may be deemed necessary.
- Membership of the Management Board shall automatically lapse if a member fails to attend for 2 consecutive meetings without reasonable excuse or apology (vote will be lost in this case).

### **5a. League Committee**

League Committee shall consist of the League Secretary, Divisional Representative(s), Safeguarding Officer and Treasurer appointed at the AGM.

- The League Secretary shall be chairman at all the committee meetings and in the absence of the League Secretary, a chairman will be elected from those present by a majority vote.
- A quorum shall consist of one half of the officers present.
- It shall be the duty of the League Committee to
  - (a) Administer the policies instituted by the Management Board.
  - (b) Deal with any problems or matters relating to the League.
  - (c) Deal with league positions and work out at the end of the season which clubs gain promotion or demotion
  - (d) To receive suggested changes in bylaws from any member clubs of Cornwall Netball who shall discuss the submission and formulate a proposal to put before the Management Board.
- **6. Rules Of Play**
- Rules governing play shall be the current rules of England Netball

### **7. Finance**

- (a) clubs and individual members may be affiliated on payment of a fee decided upon at the AGM.
- (b) The financial year for Cornwall Netball shall end on 31 March. The accounts shall be checked by a qualified person and presented at the AGM.
- (c) Cornwall Netball's income shall be obtained from the affiliation fees and subscriptions of members. Interest on investments and from any other available and appropriate source, subject to the approval of the Management Board. Such income shall be used for the furtherance of the objects of Cornwall Netball.
- (d) The funds of Cornwall Netball, held by the treasurer shall be applied and dealt with in such a manner, as the Management Board shall direct. The funds shall be lodged at a bank or building society in an account in the name of Cornwall Netball and all cheques drafts etc drawn on these accounts shall be signed by any two of the following officers, treasurer chairperson or county secretary.
- (e) Annual affiliations for Cornwall Netball shall be due on 1st September and must be paid by the 20th September direct to England Netball as per on-line instructions. They shall be valid between 1st September and 31st August in the following year.

### **8. General Meeting**

- (a) The Annual General Meeting shall be held in May/June. Any necessary amendments to the constitution must be sent in writing to the County Secretary 21 days prior to the meeting and 10 days notice of the meeting must be sent to all members stating the matters to be discussed.
  - (b) An Extraordinary General Meeting may be convened upon written request to the Chairman or Secretary. The meeting must be called within 21 days of receipt of the request and give 10 days notice of the meeting to all members stating the reason for the meeting.
  - (c) Voting at the Annual General Meeting or Extraordinary General Meeting.  
One vote will be allowed for
    - (1) The President
    - (2) The Honorary Vice Presidents
    - (3) Each officer as shown in 5 (a) - 5 (d)
    - (4) Each affiliated club
    - (5) Any individual member who has paid the agreed fee.
- Any person or team or club who has not paid their subscriptions will not be entitled to participate or vote on any resolution concerning changes to the constitution.

Any team not attending the Annual General Meeting will be fined £10.

(d) Only persons in attendance at such meetings will be allowed to vote.

(e) The President (or Chairman of the meeting) shall have the casting vote if necessary.

### **10. Alterations to the Constitution or Rules**

(a) The constitution may only be changed at the Annual General Meeting or a General Meeting (see 8a).

(b) Rules may be changed at an Management Board meeting. A simple majority would be required to pass any alteration. The Chairperson of the meeting will have the casting vote if necessary.

### **11. Indemnity**

Any Honary Officer, or any member of the Management Board shall be indemnified by the Cornwall Netball against all costs and losses which she/he may incur or sustain in relation to the execution of the duties of her/his office, or by reason of any duty performed for or with the authority of the Management Board.

### **12. Disciplinary Powers, Procedures and Appeal**

The Management Board and the league committee shall have the power to discipline in such a manner that they see fit, but subject to paragraph 12 (b), a member or constituent of Cornwall Netball who has been guilty of conduct considered by the Management Board to be disgraceful or prejudicial to the interests of the Association of the game of netball or in breach of the memorandum, articles and bylaws of the England Netball and/or the Constitution of the Netball South West.

The power to discipline shall include the power to recommend to Netball South West and/or the England Netball National Executive to suspend or remove a member from membership of England Netball.

On receipt or notification of the facts or circumstances that the member or constituent of Cornwall Netball may have been guilty of such conduct, the Management Board shall have the power to:

(a) make such terms of reference and regulations as it considers necessary for the conduct and proceedings of such Disciplinary Committee.

(b) A member or constituent of Cornwall Netball who has been the subject of disciplinary action by the Management Board has the right of appeal to an Appeal Committee consisting of Board Members of Cornwall Netball who have not served on the Disciplinary Committee concerned with the subject of the appeal and who agreed to serve on an Appeal Committee.

Such as Appeal Committee may affirm, vary or rescind any action decided by the Management Board and substitute therefore any other decision as it's absolute discretion considers appropriate.

c) The Management Board may appoint or constitute a Disciplinary Committee and/or an Appeal Committee jointly with the Management Board of another County Netball in circumstances, which involve members, or constituents of both associations.

### **13. Procedure for Complaints, Grievances and Discipline**

Any club, team or individual with a legitimate complaint concerning the interpretation of any of the County Constitution or rules should:

(a) Contact in writing the County Secretary and the appropriate sub Committee.

(b) The County Secretary and the person receiving any such complaint shall report any action taken or recommendation by them and their sub committee to a Board Meeting and inform the person, team, club concerned of such action.

(c) Only the Management Board can approve any recommendation.

(d) If the complaint has not received a reply within 10 days or feels the recommended action

by the Sub Committee is not satisfactory, they should contact the County secretary who will bring the matter to the Management Board.

#### **14. Serious Complaints**

Any serious complaint that a person, team or club wishes to bring to the Management Board shall be made in writing to the Chairman with copies going to the County Secretary and the Sub Committee's Secretaries. On receiving such a complaint the Chairman or Secretary must call a meeting of the Board Members who shall either.

(a) Take any action they wish including suspension of a person, team or club until a decision is reached at an Management Board.

(b) If the complaint concerns another individual or club they must inform that person or team or club of the detail of the complaint to allow them to respond.

(c) Recall the Board Members, if necessary, for a meeting with those involved.

(d) Report to the Management Board or call a special Board Meeting before any final decision is made. Once a decision is made the only right of appeal will be to Netball South West and England Netball.

#### **15. Dissolution**

In the event of dissolution the remaining funds shall be devoted to other organizations whose objectives are similar to those of Cornwall Netball preferably Netball South West.

#### **16. Trophies, Property etc - possession of and fine for loss, damage etc**

Any person, team, club who receives a trophy or property belonging to the Cornwall Netball is responsible for its safekeeping and ensuring it is returned in good condition by the agreed dates (see rules). Failure to do so may result in that person, team, and club paying for a replacement or repair. A fee of £25 may be imposed in addition to any value for replacement or repair. It is the responsibility of the person, team, and club to make sure that trophies are insured during the time they are in their possession.

#### **17. Failure to pay or return property**

Any person, team or club who fails to pay fees imposed on them by the Cornwall Netball or under the Constitution and/or rules of Cornwall Netball, or failing to return property belonging to Cornwall Netball, or failing to pay subscriptions that may be due, may, at the discretion of the Management Board be suspended from taking

part in any further netball activity arranged by the Cornwall Netball until such times as the money is paid or the property returned or as the Management Board decide otherwise.

18. The Management Board shall have the power to make bylaws concerning all matters in connection with netball in Cornwall but such bylaws shall in no way conflict with or be inconsistent with the national rules.

### **CLUBS ARE REMINDED OF THE MANAGEMENT BOARD'S RECOMMENDATIONS**

**A.** That all clubs should have an elected Committee of Management

**B.** That any Bank of Building Society account is in the name of the Club and not an Individual

**C.** That all clubs should hold their AGM before the County AGM

All previous constitutions we hereby evoke.

**May 2016**