



## **JERSEY NETBALL ASSOCIATION**

### **CONSTITUTION**

#### **1. GENERAL**

The Association shall be known as the Jersey Netball Association (JNA).

The JNA shall be incorporated under the Loi (1862) sur les teneures en fidéicommiss et l'incorporation d'associations, as amended (the "Law") as a société de sports.

All correspondence to be sent to the Honorary Secretary. At such address as that of the Honorary Secretary elected at the AGM.

#### **2. AFFILIATION TO ENGLAND NETBALL AND NETBALL SOUTH WEST**

The JNA shall be affiliated to England Netball (EN) and the South West Region (referred to as Netball South West or NSW). All Member clubs/teams shall also be affiliated to EN.

#### **3. DEFINITIONS AND INTERPRETATION**

- I. "Annual General Meeting" ("AGM") shall mean annual meetings of the JNA held in accordance with the provision of clause 15.
- II. Affiliated Clubs shall mean such Netball Clubs as are or shall be admitted to the JNA from time to time.
- III. "Bankrupt" shall have the meaning prescribed in Article 8 of the Interpretation (Jersey) Law 1954 (revised edition) (as amended from time to time).
- IV. "Constitution" shall mean these rules and any amendment or alteration to these rules adopted in replacement hereof from time to time with the approval of the Royal Court of Jersey in accordance with the provisions of the Law.
- V. "Education, Sport and Culture Department" ("ESC") shall mean the Education Sport and Culture Department of the States of Jersey.
- VI. Registered Participants shall mean the members affiliated to the JNA.
- VII. "Executive Committee" shall mean the Executive Committee established in accordance with clause 10.
- VIII. Extraordinary General Meeting ("EGM") shall mean a meeting called and held in accordance with the provision of clause 15.
- IX. "England Netball" ("EN"). The JNA must be affiliated to EN.
- X. "GNA" shall mean the Guernsey Netball Association.
- XI. Netball South West ("NSW"). .

- XII. Netball Development Officer (“NDO”) shall mean the person employed and appointed by the JNA in conjunction with ESC to the appointed post of Netball Development Officer.

Words importing the singular number only shall include the plural and visa versa and unless the context otherwise requires words importing the masculine gender only shall include the feminine gender.

The clause headings used are for ease of reference only and shall not be taken into account in the interpretation of the clauses.

#### **4. AIMS AND OBJECTIVES**

##### **The Aims and Objectives of the JNA are:-**

- I. To promote the growth and development of the game of netball at all levels by encouraging participation and providing Members of the JNA with suitable competition within Jersey and outside of Jersey.
- II. To provide safe and equal opportunities for successful participation by all sections of the community in the game of netball, irrespective of age, gender, disability, race, ethnic origin, creed, colour, social status and sexual orientation.
- III. To use its best endeavours to provide, maintain and enhance the quality of netball playing and practice facilities within Jersey in association with ESC and other facility owners/providers.
- IV. To use its best endeavours and support the work of all individual Clubs within Jersey, ensuring that adequate channels of communication are in place and that the best possible use is made of available resources.
- V. To cooperate with EN and with NSW, to promote and encourage the game of Netball in Jersey.
- VI. To implement the Strategic County Plan in conjunction with the NDO and to provide leadership, support and guidance for netball in Jersey.
- VII. To serve as a forum to co-ordinate activities, organise the Inter Insular competitions, arrange training courses and in particular to plan and further the growth and development of Netball in Jersey.
- VIII. To ensure that all relevant and appropriate Safe Guarding and Child Protection requirements are in place for all Island Junior Team and Youth teams affiliated to a Senior Club.
- IX. To ensure robust governance procedures and high operational standards are in place in line with EN’s minimum operating standards and position the JNA as “fit for purpose” in meeting the needs of its membership.
- X. To implement the policy, which encourages the highest standard of conduct and sportsmanship and discourage the use of illicit drugs and artificial stimulants.
- XI. To implement and work in conjunction with EN Code of Conduct and EN Rules/Regulations for the Members of the JNA to promote the above.

## **5. GOVERNANCE**

The JNA shall be governed by a Council which shall consist of an Executive Committee, Management Committee plus one delegate from each Affiliated Club not already represented on either the Executive Committee or Management Committee over the age of 16. Members of the Executive Committee and Management Committee must be Registered Participants and shall be duly elected at the AGM.

## **6. POWERS OF THE EXECUTIVE COMMITTEE**

- I. To employ the funds of the JNA as shall be deemed to be in the best interest of the game and the Members.
- II. The Executive Committee shall have such powers as it deems necessary to achieve its roles and Aims and Objectives including the employment of personnel.
- III. To employ, contract or otherwise commission instruct or engage persons, whether employees, officers, advisers or otherwise to the benefit of the JNA.
- IV. To manage local resources in an effective and efficient manner ensuring targeted investment and the sourcing of partnership funding and new income streams as appropriate and necessary.
- V. To appoint and manage the activities of the NDO to co-ordinate and deliver County programmes, competitions and events in conjunction with the Regional Manager of EN to support the delivery of agreed targets.
- VI. The JNA will adopt the Rules of EN (including the articles of association and membership regulations) the Terms of Reference, Minimum Operating Standards and the EN Safeguarding Policy for young people.

## **7. FURTHER POWERS**

- I. The Executive Committee shall be empowered to deal with emergency business of the JNA and this to be ratified at the next Council meeting.
- II. The Executive Committee and/or Management Committee shall have the power to appoint any sub-committees and assistants or Working Party/Group it deems appropriate and/or necessary and to fix their term of reference.
- III. The Executive and Management Committees shall have the power to review and amend the Constitution, as deemed necessary, to ensure compliance with the terms of the sponsorship contracts, during the term of office for ratification at the following AGM.
- IV. To raise money by means of contributions, donations and legacies, grants, covenants and other sources.
- V. To receive and accept from any source gifts and grants of money and/or gifts and devises of immovable property and/or of any other kind of property whether unconditionally or subject to any terms, conditions or trusts.
- VII. To purchase, take on, lease or exchange, hire or otherwise acquire any moveable or immoveable property which the JNA may think necessary for the promotion of the JNA.

- VI. The Council has the power to make, alter, add to and revoke the bye-laws of the JNA when needed. Any such changes to be ratified at the next AGM.
- VII. To arrange, prepare, print, publish, issue and disseminate any programme, pamphlet, book, document, recording or other work and to fix, make and receive fees and other charges thereof.
- VIII. To do all such other lawful things as will further the attainment of the Aims and Objectives of the JNA.

## **8. SPECIAL POWERS**

The Executive Committee shall have the power to deal with any matter not specifically provided for in the Constitution to the extent it is not inconsistent with the Constitution, or is one of such urgency as would preclude the calling of an EGM provided that its actions is reported to such a meeting at the earliest opportunity.

## **9. MEMBERSHIP**

- I. The Members of the JNA shall comprise:-
  - Registered Participants who play, coach, umpire or organise netball or are in any way connected with netball who are affiliated to EN through an affiliated Club or directly through the JNA.
  - The Lady Patron and Honorary Life Members.
- II. Members under the age of 16 shall not have the right to vote at any meetings.
- III. All Members shall be bound by this Constitution, any other rulings of the Executive Committee and by the Rules of the Game of EN.
- IV. Any Member of the Executive or Management Committee may resign at any time by notice in writing to the President.
- V. All Members shall conform to the EN Code of Conduct.
- VI. All Members of the Executive and Management Committee will complete a Declaration of Interest Form.
- VII. All Members are entitled to receive a copy of the relevant Code of Conduct and a copy of the JNA Constitution. Both documents will also be posted on the JNA website.

## **10. EXECUTIVE COMMITTEE AND MANAGEMENT COMMITTEE**

### **I. The Executive Committee shall comprise of the following positions:-**

- President
- Senior Vice President
- Junior Vice President
- Honorary Secretary
- Honorary Treasurer
- Fixtures Secretary
- Netball Development Officer\*

### **II. NON VOTING MEMBER**

***\* The NDO is an employee of the JNA and is a non-voting Member of the Executive Committee and may not hold any other of the Executive or Management posts.***

**III. The Management Committee shall comprise of the following positions:-**

- Coaching Secretary
- Umpire Secretary
- Winter League Umpire Secretary
- Registration Secretary
- Assistant Registration Secretary
- Tournament Fixtures Secretary
- Publicity Officer
- Results Secretary
- Social Secretary
- Liaison Officer
- Website Administrator

IV. All of the above positions to be elected at the AGM.

V. All members of the Executive Committee and Management shall retire at the AGM but are eligible for re-election.

VI. The President shall be the Chairperson at each meeting of the Council and/or Executive Committee, but in her absence one of the Vice Presidents will chair the meeting.

VII. Members of the Executive and Management Committees shall be entitled to vote at all Council Meetings, AGM and EGM. Any Member holding more than one position shall be entitled to only **one** vote.

VIII. The President shall have the casting vote in the case of an equality of votes.

IX. The Executive Committee shall be empowered to fill any vacancies, which may occur between AGMs.

**11. HONORARY LIFE MEMBERS**

I. The Executive and Management Committee shall have the power to appoint a Patron and Honorary Life Members of the JNA. The distinction of Honorary Life Member shall be in recognition for special or long service in connection with the game on the Island. Honorary Life Members are elected by the AGM and shall be entitled to Individual Membership of the JNA without payment of a JNA affiliation fee.

II. If an Honorary Life Member is actively involved in netball activities they must be affiliated to EN and NSW and so would be required to pay the affiliation fees.

III. An Honorary Life Member will be subject to the JNA's Constitution, Code of Conduct and any other Rules or Regulations as the JNA adopts from time to time.

IV. All Honorary Life Members of the JNA shall be entitled to receive notice and to attend the AGM and EGM but shall not be entitled to a vote at the AGM and EGM.

## 12. AFFILIATIONS TO THE JNA

- I. The scale and rate of the JNA's annual subscriptions and fees shall be fixed and agreed at the AGM.
- II. Each Affiliated Club to pay an Affiliation Fee to the JNA, such fee to be decided on at the AGM.
- III. Each Affiliated Club to pay the JNA an affiliation fee per player and non-player, such fee to be decided on at the AGM.
- IV. All Independent Registered Participants shall pay an affiliation fee to the JNA, such fee to be decided on at the AGM.
- V. Affiliation fees and Registration fees to be paid by a ***date to be agreed upon at the June Council Meeting*** to enable the funds to be received into the bank account to enable the Honorary Treasurer to process the payment to EN to comply with the annual affiliation date of 1<sup>st</sup> September.
- VI. All Affiliated Clubs will pay to the JNA court fees, which will be invoiced by the Treasurer.
- VII. Members wishing to second claim will pay the prevailing Affiliation fee at the time of the second claim, less the EN Affiliation fee and the NSW Affiliation fee if the first claim is for another club within NSW.

## 13. ADMINISTRATION AND COUNCIL MEETINGS

- I. The Secretary shall be responsible for taking the Minutes of meetings of the Council, and bringing all correspondence to the notice of the appropriate person(s) or Committee and ensuring that any necessary reply issues are dealt with promptly.
- II. The Council shall meet at all times as they themselves shall arrange (Council Meeting).
- III. At all Council meetings, ten members of the Council (three of whom must be members of the Executive and/or Management Committee) shall form a quorum.
- IV. The Executive Committee shall be responsible for the management of the JNA and the disposal of its funds and any property shall be vested in the Council.
- V. The Council to be responsible for the rules of any league or competition they may arrange. These rules do not need to be included in the Constitution but will be circulated to Clubs in advance of the commencement of the league or competition.
- VI. All dates for Inter Insular and Upton matches to be arranged by the two Netball Associations (JNA and GNA).
- VII. The majority of votes shall determine every proposal, duly seconded. Every Member of the Council shall have the right to one vote WITH THE EXCEPTION of the NDO who does not have a vote.

## 14. FINANCIAL MATTERS

- I. The financial year will be from 1<sup>st</sup> May to 30<sup>th</sup> April.

- II. The Treasurer shall be responsible for keeping proper accounting records of transactions, assets and liabilities, which shall give a clear and accurate view of the financial affairs of the JNA.
- III. The income of the JNA shall be obtained from Affiliation Fees of Members, and from any other available and appropriate source. Affiliation fees shall consist of an annual subscription to the JNA, together with the Affiliation fees to EN and NSW.
- IV. The JNA will pay the relevant EN and NSW Affiliation fees on behalf of registered participants when they affiliate them on the EN affiliation system.
- V. The JNA is a “non profit” organisation. All funds generated will be paid towards the furtherance of the Aims and Objectives outlined in section 4. All funds or other property of the JNA shall not be paid to or distributed among Members of the JNA. Payment to individuals, other than petty cash expenses shall be sanctioned by the Executive Committee.
- VI. Auditors will be appointed at the AGM each year and the audited accounts of the JNA for the year ended 30th April shall be presented to the Members at the AGM.
- VII. All cheques issued by the Treasurer will require two signatories.
- VIII. The JNA may agree a budget in line with the JNA’s Aims, Objectives and County Plan and spend funds as detailed in the budget and sponsorship contracts.

## **15. GENERAL MEETINGS**

### **Annual General Meeting**

- I. The AGM shall be held every calendar year after the end of the main league season and before 30 June, on a date fixed by the Executive and Management Committees.
- II. Notice of any proposal and nomination of Members of the Executive and Management Committees shall be sent in writing to the Secretary with the names of a proposer and seconder who shall both be Registered Participants, not later than one month before the AGM.
- III. The Agenda and any literature shall be sent out to all Executive and Management Committee Members, Club Secretaries, Independent Members Lady Patron and Honorary Life Members not later than 14 days before the AGM. The notice shall specify the place, date and time of the AGM.
- IV. Only Members of Clubs which have been affiliated to the JNA for six months prior to the meeting are eligible to vote.
- V. Each Affiliated Club eligible to vote may be represented by six Members. Affiliated Clubs with only one team can be represented by the minimum of two members without incurring a fine. Affiliated Clubs with more than one team can be represented by the minimum of three members without incurring a fine.
- VI. Each Member of the Executive and Management Committee shall be entitled to attend, speak and have full voting rights.
- VII. Other Members of Affiliated Clubs are entitled to attend to speak but only the six Members representing each Affiliated Club over the age of 16 are entitled to vote.
- VIII. Proposals at the meeting will be decided by a simple majority of those entitled to vote except for alterations/additions to the Constitution.

- IX. The Constitution can be amended and previous resolutions rescinded only at an AGM or EGM.
- X. No alteration shall be made to the Constitution unless supported by at least two thirds of those present and entitled to vote.
- XI. Any alterations made to the Constitution passed at the meeting and sanctioned by the Royal Court in accordance with the Law shall take effect immediately.
- XII. Any Affiliated Club not represented at Council Meetings by a Member will be fined, such fine to be decided on at the AGM.
- XIII. Any Affiliated Club not represented at the AGM shall be fined, the amount to be determined at the AGM.
- XIV. Any member of an Affiliated Club in debt to the JNA at the time of the AGM will not be eligible to vote at the AGM.
- XV. Any Affiliated Club in debt to the JNA at the time of the AGM would require ratification by the JNA, at the first Council meeting after the AGM.
- XVI. EN representative to be invited to attend the AGM.

**Business to be transacted at the AGM shall be:**

- I. The President of the JNA shall act as Chairman of the AGM. In the absence of the President, the Executive Committee shall appoint a Chairman from those present at the meeting.
- II. The President shall have the casting vote in case of an equality of votes.
- III. No business shall be transacted at the meeting other than that specified on the agenda or by permission of the President.
- IV. No person attending shall be permitted to more than one vote each.
- V. The Minutes of the AGM will be taken by the Secretary. In the absence of a Secretary the President will appoint a member of the Executive Committee or Management Committee to cover this role.
- VI. To receive Apologies.
- VII. To receive and approve the Minutes of the previous AGM and to consider any matters arising.
- VIII. To receive the President's Annual Report.
- IX. To receive the NDO's Annual Report.
- X. To receive, approve, and adopt the audited statement of accounts and the balance sheet of the preceding financial year.
- XI. To elect members of the Executive Committee and Management Committee.
- XII. To appoint Auditors.



- XIII. To consider any proposed motion submitted in writing to the Secretary six weeks before the date of the AGM, which has been proposed and seconded by Registered Participants.
- XIV. To agree and fix affiliations for each membership category, subscriptions, fees, fines etc for the forthcoming season.

#### **Extraordinary General Meeting**

- I. The President and/or Secretary shall convene an EGM at any time by order of the Executive Committee or upon receiving a request in writing from two or more Affiliated Clubs.
- II. The request in writing must be signed by an officer of each Affiliated Club. The meeting shall be held within 28 days of receipt of the requisition by the Secretary.
- III. Each request shall state the purpose for which such a meeting is required and shall set out any proposal to be voted on at the meeting.
- IV. Fourteen days notice of the meeting and all proposals shall be given to every Affiliated Club, Executive Committee and Management Committee member. The notice shall specify the place, date and time of the EGM.
- V. No business shall be transacted at such a meeting other than that specified in the notice.
- VI. Voting shall be bound as that for the AGM.
- VII. No Member shall be able to represent an absent member at the AGM or EGM.

### **16. QUORUM – COUNCIL MEETINGS, AGM & EGM**

At all Council meetings, ten members (three of whom must be Executive Committee or Management) shall form a quorum.

At an AGM, 24 members (three of whom must be Executive Committee members) shall form a quorum.

At an EGM, 24 members (three of whom must be Executive Committee members) shall form a quorum.

### **17. LIABILITY AND INDEMNITY**

- I. Any Member of the Executive and Management Committees or a Working Party/Group shall be indemnified by the JNA against all costs, losses and expenses which she/he may reasonably occur in discharge of the duties of her/his office, or by reason of any duty performed for or with the authority of the Executive Committee.
- II. No Member shall be liable for any loss arising to the JNA in discharge of his/her office unless as a result of her/his fraud, wilful misconduct or gross negligence.

### **18. REPRESENTATION**

The President or failing her the Senior Vice President or the Honorary Secretary shall represent the JNA before the Royal Court of Jersey and before all Courts and Tribunals whatsoever.

## **19. ARBITRATION AND MATTERS NOT PROVIDED FOR**

Subject to Article 9 of the Law, any dispute on the interpretation of this Constitution or the need arises to deal with any matter not provided for in this Constitution reference shall be made to the Secretary who shall refer the same to the Executive Committee whose decision shall be binding on all parties.

## **20. BYE-LAWS**

Bye-laws shall comprise such Rules and Regulations that may be required at any time for the organisation and operation of the game of netball under the auspices of the JNA. These include league rules, tournament rules and Inter Insular rules. In accordance with the provisions of Clause 7 (vi) the Council shall be responsible and has the power to make, alter, add and revoke the bye-laws of the JNA when needed to the extent they are consistent with the Constitution.

## **21. DISSOLUTION**

Subject to Article 10 of the Law, In the event of dissolution any assets remaining after the satisfaction of all debts and liabilities shall be dealt with in a manner to be determined by resolution of an EGM so as to promote the Aims and Objectives of the JNA or of some organisation with similar aims. In the event of there being a deficit, the EGM shall decide how it shall be met.

## **22. COMPLAINTS AND INVESTIGATIONS PROCEDURES**

Any member of the JNA who believes that the conduct of another member has breached the Constitution, Code of Conduct, Rules/Regulations or the Objectives and Aims of the JNA, or whose conduct has brought the JNA into disrepute, may inform the Executive Committee in writing.

The complainant shall provide evidence in the fullest possible terms of the grounds for the complaint/grievance.

A meeting of the Executive Committee shall be held within thirty days of receipt of the written complaint. All parties involved in the complaint will be invited to attend at the meeting and make representations in regard to the complaint.

The Executive Committee shall inform, in writing, the parties to the complaint of its decision within fourteen days of the meeting.

## **23. DISCIPLINARY PROCEDURE**

- I. The JNA will follow the guidelines set out in the EN Code of Conduct and Disciplinary manual.
- II. Where the Executive Committee upholds a complaint, and considers that it is of sufficient severity, it has a right to invoke the disciplinary procedure with immediate effect.
- III. The Committee will have the following options at its disposal under the disciplinary procedure:
  - (a) Impose a period of suspension for a defined period.
  - (b) Terminate the membership of the person as outlined in the Constitution.

- IV. Where the Executive Committee consider that a period of suspension is appropriate, the member is suspended from all activities at or on behalf of the JNA and will be ineligible to participate in the affairs of the JNA.
- V. The member shall be informed in writing of the reasons for the suspension and the date from which the suspension shall commence.
- VI. The Executive Committee may reinstate the suspended member following the determination of a successful appeal. The Executive Committee shall inform the member in writing of the date from which she/he is reinstated.
- VII. The Executive Committee, if deemed appropriate, will forward notification of the disciplinary action taken and the outcome of any appeal to EN.

## **24. APPEALS PROCEDURE**

The appeal must be made in writing to the Executive Committee within fourteen days of the member being notified of the outcome of the disciplinary meeting.

A member, subject to disciplinary action, may appeal the decision of the Executive Committee to the South West Regional Manager.

## **25. TERMINATION OF MEMBERSHIP**

The Executive Committee shall have the power to terminate the membership of a Member where it is proved that a serious breach of the Constitution, Code of Conduct, Rules/Regulations, Objectives and Aims of the JNA, or whose conduct has brought the JNA into disrepute.

## **26. TROPHIES, PROPERTY ETC – POSSESSION OF AND FINE FOR LOSS, DAMAGE ETC**

Any Member or Affiliated Club who receives a trophy or property belonging to the JNA is responsible for its safekeeping and ensuring it is returned in good condition by the agreed dates. Failure to do so may result in that Member or Affiliated Club paying for a replacement or repair. It is the responsibility of the Member and/or Affiliated Club to make sure that trophies are insured during the time they are in their possession.

## **27. FAILURE TO PAY OR RETURN PROPERTY**

Any Member or Affiliated Club who fails to pay fees imposed on them by the JNA or under the Constitution and/or Bye Laws of the JNA, or failing to return property belonging to the JNA, or failing to pay subscriptions that may be due, may, at the discretion of the Executive Committee be suspended from taking part in any further netball activity arranged by the JNA until such times as the money is paid or the property returned or as the Executive Committee decide otherwise.

**Dated: June 2013**