

MEMORANDUM

To	Association Presidents & Primary Contacts
From	Mark Watton
Re.	Notes to accompany template Association Constitution
Date	31 October 2017

Preface

This document has been provided as a guide to the template Association constitution.

The template can be used in its entirety with the highlighted sections required to be filled out with the Association's specific information/requirements. There is a brief description of the details required at each highlighted section.

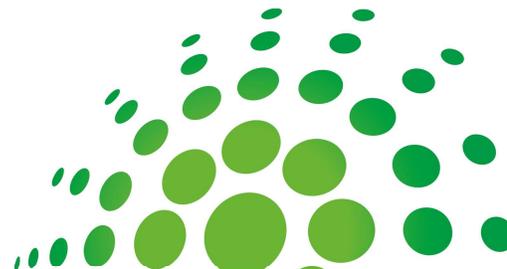
Whilst the document has been heavily scrutinised and Netball WA have been informed that it does comply with the Associations Incorporations Act 2015, we advise anyone utilising the template to do their due diligence prior to submitting the completed document to the Department of Commerce.

If any changes are made to the template Netball WA recommends that legal advice is obtained prior to submitting the finished document.

Statement on front page – 'This is the annexure of [39] pages marked "A" referred to in Form 5 signed by'

Associations Form 5 'Notice of Special Resolution Altering the Rules of an Incorporated Association' has been developed to assist associations notify the Department of Commerce the relevant information. The appropriate lodgement fee must accompany the notice.

If you have not lodged the notice within one month of passing the special resolution, you can attach a letter outlining the reasons for the delay, and an extension of time might be approved.



4. Financial Year

3) Netball WA recommends that the Association's Financial year aligns with Netball WA's as indicated. Another suggestion would be from 1 October to 30 September which would encompass the typical netball season.

8. Applying for Membership

4) This means that the Association cannot reject Club members as the process is somewhat automatic.

29. Term of Office

2) This contemplates 1-year terms for all Committee members. If Committees are instead going to have 2 or 3-year terms, we suggest using "staggered" or "rotational" terms so that not all Committee members finish their term in the same year. This helps preserve "corporate knowledge" of the Association and assists in succession planning of Committees.

Proxies

Provision for Proxies is not required, as clubs are ordinary members and they can appoint an individual who is a member of that Club to vote on behalf of the Club on any question, at a particular general meeting, or at any general meeting, as specified in the document by which the appointment is made.

Additionally, Clause 39 allows for attendance at a meeting via '.....telephone or other means of instantaneous communication.'

This means that even if a member cannot be present in person, they can still be present remotely at the meeting and exercise voting rights.

