



ACTION NETBALL WESTERN PROVINCE



WESTERN PROVINCE ACTION NETBALL CONSTITUTION

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1. NAME

1.1 The Club hereby constituted shall be known as Western Province Action Netball.

1.2 Its shortened name shall be WPAN (hereinafter referred to as the organization).

2. EXISTENCE

2.1 WPAN shall:

- Exist as a club through its direct affiliation to the Provincial body/ies in the geographical area (Western Cape) in which it is situated, namely but not limited to Brackenfell Action Sports Arena, which has been endorsed by the South African Indoor Netball Federation (SAINF) and the relevant Provincial or Regional body.

- Exist in its own right, separately from its members.
- Continue to exist even when its membership changes and there are different office bearers.
- Be able to own property and other possessions.
- Be able to sue and be sued in its own name.
- Adhere to the Constitution of the South African Indoor Netball Federation.

3. OBJECTIVES

a) WPAN's main objectives are:

- To facilitate and advance the game of Action Netball across all ages within the Western Cape by providing a positive and enjoyable experience through a structured and organized environment with the aim of uplifting and developing people together with strengthening partnerships with the community.

b) WPAN's secondary objectives shall be:

- To work in conjunction with the South African Indoor Netball Federation and its affiliates in order to achieve its main objectives.



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4. GOVERNING STRUCTURE AND MECHANISM OF GOVERNANCE

4.1 The management, control, and administration of all matters and affairs of WPAN shall be vested in a controlling body, hereafter referred to as the Committee, composed as follows:

- Chairman – Carina Baguley
- Vice-Chairman – Pieter Krynauw
- Treasurer – Robin Baguley

The Office Bearers will oversee the organization. The Office Bearers will be made up of 3 members.

5. POWERS OF THE ORGANIZATION

5.1 The Committee shall carry out the powers on behalf of the organization and manage the affairs of the organization in accordance with the resolutions of the members as shall be taken from time to time at General Meetings of the organization.

5.2 The Committee is responsible for making decisions and acting on such decisions, which it believes it needs to make in order to achieve the objectives of the organization as stated in point number 3 of this constitution. However, such decisions and activities may not be against the resolutions of the members or against the law of the Republic of South Africa.

5.3 The Committee shall have the general powers and authority to:

- Raise funds or invite and receive contributions.
- Buy, hire, or exchange any property that it needs to achieve its objectives.
- Make by-laws for proper governance and management of the organization.
- Form sub-committees as and when necessary for the proper functioning of the organization.

5.4 If the Committee deems it necessary, it may decide to set up one or more sub-committees to ensure operational efficiency or to achieve specific purposes.

5.5 The Committee may delegate any of its powers or functions to a sub-committee provided that:

- Such delegation and conditions are reflected in the minutes of a meeting.
- At least one Office Bearer serves on the sub-committee.



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- There are three or more people on a sub-committee.
- The sub-committee must regularly report back to the Committee on its activities.

5.6 The Committee must approve all expenditure incurred by the sub-committee in advance and may revoke the delegation or amend the conditions of the delegation.

6. MEETINGS

6.1 Annual General Meetings (AGM)

6.1.1 Stakeholders of the organization must attend its annual general meetings.

6.1.2 The purpose of an Annual General Meeting (AGM) is to:

- Report back to stakeholders from the Office Bearers on the achievements and work of the year.
- Make any changes to the constitution.
- Enable members to decide on the policies of the organization.

6.1.3 The annual general meeting must be held once every year, towards the end of the organization's financial year.

6.1.4 The organization should deal with the following business, amongst others, at its annual general meeting:

- Agree to the items to be discussed on the agenda.
- Record attendance and apologies.
- Confirm the previous meeting's minutes with matters arising.
- Chairperson's report.
- Treasurer's report.
- Changes to the constitution that members may want to make.
- Elect new office bearers.
- General matters.
- Close the meeting.



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6.2 Special General Meetings

6.2.1 A Special General Meeting (SGM) or any other special meeting is held outside of the normal or regular meetings.

6.2.2 Special or extraordinary meetings can take the shape of an Annual General Meeting (AGM) or any ordinary meeting of members.

6.2.3 The Committee or not less than one-third of the members may call a Special General Meeting of the organization.

6.2.4 Special meetings may be called when the Committee needs the mandate or guidance of the general members of the organization to address issues requiring urgent attention.

6.3 Ordinary Meetings

6.3.1 Ordinary members' meetings are conducted to complete the standard order of business of the organization. These are held once a quarter and are attended by the Committee.

6.3.2 The meetings of the Committee will be held at least once a quarter or when the need arises from time to time to conduct the business of the Committee.

6.4 Notices of Meetings

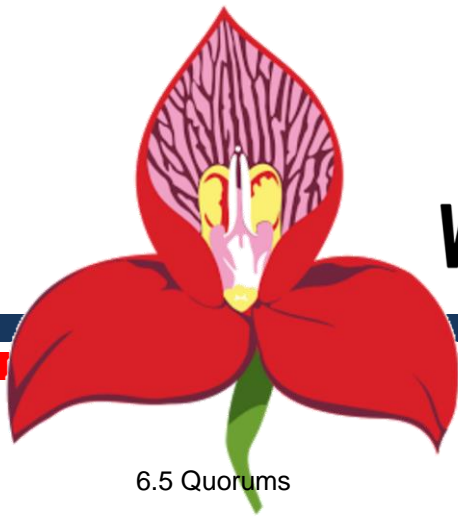
6.4.1 The Chairperson of the Committee shall convene meetings. The Secretary must notify all Committee members of the proposed meeting date within a reasonable time, but not less than seven (7) days before it is due to take place.

6.4.2 However, when convening an AGM or a Special General Meeting, all members of the organization must be informed of the meeting no less than fourteen (14) days before such a meeting.

6.4.3 Notices for all meetings provided for in this constitution must be given to relevant members in writing, either personally, by post, electronic communication, or whichever manner is convenient, to the address or other similar particulars provided by the members.

6.4.4 The notices for all meetings must indicate the reasons for the meeting and the matters that will be discussed.

6.4.5 For confirmation of delivery, all notices sent to members at the latest known contact details shall be deemed to have been duly served on members unless proven otherwise.



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6.5 Quorums

6.5.1 Quorums for all meetings of the organization shall consist of a simple majority (50% + 1) of relevant committee members expected to attend.

6.5.2 However, for the purpose of considering changes to this constitution or the dissolution of the organization, a two-thirds ($\frac{2}{3}$) majority of the committee members shall be present at a meeting to make a quorum before a decision to change the constitution is taken.

6.5.3 All meetings of the organization must reach a quorum before they can start.

6.5.4 If a quorum is not present within fifteen minutes of the appointed time of the meeting, the meeting must be adjourned or postponed to another date, within fourteen days thereafter.

6.5.5 If no quorum is present at the reconvened meeting within fifteen minutes of the appointed time, the members present shall be regarded to make up a quorum for that meeting, and the meeting will continue as if a quorum is present.

6.6 Procedures at Meetings

6.6.1 The Committee may regulate its meetings and proceedings as it deems fit, subject to the following:

- The Chairperson shall chair all meetings of the organization, including that of the Committee.
- If the Chairperson is not present, the Vice-Chairperson shall chair such a meeting. In the event both are absent, the Committee members present at the meeting shall elect a chairperson for that meeting.

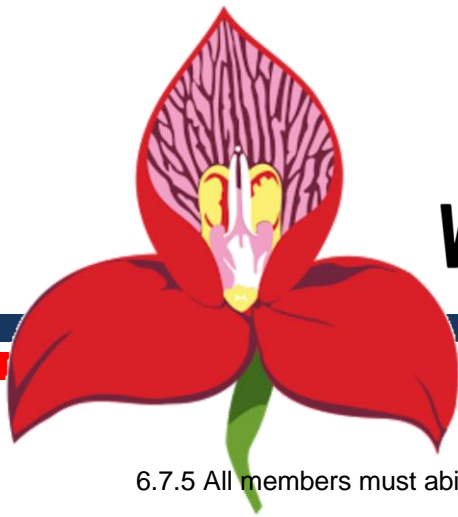
6.7 Making Decisions in Meetings

6.7.1 Where possible, decisions of the organization shall be taken by consensus. However, when there is no consensus, members will discuss options and then call for a vote.

6.7.2 Committee members shall have one (1) vote each, except in the case of the Chairman, who shall have a casting vote as well as a deliberate vote when the voting is equal.

6.7.3 All votes shall be counted, and the majority votes on an issue shall be regarded as the decision of the meeting.

6.7.4 If opposing votes are equal on an issue, then the chairperson in that meeting has either a second or a deciding vote.



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6.7.5 All members must abide by the majority decision.

6.7.6 Decisions concerning changes to this constitution or of dissolution and closing down of the organization shall only be dealt with in terms of clauses 10 and 11 of this constitution.

6.8 Records of Meetings

6.8.1 Proper minutes and attendance records must be kept for all meetings of the organization.

6.8.2 The minutes shall be confirmed as a true record of proceedings by the next meeting of the Committee or of general members as the case may be and shall thereafter be signed by the chairperson.

6.8.3 Minutes shall thereafter be kept safely and always be on hand for members to consult.

7. MEMBERSHIP

7.1 All players participating at an affiliated WP Arena (at this stage, Brackenfell but not limited thereto) are eligible for membership to WPAN. Members of the organization shall be players who are selected into the final touring squads facilitated through WPAN's trial process and shall remain members until 48 hours after the tour in which the player has been selected has been completed or unless the player's withdrawal from the touring team has been accepted by the WPAN committee.

7.2 Members will not be required to pay any fee to have membership with WPAN other than those costs associated with trials and touring. However, WPAN reserves the right and members agree through their participation in WPAN processes to be subject to fundraising events and/or admin fees used for the purposes of facilitating and improving the game in line with the objectives set out in this constitution. However, these funds will not be used as remuneration for office bearers of the WPAN Committee.

7.3 Trial Deposit: Members trialing for WPAN are required to pay a trial deposit amount determined by the committee each year. This deposit must be paid before the member is allowed to trial. The deposit amount will be credited towards the fees of members selected for a WPAN team/s for that year. Members who do not make a WPAN team will have the opportunity to request a full refund within 10 working days after the team announcements have been made. No deposit refunds will be issued after the expiration of the 10 working days. 7.4 No individual may affiliate with more than one (1) Club. Any change of Affiliation shall be requested in writing to the relevant Clubs, stipulating the reasons for such a change.

7.5 The membership of an individual to any Club shall bind such an individual to affiliation to the Provincial or Regional Body in whose geographical area of jurisdiction such a Club is located.



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7.6 Any affiliated individual may, upon written request, be granted written consent by the relevant Club to represent another Club's representative team/s.

7.7 Any affiliated individual may, upon written request, be granted written consent by the relevant Provincial or Regional Body, to represent another Provincial or Regional Body's representative team/s.

7.8 Any individual may only represent the team/s of one (1) Club during any Calendar year. Should an individual receive written consent to change affiliation, such an individual may represent the team/s of the new Club when brought about by the individual having moved to another geographical area or when 7.5 above has become effective.

7.9 Any individual who is not an affiliated member in good standing of a Club or any Arena (refer 7.9 below) may not be selected to represent the relevant Provincial or Regional Bodies' representative team/s.

7.10 WPAN may terminate the membership of any individual on the following grounds:

- Non-compliance with the Disciplinary Code of WPAN or SAINF, or the relevant Provincial or Regional Body.

- Not being in good standing with any affiliated Arena or Club of SAINF through:

- (i) non-payment of agreed fees,

- (ii) misbehaviour,

- (iii) infringements of the Constitutions, Bye-laws, Regulations, and Rules of SAINF as well as its affiliates and umbrella bodies.

Any fee or costs paid by the individual shall not be reimbursed at the time of the membership being terminated for any reason.

7.11 Members Clothing: Upon selection for a WPAN team, members are eligible to order official WPAN clothing. Players who place special orders for alterations or sizes exceeding 3XL will not receive a refund for their clothing payment if they withdraw from their WPAN tour/s.



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7.12 Withdrawals and Refunds:

7.12.1 Members withdrawing from a tour 60 days prior to their tour/s are not eligible for any refund, including the trial deposit. Members withdrawing within this timeframe remain liable for the full payment of the agreed-upon tour fees. If a player has earned their WPAN clothing colors in the past, they can still receive their clothing if all outstanding amounts have been settled. Players who have not played WPAN before will not receive their clothing, but the clothing amount will be refunded to the player, with the exception of special orders and sizes exceeding 3XL.

7.12.2 Members Withdrawing Due to Legitimate Injury or Illness: Members withdrawing from a tour due to a legitimate injury or illness (as determined by the committee) within 60 days prior to their tour will still be liable for the agreed-upon tour fees. WPAN will make efforts to refund members affected by injury and illness to the best of their abilities, but short notice withdrawals carry financial implications.

8. YOUTH DEVELOPMENT

WPAN has prioritized the importance of youth development, seeing this as a critical area for investment to achieve its objectives. Four focus areas have been identified:

8.1 Development of Coaches: Coaches, together with Assistant Coaches in various age categories, have been onboarded and are specifically focusing on investing in and developing our youth. These coaches are under the mentorship of our Head of Coaching and are being developed to walk the journey with our youth players, not only during build-ups and tours but also post-tours.

8.2 Development of Players: Talented young individuals will be identified, and as many children as possible will be encouraged to play, or at the very least, be involved in our development program. This process is overseen by our Head of Youth Development and other senior mentors on the committee. Development events such as coaching days, league participation, and special youth tournaments are organized throughout the year to bridge the gap between IPT events.

8.3 Partnerships with Affiliate Arenas: Partnering with affiliate arenas to bring youth to the arena to participate in events set out in 8.2 above.

8.4 Partnership with the Community and Sponsors: An important element in improving youth participation numbers is the partnership with neighbouring schools. Schools and clubs are targeted to stimulate interest and participation, particularly in the off-season for outdoor cricket. Additionally, obtaining sponsorships remains a priority so that we can attract the less privileged to the game.



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9. INCOME AND PROPERTY

9.1 The organization will keep a record of everything it owns.

9.2 The organization may not give any of its money or property to its members or the Committee except when paying for work that an Office Bearer or member has done for the organization. The payment must be a reasonable amount for the work done.

9.3 The Committee or a member of the organization can only get money back from the organization for expenses paid for or on behalf of the organization, and for which authorization has been granted.

9.4 The Committee or members of the organization do not have rights over things that belong to the organization.

10. FINANCES AND REPORTS

10.1 Bank Account: The Committee must open a bank account in the name of the organization with a registered Bank.

10.2 Signatories:

A-signatories

- Chairman
- Treasurer

10.3 Authorizing: All financial authorizations and documents requiring signature on behalf of the organization shall be signed by at least both "A-signatories".

10.3 Financial year-end: The financial year-end of the Organization shall be the end of 31 October each year.

10.4 Financial Report: The Committee must ensure that proper records and books of account reflecting the affairs of the organization are kept, and within six months of its financial year, a report is compiled by the acting Treasurer stating whether or not the financial statements of the organization are consistent with its accounting policies and practices.

10.5 The Treasurer is responsible for ensuring that the organization's money is safe and accounted for.



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10.6 The Treasurer must also make regular reports to the Committee on the organization's finances, including all incomes, expenditures, and balances, according to accounting practices.

10.7 If the organization has funds that can be invested, the funds may only be invested with registered financial institutions listed in Section 1 of the Financial Institutions (Investment of Funds) Act, 1984, or as shall be amended. Alternatively, the organization can invest in securities listed on a licensed stock exchange as set out in the Stock Exchange Control Act, 1985 (as amended). Seeking advice from different banks on the best way to manage its funds is encouraged.

11. DISCIPLINARY ACTION AND HEARINGS

11.1 The Head of Disciplinary Action shall handle all disciplinary cases regarding players as set out in the Code of Conduct Annexed hereto as per Annexure 2. However, cases may be referred to the Disciplinary Committee. In each case, the Head of Disciplinary Action or Committee shall be empowered to inflict fines, bans, suspend or terminate membership. Members may appeal against the decision by lodging an appeal in writing to the Secretary of the Executive Committee within fourteen (14) days of receipt of such letter. The Committee, on receipt of the appeal, will call a meeting to hear the appeal and advise the member of the details. The decision of the hearing will be final.

12. AMENDMENTS TO THE CONSTITUTION

12.1 The constitution can only be changed by a resolution agreed upon and passed by not less than two-thirds ($\frac{2}{3}$) (or at least 67%) of the members present at the annual general meeting or special general meeting. Members must vote at this meeting to change the constitution.

12.2 For the purpose of considering changes to this constitution, a two-thirds ($\frac{2}{3}$) majority of the members shall be present at a meeting to make a quorum before a decision to change the constitution is taken. Any annual general meeting may vote upon such a motion if the details of the changes are set out in the notice referred to in clause 6 of this constitution.

12.3 Written notices must go out not less than fourteen (14) days before the meeting at which the changes to the constitution are proposed. The notice must indicate the proposed changes to the constitution that will be discussed at the meeting.

12.4 No amendments may be made which would cause the organization to close down or cease to function.



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13. DISSOLUTION/CLOSING DOWN

13.1 The organization may dissolve or close down if at least two-thirds ($\frac{2}{3}$) of the members present and voting at a meeting convened for the purpose of considering such a matter are in favor of closing down.

13.2 When the organization closes down, it must pay off all its debts. After doing this, any remaining property or money should not be distributed to members of the organization. Instead, it should be given to another non-profit organization with similar objectives, as decided by the organization's general meeting.

This constitution was approved and accepted by members of Western Province Action Netball at a special (general) meeting held on 23 November 2022.

Name of Signatory: Carina Baguley

Position: Chairperson

Name of Signatory: Robin Baguley

Position: Treasurer