

# NEW SOUTH WALES COUNTRY TABLE TENNIS LEAGUE CONSTITUTION

## 1. NAME

The name of the League is the New South Wales Country Table Tennis League, herein after referred to as the League.

## 2. OBJECTS

The objects of the League are:

- (a) to promote table tennis events and activities primarily to the Country areas of NSW;
- (b) to assist TTNSW in the promotion, control, and organisation in the Country areas of NSW;
- (c) To do such things as necessary or convenient for carrying out the objects of the League;
- (d) To adhere to the Constitution, laws and regulations of TTNSW and TTA.
- (e) To conduct activities that are feasible and financially viable that promote Country table tennis.

## 3. DEFINITIONS

The following definitions shall apply in this Constitution:

- (a) The League means the New South Wales Country Table Tennis League;
- (b) TTNSW means "Table Tennis New South Wales"
- (c) TTA means "Table Tennis Australia"
- (d) A registered member means a registered member of a member association;
- (e) A member association means any association ~~whose application for membership has been accepted by the League~~ affiliated with TTNSW and defined to be a country association.
- (f) Registration means payment of a registration, membership or equivalent fee to a member association and to TTNSW;
- (g) Financial means having paid all fees due to the League or a member association for the current membership period; or any other Table Tennis Association (ie Table Tennis Australia or Table Tennis NSW)
- (h) Unless the contrary intention appears expressions used in a by-law or regulation have the same meaning as in this Constitution, words in the masculine gender include females, and words in the singular include plural and words in the plural include the singular.
- (i) Notify in writing shall mean by post, email or by fax.

## 4. DEFINITION OF COUNTRY ASSOCIATIONS

The League comprises country associations in NSW which are affiliated to TTNSW and which have paid the required affiliation membership fee to TTNSW ~~the League~~ for the current financial year. ~~See items 3(c, d and e) and invitational eligibility.~~

## 5. ANNUAL GENERAL MEETING

(a) An annual General Meeting of the League shall be held ~~in the month of June in~~ each year at the time of the NSW Country Championships, the exact time and date to be determined by the Executive.

**(If the tournament is held in May this is not valid so should be deleted)**

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- (b) The Annual General Meeting is to be held for the purpose of:
- (i) reading and confirmation of the minutes of the previous AGM and of the last special General Meeting (if any) held during the preceding 12 months.
  - (ii) receiving from the Executive a report of its activities during its term of office,
  - (iii) a financial report, a balance sheet and a statement of accounts for the preceding financial year;
  - (iv) electing the Executive.
  - (v) fixing the ~~annual membership fees~~ **Team Entry Fee** to be paid to the League by associations ~~seeking membership of the League~~ **playing in the Country Championships**
  - (vi) approving by-laws or regulations;
  - (vii) amending, adding to, or repealing the Constitution
  - (viii) directing the Executive on any matter within the objects of the League
  - (ix) considering any motion properly on the business paper.
- (c) a motion shall not be considered at any AGM unless at least 14 days notice has been given to the Secretary, or leave given by at least a two-thirds majority of those present and entitled to vote at the meeting.

**6. SPECIAL GENERAL MEETING**

A Special General Meeting may be convened at any time for the purpose of dealing with the specific business for which it was convened, either on the Executive's own motion or on request in writing of at least three member associations, made at least 21 days before the date of the proposed meeting.

**7. GENERAL MEETINGS**

- (a) At least 28 days before an Annual General Meeting or 14 days before a Special General Meeting the Secretary shall notify all member associations in writing, setting out the business to be transacted;
- (b) A General meeting is not invalidated by reason only that a member association has not received notice of a meeting;
- (c) Each financial member association shall nominate in writing to the Secretary before a General Meeting one delegate as its representative at the meeting. No association which is unfinancial shall be entitled to representation.
- (d) Duly nominated delegates at a meeting shall be entitled to one deliberate vote, and only such delegates may exercise a vote. The Chairman of the Meeting shall be entitled to a casting vote, which he must exercise, and if he is a delegate a deliberate vote also. Other persons may be present with the permission of the meeting but may not exercise a vote.
- (e) At a General Meeting delegates of three member associations form a quorum.
- (f) Unless otherwise provided in this Constitution all motions arising at a General Meeting shall be decided by a majority of votes of delegates present.
- (g) Postal voting or voting by proxy shall not be permitted at General Meetings.

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- (h) The President shall chair General Meetings at which he is present or in his absence the delegates shall designate one other of the Executive as Chairman or in the absence of all these officials the delegates present shall elect a Chairman.
- (i) Nominations as officers of the League may be lodged in writing with the Secretary or be made orally at the Annual General Meeting. The nominator and seconder shall both be registered members of a member association.
- (j) If any offices of the Executive remain unfilled after the close of the AGM they shall be filled as provided in section 9 of this constitution.
- (k) The League shall cause minutes of its proceedings at General Meetings to be kept.

## 8. EXECUTIVE

For the purposes of carrying out the objects of the League, there shall be an Executive to manage the affairs of the League.

- ~~(a)~~ The Executive shall consist of a President, Vice Presidents, Secretary and Treasurer, or combination. ~~The length of time one person can hold a particular position shall be the maximum of 3 years.~~  
~~(although this is not mandatory in the Incorporation Act 2009, it was discussed in the early submissions to fair Trading and recommended)~~
- (b) All members of the Executive shall be registered members of a member association, and/or Table Tennis NSW.
- (c) No more than two members of the Executive shall be registered members of one association.
- (d) Subject to the next succeeding sub-section, office bearers on the Executive shall hold office until the Annual General Meeting next after the meeting at which they were elected.
- (e) In the event of the incapacity of any Executive Officer to act through death, retirement, illness, unwillingness or any other reason as a member of the Executive, or if any Executive Officer ceases to be a financial member of a members association, or is removed from office at a General Meeting, the Executive shall declare such officer's position vacant.
- (f) When a vacancy on the Executive occurs a replacement shall be appointed by the Executive to hold office for the remainder of the term of office.
- (g) The exercise or performance of the powers and functions of the Executive is not affected by reason only of there being a vacancy on the Executive.
- (h) If no nominations for Executive are forthcoming, the outgoing Executive are to transfer whatever funds the League has to TTNSW (see section24)

## 9. EXECUTIVE MEETINGS

- (a) The Executive shall meet at such times as it determines, and the details of meetings shall be notified to Executive Officers at least 14 days in advance by the Secretary.
- (b) At a meeting of the Executive at least *two* members shall be present to form a quorum.
- (c) Each Executive member shall be entitled to a deliberate vote only.

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- (d) All motions arising at a meeting of the Executive shall be decided by a majority of votes.

**10. EXECUTIVE POWERS**

- (a) The Executive has the power to:
  - (i) exercise the powers and functions conferred on it by this constitution
  - (ii) arrange and conduct events, tournaments, matches and other activities in accordance with the objects of the League
  - (iii) do all such things as are necessary to carry out the objects of the League, other than anything which by this constitution is required to be done at a General Meeting, and always observing the whole of this Constitution.
- (b) The secretary shall keep all member associations informed of the decisions of the Executive, of the activities of the League, and the results of any postal votes conducted by the Executive, and shall be entitled to receive information from members associations.
- (c) Any incoming Executive shall recognise all matters resolved by previous Executive, subject to any resolution duly made by the incoming Executive.
- (d) **The Executive has the power to use surplus funds up to 20% maximum of available funds towards coaching, tours, development and promotional activities as outlined in a business plan which is provided to all associations. Any increase to the 20% would have to be voted upon by members at an annual general meeting**

**11. EXECUTIVE POWERS – LIMITATIONS**

- (a) The Executive shall not at any time exercise those powers allotted under this Constitution to General Meetings, but may at time refer matters falling within such powers or function to member associations for decision by postal vote. All votes shall be submitted within 35 days of notification by the Secretary. Such a vote may also be held if requested in writing by three member associations.
- (b) Any reference under the above sub-section shall be decided by a majority of votes of all member associations, each association exercising only one vote only. Any reference failing to achieve such a majority shall be deemed defeated.
- (c) The Executive may make regulations or by-laws not inconsistent with this constitution for prescribing or giving effect to any matters which by this constitution may be prescribed or which are required to give effect to the Constitution. Such regulations or by-laws shall remain in force unless disallowed by a General Meeting or by vote of a majority of all member associations.

**13. FINANCIAL**

- ~~(a) The Executive may accept the membership of an association for the period of a financial year upon payment to the League of such membership fees for the financial year as the League determines at a General Meeting.~~

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~~(b) a member association which voluntarily terminates its membership before the expiration of the financial year shall not be granted a refund of any membership fees.~~

( I believe we abandoned this some years ago)

- (a) All players participating in events, tournaments, matches or activities conducted by the League shall be registered members of a member association.
- (b) All moneys and liquid assets of the League shall, unless otherwise authorised by the Executive, be lodged with a financial institution approved by the Executive.
- (c) A payment by the League, other than petty cash, shall not be made unless authorised by the Executive and made ~~through its cheque account.~~ by internet banking or by cheque
- (d) ~~Payments~~ Cheques of the League shall ~~not be honoured unless signed by one of the five or is it three~~ by either the President, Secretary and or Treasurer. ~~members of the Executive, one of whom shall be the Treasurer.~~ The financial year of the League shall be defined as the period from 1<sup>st</sup> June to the 31<sup>st</sup> May.
- (e) The Financial Year of the League shall be 1<sup>st</sup> July to 30<sup>th</sup> June of each year.
- (f) All income and expenditure of the league is to be reflected in the income and expenditure report prepared for the annual general meeting.
- (g) The League will provide a copy of the annual financial statement to TTNSW.

### 14. RISK & INDEMNITY

An office-bearer of the League shall be indemnified against any risk, loss or expenses resulting from an action under this constitution or regulations or by-laws out of the League property, unless the League determines that the risk, loss or expense is due to a wilful act or default of that office-bearer.

~~The Executive has the power to use surplus funds up to 20% maximum of available funds towards coaching, tours, development and promotional activities as outlined in a business plan which is provided to all associations. Any increase to the 20% would have to be voted upon by members at an annual general meeting.~~

MOVED to 10d

~~All income and expenditure of the league is to be reflected in the income and expenditure report prepared for the annual general meeting.~~

MOVED to 13f

~~The League will provide a copy of the annual financial statement to TTNSW.~~

MOVED to 13g

### 15. OFFENCES and DISCIPLINARY - ASSOCIATIONS

- (a) Where the conduct of a member association, or a registered member of a member association, is, in the opinion of the Executive, a wilful infringement of this constitution, or the regulations or by-laws or is detrimental to the interest of the League, the Executive may impose a penalty upon that member association, or, if the Executive considers that the membership of the

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association should be terminated, it may submit the case for termination within 28 days to a General Meeting or within 14 days to a postal vote by member associations, as appropriate.

- (b) A notice in accordance with the last preceding sub-section shall be sent to the indicated association, setting out the grounds on which it is sought to terminate the membership of the association and the particulars of the meeting or postal vote by which this will be determined.
- (c) Any member association fined or penalised under sub-section (a) of this section shall be informed of such penalty and the grounds for it in writing.
- (d) Written statements by the party or parties involved in the alleged offences shall be given to the Executive within 7 days of receipt of the notice required in sub-section (b) of this section.
- (e) The League at a General Meeting or by postal vote may, by at least a two-thirds majority of those entitled to vote, terminate the membership of an association in accordance with this section.

### **16. OFFENCES and DISCIPLINARY – REGISTERED MEMBER**

- (a) Where the conduct of a registered member of a member association, is, in the opinion of the Executive, a wilful infringement of this constitution, or the regulations or by-laws or is detrimental to the interest of the League, the Executive may impose a penalty upon that member.
- (b) A notice shall be sent to the indicated member and his association, setting out the grounds on which it is sought to penalise him.
- (c) Written statements by the party or parties involved in the alleged offences shall be given to the Executive within 7 days of receipt of the notice required in sub-section (b) of this section.
- (d) Any member penalised under sub-section (a) of this section shall be informed of such penalty and the grounds for it in writing. A copy of such notice shall also be sent to the member's association.

### **17. MEMBERS RIGHTS**

Nothing in Sections 15 and 16 of this constitution shall be in any way be construed so as to affect the rights of member associations or their registered members under TTNSW Constitution.

### **18. COLOURS and BADGE**

The colours and badge of the League shall be those of TTNSW, but shall carry appropriate lettering to distinguish them as insignia of the League.

### **19. AMENDMENTS AND BINDING FORCE OF THE CONSTITUTION**

- (a) This Constitution or part of it shall not be amended, added to or repealed unless such motion be passed by vote of at least two-thirds of member associations by postal vote or present at a General Meeting.
- (b) Members associations and their individual members are bound by this Constitution and the regulations, and by-laws for the time being in force.

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**20. COUNTRY LEAGUE CANNOT ELECT AN EXECUTIVE**

Upon the failure to elect an Executive to continue operations of the League, all funds invested by the League shall be held in trust by TTNSW and not be used by or for any purpose until another Executive can be elected in the future, upon which all funds including interest shall be passed back to the League.

**END**

DRAFT