



## **STATUTES**

Amended: 1 October 2009, 6 October 2009, 8 October 2009, 9 November 2009, 25 January 2010, 23 September 2013, and last amended on 22 September 2014.

## Part 1 - Title

1. The Association shall be called 'Swiss Netball and is a non-profit organisation, founded in 2009. These Statutes and articles 60 to 79 of the Swiss Civil Code shall govern Swiss Netball. Swiss Netball shall be based in Geneva.

## Part II - Objectives

2. The objectives of Swiss Netball:

- a. To be the national body in Switzerland for the administration, promotion and development of netball;
- b. To promote and encourage netball as a game in schools and communities throughout Switzerland;
- c. To maintain and protect the interests of the game and work for improved facilities for Netball in Switzerland;
- d. To enforce the rules of the game of netball as set out by the International Netball Federation (INF);
- e. To promote the health and safety of all participants in netball;
- f. To promote the ideals of sportsmanship, fair play and drug-free sport;
- g. To be affiliated to INF and any other relevant associations and organizations; and
- h. To be neutral in all political and religious aspects.

## Part III - Members

3. Membership of Swiss Netball shall be open to any person or group of persons with an interest in Netball, provided that they agree to:

- a. Comply with and observe these Statutes of Swiss Netball;
- b. Take a full and active part in the activities of Swiss Netball; and
- c. Act in good faith and loyalty to ensure the maintenance and enhancement of netball and Swiss Netball, its standards, quality and reputation for the collective and mutual benefit of all members and netball.

4. There shall be three categories of members within Swiss Netball:

- a. Netball Centres: clubs or schools which play the game of netball according to INF rules and regulations and are admitted to the Association and are required to comply with its regulations as follows:
  - i. Any prospective Netball Centre shall apply in writing for membership of Swiss Netball;
  - ii. Each application shall be considered on an individual basis by the Committee, which will make a recommendation to the General Assembly in accordance with Article 31(i);
  - iii. Any Netball Centre that has applied for membership shall be provisionally approved by the Committee within 28 days of receipt of the application and by a two-thirds majority;
  - iv. Provisionally approved Netball Centres shall pay the annual membership fee and receive membership benefits, however their membership status shall be subject to final approval by the General Assembly following their application;
  - v. A Netball club shall provide a copy of its statutes and appoint one delegate to represent it at the General Assembly to speak and vote on that club's behalf ("Netball Centre Delegate");
  - vi. A school shall provide details of the number of playing pupils and appoint a member of the school's staff as a delegate to represent it at the General Assembly to speak and vote on that school's behalf ("Netball Centre Delegate");
  - vii. Representatives of Netball Centres shall also be eligible to stand for election as officers of the Committee.

- b. Individual Members: players, umpires, coaches, who, in the absence of a Netball Centre, may apply for membership of Swiss Netball as an individual until such time as a Netball Centre is established ("Individual Members"). These members are admitted to the Association and required to comply with its regulations as follows:
  - i. Any prospective Individual Member shall apply in writing for membership of Swiss Netball;
  - ii. Each application shall be considered on an individual basis by the Committee, which will make a recommendation to the General Assembly in accordance with Article 31(i);
  - iii. Any Individual Member who has applied for membership shall be provisionally approved by the Committee within 28 days of receipt of the application and by a two-thirds majority;
  - iv. Provisionally approved Individual Members shall pay the annual membership fee and receive membership benefits, however their membership status shall be subject to final approval by the General Assembly following their application;
  - v. Individual Members shall be entitled to attend the General Assembly and shall be entitled to speak, but not to vote;
  - vi. Individual Members shall also be eligible to stand for election as officers of the Committee.
- c. Honorary Members: individuals invited to join Swiss Netball in recognition of their efforts and contribution towards the advancement of netball in Switzerland. These members are admitted to the Association and required to comply with its regulations as follows:
  - i. The Committee will communicate a call for proposals of names of individuals in advance of the Annual General Assembly, providing appropriate guidelines;
  - ii. The Committee will discuss all proposals received and make a recommendation to the Annual General Assembly for final approval in accordance with Article 18(f);
  - iii. Honorary Life Members shall be entitled to attend the General Assembly and shall be entitled to speak, but not to vote.

5. All Members shall be admitted by a simple majority vote of the Annual General Meeting in accordance with Articles 18(f) and 31(i).

#### Part IV - Finance

6. The sources of finance for Swiss Netball are:

- a. Subscription fees;
- b. Revenue from ongoing activities of the Association;
- c. Revenue from events and competitions;
- d. Revenue from sponsorship;
- e. Collections, donations and other grants.

7. The annual subscription for each category of membership shall be determined at the Annual General Assembly, and reviewed yearly in accordance with Articles 18(g) and 31(y).

8. Failure to pay the subscription fee will result in the defaulting member being excluded from Swiss Netball and all its activities.

9. The Swiss Netball Committee may decide on other charges or subscriptions at its discretion.

10. All monies received or raised by or on behalf of Swiss Netball shall be applied to further the objectives of Swiss Netball and for no other purpose.

11. Proper accounts shall be kept of all sums of money received and paid out and a statement of accounts shall be presented for consideration and approval at the General Assembly.

12. Swiss Netball will not be liable for any accidents, property damage or any other liability of its members. It is the responsibility of the members to provide for their own insurance cover.

13. Swiss Netball will have liability (“Responsabilité Civile”) insurance to cover claims made against it.

#### Part V - The Financial Year

14. The Financial Year of Swiss Netball shall be concurrent with the calendar year and subscriptions are due by 31 January each year.

#### The Bodies of Swiss Netball

15. The bodies of the Association shall be:

- a. The General Assembly (Part VI), which is the supreme and legislative body of the Association.
- b. The Committee (Part VII), which is the executive body of the Association.

#### Part VI – The General Assembly

16. The General Assembly of Swiss Netball shall be convened once a year. The meeting of the General Assembly shall be open to all Members.

17. Notice of the General Assembly will be sent by the General Secretary to all Members, by means of electronic communications, at least 28 days in advance. Such notice will also contain the official list of items to be included on the agenda, the President’s annual report, the annual financial report, the auditor’s report, national and international match programme, and any proposed amendments to the Statutes of Swiss Netball. Additional documents may be sent together with the notice where appropriate and at the discretion of the Committee.

18. The agenda for a General Assembly shall include, at a minimum:

- a. Approval of the minutes of the last General Assembly and of any Extraordinary General Assemblies;
- b. President’s annual report;
- c. Consideration and approval of the annual financial report and audited accounts;
- d. Discharge of the outgoing Committee officers from their obligations;
- e. Election of incoming officers of the Committee;
- f. Approval of the Members of Swiss Netball as per Articles 4, 5 and 31(i) of these Statutes;
- g. Consideration and approval of membership subscriptions, including the approval of any increase/decrease of subscription fees proposed by the Committee as per Articles 7 and 31(y);
- h. Approval of amendments to the Statutes of Swiss Netball;
- i. Approval of the National and International Match Programmes.

19. The General Assembly shall appoint one or more auditors for a period of 2 years, who shall audit the annual accounts of the Association and present them to the General Assembly for approval.

20. Voting shall be by a show of hands. All decisions shall be carried by simple majority of those voting members present and proxies designated under Article 22. In the event of a tied vote, the Committee President has the casting vote.

21. Voting by proxy shall be permitted provided that written authorisation has been granted by an officer of the relevant Netball Centre.

22. An Extraordinary General Assembly can be convened by the General Assembly itself, or by the Committee (at any time), or upon a written request supported by one third of Netball Centres. Notice of an Extraordinary General Assembly must be sent at least 14 days prior to the meeting. It must contain the agenda and clearly state the objective of such a meeting.

23. Voting on any resolution at an Extraordinary General Assembly shall be by a show of hands and

there shall be no proxy votes. All decisions shall be carried by simple majority of those voting members present. In the event of a tied vote, the Committee Chair has the casting vote.

#### Part VII – The Committee

24. The Committee is responsible for determining the strategies, policies and financial arrangements of, and for, Swiss Netball.

25. The Committee shall be comprised of up to nine individuals.

26. The Committee shall elect its own President, one or two Vice-Presidents, a Finance Officer and General Secretary from amongst the elected committee members as soon as practicable after each Annual General Meeting.

27. The position of chair of the Committee shall be appointed by the Committee from amongst the elected committee members as soon as practicable after each Annual General Meeting. If no other committee member is appointed as chair under this Regulation, the President shall be deemed to be the chair of the Committee.

28. The Committee may appoint any one of its members to coordinate an area of responsibility, such as membership, events, communications or governance.

29. All Committee officers shall be elected by the majority of those entitled to vote at the General Assembly and shall serve for a minimum term of 12 months.

30. The General Secretary must receive notice of intention to stand for election to the Committee in writing no less than 14 days prior to the General Assembly.

31. The Committee shall have the power and responsibility to:

- a. Manage the Association in accordance with the provisions of these Statutes;
- b. Implement the decisions taken by the General Assembly;
- c. Fill any vacant Committee roles in the event of resignation or death or if an insufficient number of candidates stand for election at the General Assembly;
- d. Speak on behalf of Swiss Netball and authorize others to do so;
- e. Develop and implement strategies, policies and procedures for the administration, promotion and development of netball in Switzerland;
- f. Deal with any question that may arise in connection with the general management of Swiss Netball or with any related matter;
- g. Consider and decide on proposals for expenditure and develop and implement prudent policies to protect and enhance Swiss Netball's finances and property;
- h. Receive funds on behalf of Swiss Netball and administer them in the best way possible;
- i. Receive, consider and propose to the General Assembly all applications for membership, and the appointment of Honorary Members, and one or more auditors, in accordance with Article 4;
- j. Ensure the convening of the annual General Assembly annually and of any Extraordinary General Meetings in accordance with Article 23;
- k. Consider and make recommendations on any other matter at the General Assembly;
- l. Delegate any of its powers as it may be deemed fit and necessary, and appoint and dissolve Sub-Committees and Working Groups as may be required from time to time. Such groups may include, but are not limited to:
  - i. Disputes/Appeals/Disciplinary;
  - ii. Fundraising;
  - iii. Tournaments/Competitions;
  - iv. Netball Development Programme;
  - v. Coaching Development Programme.
- m. Engage, co-opt contract or otherwise agree to obtain the assistance or advice of any person or organisation for the Committee;
- n. Enforce the official rules of INF;

- o. Contact and engage with INF, other regional or national netball organisations and/or any organisation or entity in Switzerland, which has objectives similar, in whole or in part, to Swiss Netball;
- p. Represent the interests of Swiss Netball and of netball generally in any appropriate forum;
- q. Act, at all times, on behalf of, and in the interests of, Swiss Netball and netball;
- r. Promote the development of netball in schools and amongst other young people in Switzerland;
- s. Endeavour to bring to Switzerland any technical, administrative or other aid in the game of netball and organise training courses and other similar activities with the aim of improving the standard of the game;
- t. Issue qualification certificates accordingly;
- u. Arrange, regulate and control all national and representative netball fixtures and matches including the selection of national and other representative netball teams and squads;
- v. Promote the highest standards of conduct, discipline, respect, team spirit and fair play;
- w. Promote drug-free competitions and take all reasonable steps to comply with anti-doping rules in conformity with the World Anti-Doping Agency (WADA) Code;
- x. Provide guidance for the conduct of all Members, players, umpires and coaches in so far as they are connected with Swiss Netball, its activities and objectives;
- y. Propose an increase or decrease to the annual subscription fee for each category of membership;
- z. Determine, implement and enforce disciplinary procedures for its members in accordance with Part VIII below, including imposing sanctions in cases of conduct judged unworthy of membership of Swiss Netball and to expel from Swiss Netball any member who is found guilty of serious misconduct;
- aa. Decide in case of any questions or disputes regarding the interpretation of Swiss Netball's Statutes.

32. Committee officers shall not be liable to any person for any act or omission in connection with carrying out their duties under these Statutes.

#### Committee Meetings

33. The business of Swiss Netball shall be administered by the Committee, which shall meet at least four times during the calendar year.

34. The quorum for a Committee Meeting shall be no less than four (4) members. All decisions shall be carried by simple majority of those voting members present. In the event of a tied vote, the President has the casting vote.

35. A Committee Meeting may be held where any officer, although not physically present at the meeting, is deemed to be present for all relevant purposes, provided that all persons participating in the meeting are able to communicate with each other effectively, simultaneously and instantaneously, by means of telephone or other form of communication.

36. Minutes of all meetings will be taken and distributed within 14 working days of each meeting.

37. Resolutions through correspondence: Subject to all Committee officers receiving notice of the proposed resolution, a resolution in writing, signed or assented to by facsimile, electronic mail or other form of visible or electronic communication by the majority of the Committee shall be as valid and effective as if it had been passed at a Committee Meeting duly convened and held. Any such resolution may consist of several documents in like form each signed by one or more of the Committee officers or members.

#### Part VIII - Disciplinary Powers, Procedures & Appeals

38. The Statutes of Swiss Netball shall bind all Members of Swiss Netball throughout the term of their membership. All Members shall conduct themselves in a manner befitting the aims of Swiss Netball reflecting at all times the highest standards of true sportsmanship and fair play that Swiss Netball is committed to embrace and to promote.

Where the Committee is advised or considers one of its members has allegedly:

- a. breached, failed, refused or neglected to comply with a provision of the Statutes of Swiss Netball; and/or:
- b. acted in a manner unbecoming of a member or in a manner prejudicial to the objectives and interests of Swiss Netball and/or netball; and/or:
- c. brought Swiss Netball and/or netball into disrepute,

the Committee may commence or cause to be commenced disciplinary proceedings against that member, which may result in suspension of membership privileges or, in cases of serious misconduct, expulsion from the Association.

39. For the avoidance of doubt, any disciplinary matter should first be dealt with at a local organisation level under the relevant Netball Centre's rules. Swiss Netball may choose to not consider a matter or an appeal where it considers it has been properly addressed by the local Netball Centre.

40. There shall be a right of appeal to the Committee of Swiss Netball against any decision made by a Netball Centre. Any such appeal shall be made in writing and the Committee shall endeavour to provide a decision on the appeal within 28 days of receipt.

41. Disciplinary decisions involving the suspension or expulsion of a Member must be brought before an Extraordinary General Assembly upon request of that Member and within a period of 28 days after the request is made. A decision to suspend or expel a Member shall become final if ratified by a simple majority of the General Assembly at the Extraordinary General Assembly in question. The Member in question shall be provisionally suspended until such time as this final decision is made.

#### Part IX - Regulations

42. Regulations can be added to the Statutes by the Committee as follows:

- a. All Members shall be advised of the addition of such Regulations and will be provided with a copy of same upon request.
- b. Provided that there is no objection from any Member within a period of 28 days, the proposed Regulations shall become final and binding.
- c. In the event of an objection from a Member, the Committee shall consider such objection and accept, revise or abandon the Regulations as appropriate. The Committee shall inform all Members of its final decision.
- d. In the event of any further objections to the Committee's final decision, the Committee shall call an Extraordinary General Assembly to deal with this issue.

43. The Committee may enact changes to the Regulations, however the procedures set out in Article 40 above shall also apply to such changes.

#### Part X - Amendment to the Statutes

44s. The Committee shall consider and recommend changes and amendments to the Statutes and other regulations of Swiss Netball. Such recommendations will be subject to approval by the General Assembly, and will be circulated to Members in advance of the annual meeting as per Article 17.

#### Part XI - Dissolution

45. Swiss Netball shall only be dissolved by an Extraordinary General Meeting during which the motion for dissolution must have been approved by two thirds (2/3) of the voting members present.

46. In such an eventuality, the same Extraordinary General Meeting shall appoint two persons who shall

jointly be authorised to wind up the business of the Association. Any assets remaining after any liabilities and expenses have been settled, shall be donated to any body or bodies existing for the promotion of similar aims to those of Swiss Netball or sport in Switzerland in general.

Part XII - Disputes and Matters not provided for

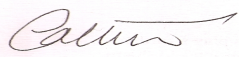
47. If any dispute shall arise on the interpretation of the Statutes of Swiss Netball, or the need arises to deal with any matter not provided for in the Statutes, the Committee shall have the power to resolve the dispute or provide for the matter.

48. The Committee's decision shall be final, however may be appealed at the next General Assembly, which may amend and/or overrule the Committee's decision. The Committee must call an Extraordinary General Assembly to deal with any such appeal upon a written request supported by one third of Netball Centres. Notice of an Extraordinary General Assembly must be sent at least 14 days prior to the meeting.

These Statutes were adopted by Swiss Netball:

Date: 22/9/2014

Place: David Munier 31, Cologny



Signed: ..... President, Swiss Netball Committee



Signed: ..... General Secretary, Swiss Netball Committee