



***TABLE TENNIS
NEW SOUTH WALES
INCORPORATED***

CONSTITUTION

***LAST UPDATE
DECEMBER 2010***

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Table Tennis New South Wales Incorporated – Constitution December 2010

NAME

1. The association shall be called Table Tennis NSW Incorporated and hereinafter will be referred to as the association.

OBJECTS

2. The objects of the association shall be:
 - 2.1 To promote and control the game of table tennis in New South Wales;
 - 2.2 To conduct state championships and other tournaments, exhibitions and like events;
 - 2.3 To affiliate with and to remain affiliated with Table Tennis Australia.
 - 2.4 To purchase material, to employ labour, to hire, lease or purchase halls or any other property in New South Wales and to enter into agreements with any persons bodies or companies for the purpose of jointly, with such persons or companies or otherwise, conducting table tennis activities, for the furtherance of the objects of the association.

DEFINITIONS

3. The following definitions shall apply in this constitution:
 - 3.1 The Association means Table Tennis NSW Incorporated;
 - 3.2 A member means a registered member or a life member;
 - 3.3 An affiliated association/club means an association/club whose application for affiliation has been accepted by the council;
 - 3.4 Registration means the payment of a registration, membership or equivalent fee to the association and appears on the association membership register;
 - 3.5 Financial means having paid all fees due to the association/club for the current registration period;
 - 3.6 Except where it may be otherwise stated, every reference in this constitution in the masculine gender shall include the feminine gender and the singular shall include the plural and vice versa;
 - 3.7 An office-bearer means the holder of an office specified in clause 16.

COMPOSITION OF ASSOCIATION

4. The Association shall consist of:
 - 4.1 Registered members
 - 4.2 Life members
 - 4.3 Affiliated associations/clubs.

ANNUAL GENERAL MEETINGS

- 5.1 The annual general meeting of the Association shall be convened on such date and at such place and time as the Board thinks fit on at least forty two (42) days notice in writing to other associations/clubs.
- 5.2 The notice convening an annual general meeting shall call for nominations to the Board and Council and items for general business.
- 5.3 The business of an annual general meeting shall be to -
 - 5.3.1 Receive minutes of the last preceding general meeting or annual general meeting not previously received;
 - 5.3.2 Receive the annual report;
 - 5.3.3 Receive the audited financial statements and balance sheet;
 - 5.3.4 Elect the office bearers of the association and auditor;
 - 5.3.5 To determine the conditions and amount of fees for affiliation, registration and transfer;
 - 5.3.6 Any business submitted by Council;
 - 5.3.7 Any business of which twenty eight (28) days notice in writing has been given to the Executive Director/Secretary.
 - 5.3.8 Elect from the Office Bearers the Delegate to Table Tennis Australia.
- 5.4 Except where the nature of the business proposed to be dealt with at an annual general meeting requires a special resolution of the association, the Executive Director/Secretary shall at least fourteen (14) days before the date fixed for the holding of the general meeting, cause to be sent by post or e-mail to associations/clubs plus Board and Council members, and the auditor, a notice specifying the nature of the business proposed to be transacted at the meeting.
- 5.5 Where the nature of the business proposed to be dealt with at an annual general meeting requires a special resolution of the association, the Executive Director/Secretary shall, at least fourteen (14) days before the date fixed for the holding of the annual general meeting, cause notice to be sent to

- other associations/clubs in the manner provided in clause 5.1 specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
- 5.6 No business other than that specified in the notice convening an annual general meeting shall be transacted at the meeting except in the case of business which may be transacted pursuant to clause 5.3.6 & 5.3.7.
- 5.7 A member desiring to bring any business before an annual general meeting may give 28 days notice in writing of that business to the Executive Director/Secretary who shall include that business in the notice calling the annual general meeting given after receipt of the notice from the member.
- 5.8 After all business for which an annual general meeting has been called has been disposed of, questions may be put, but such questions, or matters arising there from, shall not form the subject of a motion at such annual general meeting.
- 6.1 Nominations as office-bearers of the Association shall be lodged in writing with the Executive Director/Secretary, endorsed by two (2) registered members and bearing the written consent of the nominee, at least twenty eight (28) days prior to the date of the annual general meeting.
- 6.2 If nominations are received in writing by the required date, nominations cannot be taken from the floor at the AGM. However should no nominations be received, the meeting may take nominations from the floor.
- 6.3 If any offices in the Board/Council remain unfilled after the close of the annual general meeting the persons already elected as members of the Board/Council shall, notwithstanding that a quorum is not present, fill the positions concerned as if such positions were vacant.
- 6.4 If no nominations are duly lodged in writing, or no nominations taken from the floor, the Board/Council constituted at the time of the annual general meeting shall carry on as the Board/Council for the purposes of convening and holding a general meeting whereat nominations for positions of office-bearers, shall be dealt with; or for the purposes of winding up the Association.
7. The President, or in his absence the Vice-President shall be chairman at all meetings of the association. In the absence of the President and Vice-President, the meeting shall elect a chairman from amongst the registered members present.
- 8.1 Voting rights at the Annual General Meeting. The outgoing Board/Council members and Life Members who are present shall be entitled to one vote on each question put. Each affiliated association/club is entitled to one (1) vote per fifty (50), or part thereof, members registered with Table Tennis NSW.
- 8.1.1 The voting right of Affiliated Associations/clubs shall be calculated from the number of registered members per association /club for the preceding year.
- 8.1.2 Delegates from affiliated associations/clubs shall be notified, in writing signed by one of the Secretary, President or Treasurer or authorised person as notified to Table Tennis NSW on their current affiliation form and to be in the hands of the association 14 days prior to the Annual General Meeting.
- 8.1.3 All persons voting at an Annual General Meeting shall be over the age of 18 when the vote is taken. Any other association/club or body, auditors and person or persons by invitation may attend and speak at an annual general meeting subject to the approval of the meeting, but may not vote.
- 8.2 No one person, other than the chairman, shall be entitled to more than one vote in any capacity at an annual general meeting.
- 8.3 The chairman shall at all meetings of the Association have the right where the voting on any question is equal, to a casting vote, which he must exercise.
- 8.4 At an Annual General Meeting (AGM) an Affiliate Member may vote by the use of a directed proxy, as follows:**
- 8.4.1 Such proxy must clearly direct the voting intentions of the issuer of the proxy in relation to any motion(s) specified in the agenda for that specific AGM and can only apply to one AGM.**
- 8.4.2 An instrument appointing a proxy shall be in writing under the hand of an officer of the Affiliate Member entitled to such delegate or vote. A holder of the proxy must be a delegate from another Affiliate Member or Life Member or the Association President.**
- 8.4.3 The instrument appointing a proxy must be deposited at the TTNSW Office not less than 4 clear days prior to the time for holding the AGM. Such an instrument may be in the usual form or any other form as approved by the Council from time to time.**
- 8.4.4 An instrument appointing a proxy shall be deemed to confer authority to demand or join in such a poll.**

- 8.5 No Patron or vice-patron or auditor shall be entitled to vote at any meeting of the Association
9. Eight (8) persons present (being persons entitled under these rules to vote at an annual general meeting) constitute a quorum for the transaction of business at an annual general meeting.
10. If within half an hour after the appointed time for the commencement of an annual general meeting a quorum is not present, the meeting shall stand adjourned to the same day in the following week at the time and (unless another place is specified at the time of adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
11. If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 8) shall constitute a quorum.
12. No business other than that set down for the annual general meeting which was abandoned, shall be dealt with at the other annual general meeting provided for in clause 10.
13. Should a quorum not be present at such other annual general meeting, the annual general meeting shall be abandoned. The Board/Council constituted at the time of the annual general meeting shall carry on as the Board/Council of the Association and notwithstanding that a quorum is not present, fill any vacant offices.
14. The chairman, with the consent of the meeting, may adjourn the annual general meeting from time to time, but no business shall be transacted at any such adjourned meeting other than that left unfinished at the meeting from which the adjournment was made.

SPECIAL GENERAL MEETINGS

- 15.1 Special general meetings of the association shall be convened by the Board or Council whenever it thinks fit, or on the requisition in writing of not less than 25 per cent of the total number of members.
- 15.2 Except where the nature of the business proposed to be dealt with at a special general meeting requires a special resolution of the association, the Executive Director/Secretary shall at least twenty eight (28) days before the date fixed for the holding of the special general meeting, cause to be sent by post or e-mail to association/club, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- 15.3 Where the nature of the business proposed to be dealt with at a special general meeting requires a special resolution of the association, the Executive Director/Secretary shall, at least fourteen (14) days before the date fixed for the holding of the special general meeting, cause notice to be sent to association/club in the manner provided in sub-clause (15.2) specifying, in addition to the matter required under clause (15.2), the intention to propose the resolution as a special resolution.
- 15.4 No business other than that specified in the notice convening a special general meeting shall be transacted at the meeting.
- 15.5 A member desiring to bring any business before a special general meeting may give notice in writing of that business to the Executive Director/Secretary who shall include that business in the next notice calling a special general meeting given after receipt of the notice from the member.
- 15.6.1 In addition to the Board/Council being present, each affiliated association/club is entitled to one (1) vote per fifty (50), or part thereof, members registered with Table Tennis NSW. Representatives of affiliated association/club shall be appointed in writing, signed by one of either the Secretary, President or Treasurer, to be in the hands of the Association 14 days prior to the meeting, and also to be over the age of 18 as official representatives of those affiliated association/club. Each life member present at a special general meeting at the time a vote is being taken shall be entitled to vote on each question put. Any other association/club or body, auditors and person or persons by invitation may attend and speak at a special general meeting subject to the approval of the meeting, but may not vote.
- 15.6.2 No one person, other than the chairman, shall be entitled to more than one vote in any capacity at a special general meeting.
- 15.6.3 The chairman shall at all meetings of the Association have the right where the voting on any question is equal, to a casting vote, which he must exercise.
- 15.6.4 ***Voting by proxy shall be allowed under the same terms and conditions that are detailed in rule 8.4 as if it applied to a Special General meeting as allowed in rule 15.1.***
- 15.7.1 No item of business shall be transacted at a special general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering the item.

Eight (8) persons present (being persons entitled under these rules to vote at an Annual General Meeting) constitute a quorum for the transaction of business at a special general meeting.

- 15.7.3 If within half an hour after the appointed time for the commencement of a special general meeting a quorum is not present, the meeting shall stand adjourned to the same day in the following week at the time and (unless another place is specified at the time of adjournment by the person presiding at the meeting or communicated by written notice to the association/clubs given before the day to which the meeting is adjourned) at the same place.
- 15.7.4 If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than **Eight (8)**) shall constitute a quorum.
- 15.8 No business other than that set down for the special general meeting which was abandoned, shall be dealt with at the special general meeting provided for in clause 15.7.3.
- 15.9 Should a quorum not be present at such other special general meeting, the special general meeting shall be abandoned.
- 15.10 The chairman, with the consent of the meeting, may adjourn the special general meeting from time to time, but no business shall be transacted at any such adjourned meeting other than that left unfinished at the meeting from which the adjournment was made.
- 15.11 No patron or vice-patron or auditor shall be entitled to a vote at any meeting of the association.

COMPOSITION OF BOARD/COUNCIL

16.1 The Council of the Association shall consist of the Board ; 7 Directors; 2 Independent Directors; life members and one delegate from each association/club.

All positions other than the Executive Director shall be elected at the annual general meeting by secret ballot.

Other positions elected at the annual general meeting shall be:

- 16.1.2 Patron
- 16.1.3 Any number of Vice-Patrons
- 16.1.4 Auditor
- 16.1.5 Member Protection Information Officer
- 16.1.6 Child Protection Officer

16.2 The Board consists of:-

- 16.2.1 President
- 16.2.2 Vice-President/s
- 16.2.3 Finance Director
- 16.2.4 Executive Director/Secretary

16.3 The Board will contain the portfolios of Administration and Finance and appointment of the Public Officer.

16.3.1 All office-bearers other than the patron, vice-patrons and auditors shall be registered members at the time of their respective elections or appointments and throughout the whole of their respective terms of office.

16.4 No person under the age of eighteen (18) years shall be a member of the Board/Council.

16.5 Subject to the next succeeding sub-clause, office-bearers shall hold office until the close of the annual general meeting next held after the meeting at which they were elected.

16.6 A member of the Board/Council shall be declared to have vacated his position on the Board/Council if they:

- 16.6.1 Resign;
- 16.6.2 Fails to attend two (2) meetings of the Council without reasonable excuse in the Council's opinion;
- 16.6.3 Ceases to be a registered member;
- 16.6.4 Is removed from office at a general meeting;
- 16.6.5 A Board/Council member can be removed from office if they are deemed not to be fulfilling their elected responsibilities; but the provisions of sections 16.6.2, 16.6.3, 16.6.4 & 16.6.5 shall not apply to the patron, vice-patrons or auditors.

16.7 The Executive Director/Secretary shall notify in writing, any member of the Board/Council whose office has been declared vacant. The Council may fill the vacant office for the remainder of the term of that office by the election of a registered member, or independent member, on at least fourteen (14) days notice to the secretaries of affiliated association/club, of the Council meeting at which the vacant office is to be filled.

- 16.8 The Directors Titles to be as follows but may from time to time be altered to suit the best needs of Table Tennis NSW Inc.
Junior Director
Junior Development Director
Women's Director
School's Director
Disability Services Director
Tournament Director
State Coaching Director – it is desirable that this position should be a Level 3 qualified coach
Independent Directors: A) Marketing Adviser
B) Financial Adviser

MEETINGS AND POWERS OF THE BOARD & COUNCIL

17. Meetings of the Council shall be held as determined by Board, provided that at least one (1) meeting be held every six to eight weeks. The Board would meet as required.
- 17.1 The Board may meet by personal meeting, correspondence or telephone.
18. The Executive Director/Secretary shall give at least fourteen (14) days notice in writing to all members of the Council and secretaries of association/club of the date, time, place and business to be transacted at each Council meeting.
- 19.1 Three (3) members of the Board shall form a quorum at a Board meeting. Five (5) members of the Board/Council shall form a quorum at a Council meeting, with at least two (2) being the President, Vice-President, Finance Director or Executive Director/Secretary.
- 19.2 No business shall be transacted by the Board/Council unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week.
- 19.3 If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.
20. Each Council member other than the chairman present at a Council meeting at the time a vote is being taken shall be entitled to one vote on each question put, provided however that no patron or vice-patron or auditor shall be entitled to a vote. Any other person may attend and speak at a Council meeting subject to the approval of the chairman, but may not vote.
21. The chairman shall have the right at all Council meetings to a deliberate vote and to a casting vote, which he must exercise in the event of an equality of votes on any question.
22. All motions arising at a meeting of the Council shall be decided by a majority of votes.
23. The Board/Council will appoint a Minute Secretary for each meeting who shall be responsible to keep an accurate minute record of proceedings at the meeting, and copies shall be forwarded by the Executive Director/Secretary to each member of Council, and in addition to secretaries of affiliated associations and clubs within fourteen (14) days of the Council meeting.
24. The powers of the Board shall be Administration and Financial matters and appointment of the Public Officer.
25. The powers of the Council shall include the following:
- 25.1 To do all things necessary to carry out the objects of the Association other than anything which by this constitution is required to be done by the Association at a general meeting
- 25.2 To recommend policy & plans.
- 25.3 To grant or refuse to grant affiliations to associations/clubs.
- 25.4 Championships, tournaments, international and interstate visits, exhibitions and like events, entertainments etc.
- 25.5 To make regulations or by-laws or rules, not inconsistent with this constitution, for carrying out its objects;
- 25.6 To permit or prohibit the holding by any body, affiliated association/club, individual or registered member of any competition, tournament or table tennis event in which registered members shall or may participate;
- 25.7 To appoint or terminate the appointment of any person or persons to conduct special audits of the Association's books, accounts, balance sheets etc.
- 25.8 To appoint the judicial committee, to refer cases to the committee, and to impose penalties resulting from findings of the committee.

- 25.9 To appoint or to terminate the appointment of any committees to deal with or report on any matter and to delegate any or all of its powers, except this power of delegation, to committees.
- 25.10 To make, alter or revoke rules for its own procedure and conduct of business, provided that such rules are not inconsistent with this constitution.
- 25.11 To interpret this constitution;
- 25.12 To recommend to an annual general meeting that a life member be appointed for outstanding and meritorious service.
- 25.13 Between Council meetings the Board, in conjunction with the Executive Director/Secretary shall have the power to make necessary decisions and for the purpose of ensuring that matters relating to the business of the Association is adequately addressed.

FINANCIAL

- 26.1 The funds of the association shall be derived from affiliation fees, registration of players, donations and, subject to any resolution passed by the association in general meetings, such other sources as the Council determines.
- 26.2 All money received by the association shall be deposited as soon as practicable and without deduction to the credit of the association's bank account.
- 26.3 Bank accounts in the name of the Association shall be opened, if not already opened and such may be operated by the President, Vice President Secretary, Financial Director or Administration Officer with any two to sign. NB The Administration Officer can not sign employees pay cheques.
- 26.4 In addition to the above sub-clause, accounts may at the discretion of the Board, be opened for specified purposes with a building society or an investment account with a bank in NSW and operated on by any two (2) of the officers mentioned in the previous sub-clause, or as decided by the Board.
27. Payments from the funds of the Association shall be made by cheque or Electronic Funds Transfer (EFT) – ALL Payments shall be – authorised in advance by at least two (2) Board members
28. The Board shall have power to spend amounts or incur liabilities within limits of the approved business plan and budget without the sanction of the Council. The Board/Council shall be severally reimbursed by the Association for any personal loss sustained by them in spending or incurring liabilities for such amounts, except where such loss is the result of their several personal negligence or default.
29. The financial year of the Association shall end on the last day of December and all books and accounts shall close for the year on that day. The Annual Report shall be published within 90 days of the end of the financial year.
30. Any registered member or affiliated association/club, club in arrears with any payment due to the Association may be declared unfinancial by the Council.
31. No registered member shall be allowed to transfer from one affiliated association/club to another affiliated association/club if that member is in arrears of payment of money to his association/club. A certificate signed by the secretary and treasurer of the association/club to which that member belongs shall be accepted as evidence by the Council as to that member's financial position with his association/club.
32. Objection in writing to the registration of any person with an affiliated association/ club may be made by the secretary of any affiliated association/club on the grounds that such person is in arrears of payment of money properly due to the association/club of the secretary making the objection.
33. If an affiliated association/club disbands and makes default in any payments due to the Association, the individual members of that association/club may be held to be in arrears with payments of money to the Association and each registered member shall be liable for payment of an amount equal to the amount owing by the association/club divided by the number of members registered by that association/club at the time of disbanding.
34. The payment to the Association of affiliation, registration or other fees by any association/club or person shall be deemed acceptance by such association/club or person of this constitution and of any By-laws, rules or regulations made under it, and such association/club or persons agrees to be bound by this constitution and any by-laws, rules or regulations made under it.

COMMON SEAL

- 35.1 The common seal of the Association shall be kept in the custody of the public officer.
- 35.2 The common seal shall not be affixed to any instrument except by the authority of the Board and the affixing of the common seal shall be attested by the signatures of either two (2) members of the Board, or one (1) member of the Council and the Public Officer or President.

CUSTODY OF BOOKS, ETC.

36. Except as otherwise provided by these rules, the public officer shall keep custody and control of all records, books and other documents relating to the Association.

INSPECTION OF BOOKS, ETC.

37. Upon application, the records, books and other documents of the Association shall be open to inspection, free of charge, to a registered member of the Association,

REGISTRATION

- 38.1 No affiliated association/club shall, without permission of the Council, compete in, hold, promote or control any competition, match, tournament or event which is open to persons other than members of that association/club.
- 38.2 No registered member shall compete in or be concerned in any competition, match, tournament or event which is open to persons other than members of his own association/club, unless the Council has given approval for the holding of such an event.
- 38.3 No registered member shall knowingly play in any competition, game, match, tournament or event in which any deregistered or suspended person is allowed to take part, or for which the approval of the Council in accordance with clause 38.1 and 38.2 has not previously been obtained.
- 38.4 Conditions of affiliation
- a) All affiliated bodies shall abide by the constitution of Table Tennis NSW Inc.
 - b) All affiliated bodies must actively promote Table Tennis across all age and gender groups.
 - c) All affiliated bodies MUST submit a current copy of their constitution to the Table Tennis NSW Inc. Office and forward updates as they occur.
 - d) All affiliated bodies MUST submit a list of players competing in any team's competition by the fourth week of the competition commencement and all players MUST be registered with Table Tennis NSW Inc. by the sixth week of competition.
 - e) All affiliated bodies should actively promote and support at least one (1) Junior Club in their area, where possible. Assistance with venue hire can be obtained, where club grant conditions permit, on application to the Table Tennis NSW Inc. Office.
39. All members of Affiliated Clubs/Associations must be registered members of Table Tennis NSW.
40. Only registered members and members of associations or clubs affiliated with Table Tennis Australia or the International Table Tennis Federation shall be allowed to participate in any of the Association's matches, competitions, fixtures, championships, carnivals, interstate visits, exhibitions and like events; unless participation is specifically approved by the Board.
41. No person may be registered as a member of an association/club during such time as he shall be a member of any non-affiliated table tennis association/club, but a registered member may also be a member of any other table tennis association/club affiliated with Table Tennis Australia or the International Table Tennis Federation.
42. No player shall be included in any team or play individually representing the Association unless he is a registered and financial member of an association/club as well as being a registered member of Table Tennis NSW Inc.
43. Affiliation of an association/club and registered member shall lapse at 31st December each year.

REGISTER OF MEMBERS

- 44.1 The office of the Association shall establish and maintain a register of members of the Association specifying the name and address of members of the Association together with the date on which they became a member.
- 44.2 The register of members shall be kept at the principal place of administration of the Association.

MEMBER PROTECTION – COMPLAINTS - DISCIPLINARY AND APPEALS

- 45.1 Any registered member or affiliated association/club may submit to the Member Protection Information Officer in writing that a registered member or an affiliated association/club has infringed the constitution, by-laws, rules or regulations, or committed an act detrimental to the interests of table tennis.
- 45.2 The Member Protection Information Officer shall progress formal complaints to Council – in accordance with the Member Protection Regulation.
- 45.3 All complaints shall be recorded on the appropriate documentation listed in the Member Protection regulation
- 45.4 Any reported incident of child abuse is to be immediately reported to DoCS.
46. Council shall hear any allegation against an affiliated association/club at a duly constituted Council meeting, and may reprimand, fine or suspend such association/club as it sees fit, or may convene a general meeting for the purpose of expelling such association/club.
- 47.1.1 Any affiliated association/club, fined or suspended by Council may appeal against the decision in writing and within twenty-one (21) days of notification of the decision of Council to a general meeting.
- 47.2 A further appeal may be made by an affiliated association/club to Table Tennis Australia, in accordance with the constitution of Table Tennis Australia, against the decision of such general meeting.
- 48.1 The Council shall elect a judicial committee for each occurrence. No member of the Board or Council shall be eligible for election to the judicial committee.
- 48.2 Should any of the regular members of the judicial committee be unavailable at any time, Council shall appoint a replacement for the meeting concerned provided that the provision of clause 48.1 above is adhered to.
49. The presence of the chairman and two (2) other members shall constitute a valid meeting of the judicial committee.
50. The judicial committee shall hear all cases resulting from protests made by any registered member or affiliated association/club, or from charges laid by Council against any registered member on the grounds of infringement of the constitution, by-laws, rules or regulations, or commission of any act detrimental to the interests of table tennis.
51. Any protest or allegation made against any registered member received by the council shall be referred to the judicial committee.
52. The following procedures shall apply to all hearings by the judicial committee:
 - 52.1 Not less than seven (7) days notice in writing of the hearing shall be given by the Executive Director/Secretary to the defendant;
 - 52.2 The notice shall set out the particulars of the alleged offence, including the date and place; the date, time and place of the hearing; the right of parties to attend the hearing and to make oral statements, or to submit written statements if unable to attend; and the right of the defendant and Council to be represented at the hearing;
 - 52.4 The judicial committee shall meet within fourteen (14) days of a matter being referred or a charge laid by Council;
 - 52.5 The judicial committee shall put questions and call on the defendant to answer the charges;
 - 52.6 In the case of an alleged offence by a registered member, both the defendant and the Council shall have the right to call witnesses and to examine each other's witnesses and the judicial committee shall have the right to examine any witness.
53. Where the judicial committee finds a charge proven it reports the committee's findings and recommendations to the Council. Council shall then impose such penalty as it determines, taking into account the recommendation of the committee.
54. The decision of the Council shall be advised in writing by registered mail to the defendant within seven (7) days of the decision, and the defendant shall also be informed of any further appeal rights.
55. Failure to pay any fine within twenty-one (21) days of receipt of notification of the decision shall result in automatic suspension until the fine is paid.

56. An appeal may be made by a registered member to Table Tennis Australia in accordance with the constitution of Table Tennis Australia Inc, against any penalty imposed by the Council.
57. No member of the Council or of the judicial committee who is an interested party, as determined by the Council or committee respectively, in any proceeding or case, shall participate in any deliberations or votes relating to such proceeding or case. Should the chairman of the judicial committee be determined to be an interested party in a case, Council shall designate one of the other members of the committee as chairman for the duration of the hearing.
- 58.1 The Executive Director/Secretary shall notify in writing to all affiliated associations/club of the suspension, de-registration or expulsion of any registered member or affiliated association/club.
- 58.1.2 Within fourteen (14) days of expiry of the time period allowed to the defendant in which to appeal, or
58.1.3 If an appeal is lodged, within twenty-one (21) days of the final decision of such an appeal.
- 58.2 An affiliated association/club shall not allow any person who has been suspended or de-registered by the Association to exercise any of the rights and privileges of membership of its association/club and shall refuse to admit any suspended or de-registered member.
59. Any registered member or association/club de-registered or expelled, before again being admitted to the Association, shall make application in writing to the Council for re-admission.
60. No refund of any fee shall be made to any registered member or affiliated association/club, suspended, de-registered or expelled from the Association.
61. A registered member may appeal to Council against any disciplinary penalty imposed by an affiliated association/club, or coordinating body within twenty-one (21) days of receipt of notification of such decision. Any such appeal shall be referred by Council to the judicial committee.
62. Upon request of an affiliated association/club or coordinating body, Council shall recognise any disciplinary penalty imposed by such association/club or body, provided that no appeal has been lodged, and shall inform all affiliated associations of such penalty.

INDEMNITY

63. The Association may sue or be sued in the name of the Council, the members of which shall severally be indemnified by the Association against all several financial outlay and liability in any law suit or proceedings.
- 63.1 The association will take out the necessary steps to ensure the Association is covered by Directors & Officers Liability Insurance which shall cover The Board of Management, President, Vice President/s, Secretary/Executive Director and Finance Director, as well as the six Directors and two Independent Directors described in clause 16.8 and any paid employees, Member Protection and Member Protection Information Officers, the Child Protection Officer, the First Aid Officer and members of the Judicial committee.

MEMBERS LIABILITIES

64. The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount, if any, unpaid by the member in respect of membership of the association.

MISCELLANEOUS

65. The adoption of a colour, colours or badge by an affiliated association / club shall first be submitted for approval to the Council, and such approvals may be reviewed from time to time by the Council as considered necessary.
66. ***Except as allowed in Rule 8.4 and rule 15, voting by proxy shall not be allowed at any meeting of the association.***
67. Any person connected with the manufacture, sale or hire of table tennis articles, premises or facilities either in a financially controlling position or employed by a person or body in that position may only occupy a position on the Council provided he withdraws from any meeting or abstains from voting on any issue on request formally passed by a majority of the meeting he is attending. He shall not vote on such request.

68. All matters of which notice must be given to registered members or affiliated associations/club in accordance with this constitution shall be deemed to have been notified to all registered members and affiliated associations/club if brought under the notice of the person who is, in the Council's opinion, the secretary of each affiliated association/club.
69. All correspondence, documents or other matter addressed to the association shall be deemed to be the property of the association.
70. The Association shall not be dissolved except at a general meeting convened for that purpose. At least seventy-five (75) per centum of affiliated associations/clubs shall be represented at such a meeting in order to form a quorum. A special resolution to dissolve the association shall be carried by no less than seventy-five (75) per centum of the votes recorded.
71. The funds and assets of the Association at the time of dissolution shall be converted into cash or valued as cash and distributed to another association with similar objects.
72. The Association shall from the date of adoption of this constitution generally recognise all resolutions carried or matters and things done by the Association prior to such adoption.
73. A member of the Council interested in any dispute, or question referred to the Council, shall retire and not take part as a member of the Council, in the deliberations regarding such dispute or question, nor shall he exercise a vote in regard thereto.
74. Open Events - Definition and Fees.
- 74.1 Any event that invites/accepts entries from players outside the controlling body of the event.
- 74.2 Open tournament fees and levies payable for all events played by players and/or teams from more than one association.
- 74.3 All open events must be sanctioned in advance by TTNSW.
- 74.4 Individual inter-association matches will not normally attract tournament fees but must comply with 74.3 above.
- 74.5 Closed events are open to bona fide members of the controlling body only.
75. State selectors, captains, coaches, managers and any persons holding positions at state level, shall be registered members at the time of their respective elections or appointments and throughout the whole of their respective terms of office.

AMENDMENT OF CONSTITUTION, BY-LAWS, REGULATIONS AND STANDING ORDERS

76. No amendment shall be made to the by-laws, regulations or standing orders except at a duly constituted Council meeting at which the particulars of the proposed amendment have been placed properly on the agenda and notified to all Council members in accordance with clause 19 of the constitution.
77. No alteration, deletion or addition shall be made to this constitution except by special resolution at a general meeting convened for that purpose, or at an annual general meeting, subject to due notice having been given.
78. A motion passed at any meeting of the Association shall not be rescinded at the same meeting, nor at any subsequent meeting unless at least twenty eight (28) days notice of the intention to propose such recession shall have been given in the notice convening the meeting whereat the motion of recession is to be dealt with.
79. POLICIES & REGULATIONS: - Policies and Regulations are listed and are contained in the Rules & Regulations of Table Tennis NSW Inc.
- 79.1 Member Protection Regulation
- 79.2 Child Protection Regulation
- 79.3 Sports Injury Prevention Policy
- 79.4 Anti Doping Policy
- 79.5 Drugs & Alcohol Policy
- 79.6 Risk Management Policy (as adopted by the NSW Department of Sport & Recreation) – policy to be added to the Table Tennis NSW's by-laws
- 79.7 Eligibility for Olympic and Paralympic games
- 79.8 Privacy Policy

79.9 Sun Smart Policy

80 SUB-COMMITTEES

- 80.1 Four sub-committees shall be set up
- a) Veterans
 - b) Country
 - c) Metropolitan
 - d) Junior

The sub-committees of Veterans and Country will run independently of the association with all minutes of meetings advised to Council.

The sub-committees of Metropolitan and Junior will report for approval of all business.

All sub-committees will submit reports for each council meeting.

- 80.2 All board members are ex-officio members on all sub-committees

81 SELECTORS

Selectors shall be appointed in the following manner; there shall be 3 selectors plus the Coaching Director and/or Development Officer.

- a) Senior and Junior Selectors: written nominations shall be called for and advised to the Secretary/Executive Director 21 days prior to the council meeting, for election at that meeting. Should no written nominations be received nominations may be taken from the floor.
- b) Veterans and Country Selectors: are to be appointed by the Veterans and Country sub-committee and advised to council.

All selectors MUST comply with clause 75.

Note The latest amendments to the constitution are shown in bold italics

