



NORTH EAST HILLS TABLE TENNIS ASSOCIATION INCORPORATED CONSTITUTION



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**NORTH EAST HILLS TABLE TENNIS ASSOCIATION
CONSTITUTION**

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NORTH EAST HILLS TABLE TENNIS ASSOCIATION CONSTITUTION

1. NAME

- 1.1 The name of the Association shall be: NORTH EAST HILLS TABLE TENNIS ASSOCIATION INCORPORATED (Referred to as the Association)

2. DEFINITIONS

- '**Committee**' means the committee of management of the Association.
- '**General meeting**' means a general meeting of members of the Association convened in accordance with these rules.
- '**Member**' means a member of the Association which consist of:
 - a) Life members.
 - b) Financial registered clubs.
- '**Delegate**' means a club's appointed representative.
- '**Officers**' means as defined in 7.1.
- '**The Act**' means the Associations Incorporation Act 1985.
- "**Poll**" is any system of voting and counting that provides privacy for the individual voter.
- '**Ordinary Resolution**' means a resolution passed at a General Meeting by a majority of Members present, entitled to vote and voting;
- '**Special Resolution**' means a resolution passed at General Meeting of the Members if:
 - a) at least 21 days written notice specifying the intention to propose the resolution as a special resolution has been given to all Members; and
 - b) it is passed at a duly convened meeting of the Members by a majority of not less than three-quarters of Members present, entitled to vote and voting.

3. OBJECTIVES

- 3.1 The encouragement and advancement of Table Tennis.
- 3.2 The arrangement and control of Inter-Club and Inter-Associations Matches and Tournaments, and all matters incidental.
- 3.3 To decide all matters relating to Table Tennis which may arise between financial registered clubs or players which may be referred to the Association.
- 3.4 To establish and maintain uniformity in the rules under which Table Tennis is played in the Association
- 3.5 If passed at the Annual General Meeting, arrange affiliation of the Association with a selected body, formed for the purpose of promoting and controlling Table Tennis.
- 3.6 To delegate the management of any Championship Tournament or other match.
- 3.7 To promote and conduct other forms of recreation and amusement for members of the Association.

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4. POWERS OF THE ASSOCIATION

- 4.1 The Association shall have all the powers conferred by section 25 of the Associations Incorporation Act 1985 and without limiting those powers, the Association will be entitled to acquire, hold, hire, lease, deal with and dispose of, real or personal property, to open, operate and close accounts with Approved Deposit Institutions, invest in securities and enter into any necessary or desirable contract consistent with the objectives of the Association.

5. MEMBERSHIP

- 5.1 The Association shall consist of financial registered clubs. (Referred to as “Clubs”).
- 5.2 A Club shall be a group of financial registered players (referred to as “players”) forming a team(s) (referred to as “Team”) to play in Association Competitions.
- 5.3 **Subscriptions**
A Club shall have paid to the Treasurer within twenty one (21) days of notification all fees as determined by the Management Committee.
- 5.4 **Notice of Resignation**
A Member may resign from membership of the Association on one month's notice in writing to the Association. A resigning Member is liable for any outstanding fees or subscriptions which may be recovered as a debt due to the Association.
- 5.5 A Player is a person who has made a payment to a Club.
- 5.6 A Player must produce evidence of being financial when transferring to another Club. Transfers must be approved by the Management Committee.
- 5.7 Payment of fees by a Club implies acceptance of this Constitution.
- 5.8 Expulsion of a Member
- a) Subject to giving a member an opportunity to be heard or to make a written submission, the Committee may resolve to expel a Member upon a charge of misconduct detrimental to the interests of the Association.
 - b) Particulars of the charge shall be communicated to the Member at least one month before the meeting of the Committee at which the matter will be determined.
 - c) The determination of the Committee shall be communicated to the Member, and in the event of an adverse determination the Member shall, (subject to 5.8d below), cease to be a member 14 days after the Committee has communicated its determination to the Member.
 - d) It shall be open to a Member to appeal the expulsion to the Association at a General Meeting. The intention to appeal shall be communicated to the Secretary or Public Officer of the Association within 14 days after the determination of the Committee has been communicated to the Member.
 - e) In the event of an appeal under 5.4d above, the appellant's membership of the Association shall not be terminated unless the determination of the Committee to expel the Member is upheld by the members of the Association in General Meeting after the appellant has been heard by the members of the Association, and in such event membership will be terminated at the date of the General Meeting at which the determination of the Committee is upheld.

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5. **MEMBERSHIP (cont.)**

5.9 Register of Members (Clubs/Life Members)

A register of Members must be kept and contain:

- i) the name and address of each Member
- ii) the date on which each Member was admitted to the Association, and
- iii) if applicable, the date of and reason(s) for termination of membership.

6. **LIFE MEMBERSHIP**

6.1 The Association may appoint Honorary Life Members (at Annual General Meetings) on recommendation of the Management Committee, for those who have rendered distinguished service to the Association.

6.2 Life Members may attend any meeting of the Association.

6.3 Life Members may only vote at Annual General Meetings or Special General Meetings unless they are an officer or delegate.

7. **OFFICERS**

7.1 The Officers of the Association shall be:-

President, Vice-President, Secretary, Assistant Secretary, Treasurer, Results Steward and the Junior Co-ordinator.

7.2 The Secretary, Assistant Secretary, Treasurer, Results Steward and Junior Co-ordinator shall be paid an honoraria

7.3 Honorarium to be set at the Annual General Meeting or Special General Meeting convened for that purpose.

7.4 **Nominations**

a) The Committee must call for nominations for Elected Officers at least forty-nine (49) days prior to the Annual General Meeting.

b) If there are no nominations received, nominations may be taken from the floor of the Annual General Meeting.

7.5 The Officers shall hold office from the conclusion of the Annual General Meeting at which they have been elected until the conclusion of the following Annual General Meeting.

7.6 A Club shall not have any more than three (3) Officers at any one time.

7.7 The Officers shall not act as club representatives but may speak and vote at any meeting of the Association with the exception of the presiding officer who shall have a casting vote only.

7.8 The President, Secretary and Treasurer shall be ex-officio members of all sub-committees appointed. When exercising such ex-officio membership, they shall not have the right to vote.

7.9 **Disqualification of Committee Members.**

The office of a Committee Member shall become vacant if a Committee Member is:

- a) disqualified from being a Committee Member by the Act
- b) expelled as a Member under these rules
- c) permanently incapacitated by ill health
- d) absent without apology from more than four meetings in a financial year
- e) no longer the duly appointed representative of a club (delegate).

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8. MANAGEMENT COMMITTEE

- 8.1** The Association shall be managed by a Management Committee (referred to as the “Committee”) consisting of all Officers and two (2) representatives (referred to as “Delegates”) from each Club.
- 8.2** Subject to the Act and this Constitution, the business and affairs of the Association shall be managed by the Committee which may exercise the powers of the Association for that purpose.
- 8.3** In the event of the death or resignation of any Member, the Committee shall declare the member’s office or position vacant and fill the vacancy.
- 8.4** In the event of the incapacity of any member the Committee shall declare such member’s office or position vacant and fill the vacancy. Before declaring that office or position vacant the Committee shall give the Member an opportunity of being heard.
- 8.5** Any Member whose office or position has been declared vacant shall be notified in writing within twenty one (21) days.

9. DUTIES OF COMMITTEE

- 9.1** Interpret and abide by this Constitution.
- 9.2** Carry out the Objectives of the Association.
- 9.3** Convene all meetings.
- 9.4** Determine the headquarters of the Association.
- 9.5** Accept or reject a Club’s application for membership.
- 9.6** Determine levies, subscriptions and refunds.
- 9.7** Specify the conditions of Player’s registration and transfer.
- 9.8** Appoint or replace delegate(s) to represent the Association
- 9.9** Make, amend or alter rules for competition, tournament or other event.
- 9.10** Control funds of the Association.
- 9.11** Decide all protests.
- 9.12** Appoint an Auditor to audit all accounts and Financial Statements of the Association.
- 9.13** Appoint or replace any person(s) to conduct Special Audits for or on behalf of the Association.
- 9.14** Appoint referees, umpires and selectors.
- 9.15** Expel, disqualify, suspend, fine or re-instate any Player, Team or Club.
- 9.16** Permit or prohibit transfers of Players between Clubs.
- 9.17** Declare any Player or Club un-financial.
- 9.18** Fill any vacancy in the Committee.

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9. DUTIES OF COMMITTEE (cont.)

- 9.19** Appoint sub-committees.
- 9.20** Act upon any report presented by any sub-committee.
- 9.21** Deal with any other matters concerning the Association.

10. MEETINGS

- 10.1** Officers, Club Secretaries and Life Members shall be notified in writing at least twenty one (21) days prior to the meeting with the exceptions specified in the Section 16 (Protests and Misdemeanors) of this Constitution.
- 10.2** The President or the Vice President shall be Chairperson. In their absence a person elected from the Committee members present shall be Chairperson.
- 10.3** Two thirds (2/3) of the Officers and two thirds (2/3) of the Delegates, rounded down to the nearest whole number, shall form a quorum.
 - 10.3.1** In the event of a meeting lapsing for want of a quorum, a further meeting shall be called.
 - 10.3.2** In the absence of a quorum at that Meeting those present have the power to act upon the business, provided all Officers and Clubs have been notified of the abandonment of the previous meeting.
- 10.4** The following motions may be dealt with without notice:-
 - 10.4.1** to elect a Chairperson (Subject to Clause 8.1)
 - 10.4.2** to adjourn.
 - 10.4.3** to amend
 - 10.4.4** to give a vote of thanks
 - 10.4.5** that "The question be now put".
- 10.5** **Voting Procedure**

At any General Meeting a resolution put to the vote of the General Meeting will be decided on a show of hands unless a poll is (before the show of hands) demanded by:

 - a)** the chairperson; or
 - b)** a simple majority of Affiliate Members present at the General Meeting.
- 10.6** **Poll at General Meetings**
 - a)** A Poll must be conducted in a manner specified by the person presiding and the result of the Poll is the resolution of the meeting on that question.
 - b)** A Poll demanded for the election of a person presiding or on a question of adjournment must be taken immediately, but any other Poll may be conducted at any time before the close of the meeting.
- 10.7** At all meetings each member of the Committee shall have one vote except the presiding officer who shall have a casting vote only.

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10. MEETINGS (cont.)

10.8 Proxies

A member shall not be entitled to appoint a proxy.

11. ANNUAL GENERAL MEETING

11.1 An Annual General Meeting shall be held. Officers, Delegates and Life Members shall each have a vote except the presiding officer who shall have a casting vote only.

11.2 The date shall be set annually by the Committee.

11.3 Officers, Club Secretaries, Life Members and the Auditor shall be notified in writing at least twenty one (21) days prior to the meeting.

11.4 The Agenda shall include:

11.4.1 the confirmation of the minutes of the previous Annual General Meeting and of any Special General meeting held since that meeting

11.4.2 receiving of Annual Reports and Financial Statements.

11.4.3 any business submitted by the Committee.

11.4.4 any other business (which requires fourteen (14) day's notice to the Association Secretary).

11.4.5 election of Officers by Secret Ballot.

11.4.6 the appointment of an Auditor.

11.4.7 the appointment of a Public Officer.

11.5 Any office(s) vacant at the close of the Annual General Meeting shall be filled by the incoming Committee.

11.6 If less than two thirds (2/3) of the offices are filled, the immediate past Committee shall adjourn the Annual General Meeting, and

11.6.1 the Annual General Meeting shall be re-convened within twenty one (21) days where nominations from Clubs shall be acted upon.

11.6.2 matches or events shall not be programmed until the offices are filled.

11.6.3 if the offices still remain vacant, a Special General Meeting to dissolve the Association shall be called.

11.7 All Clubs shall hold their Annual General Meeting prior to the Association's Annual General Meeting.

12. SPECIAL GENERAL MEETINGS

12.1 Special General Meetings may be called as required by the Committee.

12.2 A Special General Meeting shall be convened by the Association Secretary or President upon request, in writing, from three (3) Clubs.

12.3 Officers, Clubs, Life Members and the Auditor shall be given twenty one (21) days written notice stating the business of the meeting.

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12. SPECIAL GENERAL MEETINGS (cont.)

- 12.4 Voting powers shall be the same as for Annual General Meetings.

13. COMMITTEE MEETINGS

- 13.1 Only Officers and Delegates shall be entitled to vote on any motion. Except the presiding officer who shall have a casting vote only.
- 13.2 Voting shall be kept by show of hands unless a Committee member requests a secret ballot (a Poll).
- 13.3 If a Club does not have a Delegate at two (2) consecutive Meetings, the Committee shall call upon the Club to ensure future attendance.

14. MINUTES

- 14.1 Proper Minutes of all proceedings of general meetings of the Association and of meetings of the Committee, shall be entered within one month after the relevant meeting in minute books kept for the purpose.
- 14.2 The Minutes kept pursuant to this rule must be confirmed by the members of the association or the members of the Committee (as relevant) at a subsequent meeting.
- 14.3 The Minutes kept pursuant to this rule shall be signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the next succeeding meeting at which the minutes are confirmed.
- 14.4 Where Minutes are entered and signed they shall, until the contrary is proved, be evidence that the meeting was convened and duly held, that all proceedings held at the meeting shall be deemed to have been duly held, and that all appointments made at a meeting shall be deemed to be valid.

15. MATCH RULES

- 15.1 The Association shall have rules for competition. (Referred to as "Match Rules").
- 15.2 Any proposed changes in Match Rules shall be notified to the Association Secretary at least twenty one (21) days prior the date of the next scheduled Association Meeting. The Secretary shall then notify Club Secretaries.
- 15.3 Match Rule changes require a majority vote of the Committee.

16. PROTESTS AND MISDEMEANOURS

- 16.1 Protests must be lodged in writing with the Association Secretary within seven days of the disputed match, event or other matter.
- 16.2 The Association Secretary shall call a Committee meeting within eight (8) days of receipt of the protest to act upon it.
- 16.3 All Officers, Clubs and the Players involved shall be sent a copy of the protest.
- 16.4 Any Player, Team or Club found guilty of wilfully or negligently misleading the Committee or not abiding by any directives of the Committee may be expelled, disqualified, suspended, fined or otherwise dealt with.

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16. PROTESTS AND MISDEMEANOURS (cont.)

- 16.5** A Committee meeting shall be called to deal with misdemeanours within fourteen (14) days of the notification of the alleged offence.
- 16.6** All Officers, Clubs and players involved shall be sent details of the offence and the date of the Committee meeting at least eight (8) days prior to the meeting. Two delegates from the Club together with those involved may attend the meeting for the purpose of answering the charge or matters.
- 16.7** Any Player, Team or Club which is expelled, disqualified or suspended shall lose all rights and privileges.
- 16.8** Any expelled, disqualified or suspended player shall not act as an Officer.
- 16.9** Any Player, Team or Club expelled, disqualified or suspended, shall make application in writing to the Committee before again being admitted to the Association.
- 16.10** Fees shall not be refunded to any Club which has been expelled, disqualified or suspended.
- 16.11** Any Club expelling, disqualifying or suspending a Player shall forward all particulars to the Association Secretary within eight (8) days.
- 16.12** The Association shall apply the rules of Natural Justice in relation to adjudication of disputes between itself and its members or between its members.

17. APPEALS

- 17.1** Any Player, Team or Club expelled, disqualified or suspended may appeal to the Committee within fourteen (14) days of being notified in writing, subject to conditions provided.
- 17.2** An appeal shall only be heard if notice in writing, setting out grounds for the appeal and deposit of the fee set at the Annual General Meeting, is lodged with the Association Secretary within fourteen (14) days of notification.
- 17.3** The Committee may dismiss, vary, modify or reverse their previous decision.
- 17.4** If the Committee finds an appeal frivolous, the deposit shall be forfeited.
- 17.5** The decision of the Committee on an appeal shall be final.

18. FINANCES

- 18.1** The financial year of the Association shall end at least twenty one (21) days before the Annual General Meeting.
- 18.2** Account(s) in the Association's name shall be opened and operated with an approved financial institution.
- 18.3** No withdrawal shall be made from, and no cheques shall be drawn on, any transaction account in the name of the Association unless the withdrawal form, cheques or electronic transfer is signed or password-activated, as appropriate, by any two of the elected Officers.

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18. FINANCES (cont.)

- 18.4 Between Committee meetings, operators of accounts may spend or incur extraordinary expenses (unusual or one off in nature) up to the amount set at the Annual General Meeting and recorded in the By-Laws.
- 18.5 Payments for expenses incurred shall be submitted at the next Association Committee Meeting.
- 18.6 Payments or Expenses must be approved by the Committee before the operators can incur further expenses.
- 18.7 Any operator shall be reimbursed by the Association for any personal loss due to operating the accounts, except where such loss is the result of their personal negligence or default.
- 18.8 The Accounts shall be audited between the end of the financial year and the Annual General Meeting for presentation at the Annual General Meeting.
- 18.9 **Prohibition against securing profits for members.**
The income and capital of the Association shall be applied exclusively to the promotion of its objectives and no portion shall be paid or distributed directly or indirectly to members or their associates except as bona fide remuneration of a member for services rendered or expenses incurred on behalf of the Association. Section 55 of the Act provides a prohibition against securing profits for members.

19. CORRESPONDENCE

- 19.1 All correspondence, documents or other matters addressed to the Association shall belong to the Association.
- 19.2 Correspondence between the Association and the Clubs shall be directed through their respective Secretaries.

20. WINDING UP

- 20.1 The Association shall only be dissolved at a Special General Meeting convened for that purpose. Two thirds (2/3) of the Officers and two thirds (2/3) of the Delegates entitled to attend the meeting shall form a quorum.
- 20.2 Officers, Club Secretaries and Life Members shall be notified in writing at least twenty one (21) days prior to the meeting.
- 20.3 A Special Resolution to dissolve must be carried by at least three quarters (3/4) of the votes recorded.

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20. WINDING UP (cont.)

20.4 DISTRIBUTION OF ASSETS ON WINDING UP

- (a) If, on winding up, dissolution or deregistration of the Association and after satisfaction of all the Association's debts and liabilities, there remain surplus assets (as defined in the Act) those surplus assets must not be paid to or distributed amongst the Members but must be distributed to another organisation or organisations which has objects similar to the Objects and a constitution which prohibits the distribution of income and property to Members.
- (b) The organisation or organisations to whom the distribution is to be made under clause 20.4 (a) may be determined by the Members in General Meeting at or before the time of winding up, dissolution or deregistration, and in default a determination by the Members, by a judge of the Supreme Court of South Australia or any other Court that has jurisdiction in the matter.

21. ALTERATION TO THE CONSTITUTION

- 21.1** Alterations to the Constitution shall only be made at Annual General Meetings or Special General Meetings convened for that purpose.
- 21.2** Proposed Constitution alterations must be notified in writing to the Association Secretary at least twenty (21) days prior to the meeting.
- 21.3** Any alterations to the Constitution are to be by Special Resolution.
- 21.4** Alterations to the Constitution must be registered with the relevant Government body within the time stipulated by that body.

22. COMMON SEAL

- 22.1** The Committee shall provide a Common Seal of The Association inscribed as required by "The Associations Incorporated Act, 1985" and shall provide for safe custody.
- 22.2** The Common Seal shall not be affixed to any deed or instrument without the resolution of the Committee.
- 22.3** All instruments requiring the authentication of The Association shall be sealed with the Common Seal and countersigned by two of the sealholders and the Secretary in the following form:-

"The Common Seal of North East Hills Table Tennis Association Incorporated was hereunto affixed on theday of
by the authority of a resolution passed at a Meeting of the Committee held onday of..... and in the presence of the undersigned.

.....
.....
Seal Holders

.....
Secretary

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22. COMMON SEAL (cont.)

- 22.4 The Seal Holders of the Association shall be the President, Vice President, and Treasurer.
- 22.5 Every use of the seal shall be recorded in the Minute book of the Association.

23. PUBLIC OFFICER

- 23.1 The Association must have a Public Officer (as required by “The Associations Incorporation Act, 1985).
- 23.2 The Public Officer shall be appointed by the Committee as required.
- 23.3 Changes to the identity or address of the Public Officer must be notified to the relevant Government body within one (1) month the date of change.

24. INDEMNITY

- 24.1 Every Officer or Committee member of the Association shall be indemnified out of the property and assets of the Association against any liability incurred by them in their capacity as Officer or Committee member in defending any proceedings, whether civil or criminal.
- 24.2 The Association shall indemnify its Officers and Committee members against all damages and losses (including legal costs) for which any such Officer or Committee member may be or become liable to any third party in consequence of any act or omission except wilful misconduct:
 - 24.2.1 In the case of an Officer or committee member, performed or made while acting on behalf of and with the authority, express or implied, of the Association.
 - 24.2.2 In the case of an employee, performed or made in the course of, and within the scope of, their employment by the Association.