



STATUTES

Amended: 1 October 2009, 6 October 2009, 8 October 2009, 9 November 2009, 25 January 2010, 23 September 2013, 22 September 2014, 5 September 2016, 4 September 2017, and last amended on 19 September 2019.

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 and Affiliates

3. Membership of Swiss Netball shall be open to any individual or Club 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 Clubs: clubs (typically in the form of an association under Articles 60-79 of the Swiss Civil Code) that 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 Club 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 34(i);
 - iii. Any Netball Club 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 Clubs 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 to the Committee and shall provide a copy of any amendments to its statutes;
 - vi. A Netball Club shall notify the Committee of at least one person who can serve as a point of contact between Swiss Netball and the Club;
 - vii. A Netball Club shall appoint one delegate to represent it at the General Assembly to speak and vote on that club's behalf ("Netball Club Delegate");
 - viii. A Netball Club shall be admitted by a simple majority vote of the Annual General Meeting;
 - ix. Representatives of Netball Clubs shall also be eligible to stand for election as officers of the Committee'

- x. Netball Clubs shall encourage their members to become Individual Members of Swiss Netball.

- b. Individual Members: individuals, including players, umpires, coaches and club officials, may apply for membership of Swiss Netball (“Individual Members”). Individual Members receive membership benefits defined from time-to-time by the Committee. Individual Members are admitted to the Association and are required to comply with its regulations as follows:
 - i. Any prospective Individual Member shall pay the prescribed fee and provide any required information prescribed in regulations adopted by the Committee under Part IX of the Statutes;
 - ii. Each application meeting the requirements of subparagraph 4.b.i above shall be accepted and the individual shall become an Individual Member for a period of up to one year, provided that the Committee may, within 28 days of any application, review that application and decide, by a two-thirds majority, to provisionally reject the application.
 - iii. If the Committee provisionally rejects an application for individual membership, the membership status of the applicant shall be subject to final approval by the General Assembly following their application, who may reject the application by a simple majority vote of the Annual General Assembly.
 - iv. Individual Members shall be entitled to attend the General Assembly and shall be entitled to speak, but not to vote.
 - v. Individual Members shall also be eligible to stand for election as officers of the Committee.
 - vi. Individual membership may be renewed annually by paying the prescribed fee.

- c. Honorary Life 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 21(f);
 - iii. Honorary Life Members shall be entitled to attend the General Assembly and shall be entitled to speak, but not to vote.

4A. The Committee shall prescribe, from time to time, the one-year period during which Individual Members receive membership benefits and for which the prescribed fee is payable.

5. There shall be Affiliates of Swiss Netball in accordance with the following rules. Affiliates are schools or similar institutions that play the game of netball according to INF rules and regulations. Affiliates are important partners in the Swiss Netball community.

- a. Any school that was a Netball Centre under the Swiss Netball Statutes in effect on 19 September 2019 becomes an Affiliate the following day.

- b. Any school or similar institution in Switzerland may apply to become an Affiliate. Affiliates are admitted to the Association and required to comply with its regulations as follows:
 - i. Any prospective Affiliate 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 Affiliate 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 Affiliates shall pay the annual Affiliate fee and receive Affiliate benefits, however their affiliate status shall be subject to final approval by the General Assembly following their application;
 - v. An Affiliate shall be admitted by a simple majority vote of the Annual General Meeting;
 - vi. A delegate of each Affiliate shall be entitled to attend the General Assembly and shall be

- entitled to speak, but not to vote;
- vii. Affiliates should encourage players to become Individual Members of Swiss Netball.

6. Any Member or Affiliate may withdraw at any time from Swiss Netball by giving notice in writing to the President to that effect. The Member withdrawing shall not be entitled to any refund of membership dues paid.

7. Any former Member or Affiliate of Swiss Netball meeting the qualifications for membership may be readmitted in accordance with these Statutes. Any outstanding membership dues shall be paid before the Member is readmitted.

Part IV - Finance

8. The sources of finance for Swiss Netball are:

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

9. The annual subscription for each category of membership and affiliation shall be determined at the Annual General Assembly, and reviewed yearly in accordance with Articles 21(g) and 34(y).

10. Failure to pay the subscription fee will result in the defaulting Member or Affiliate being excluded from Swiss Netball and all its activities. If the defaulting Member or Affiliate does not settle its subscription fees by 31 January of the subsequent year, then that Member shall be deemed to have withdrawn from Swiss Netball.

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

12. 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.

13. 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.

14. 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.

15. Swiss Netball will have liability ("Responsabilité civile") insurance to cover claims made against it.

Part V - The Financial Year

16. 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

17. 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

18. The General Assembly of Swiss Netball shall be convened once a year. The meeting of the General Assembly shall be open to all members and Affiliates.

19. Members and the Committee shall be entitled to place items on the agenda. These should be received by the General Secretary in writing, at least 42 days prior to the date of the General Assembly.

20. Notice of the General Assembly will be sent by the General Secretary to all members and Affiliates, 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 independent accountant'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.

21. 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 verified 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 34(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 34(y);
- h. Approval of amendments to the Statutes of Swiss Netball;
- i. Approval of the National and International Match Programmes.

22. The General Assembly shall appoint one or more independent accountants for a period of 2 years, who shall verify the annual accounts of the Association and present them to the General Assembly for approval.

23. 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 24. In the event of a tied vote, the Committee President has the casting vote.

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

25. 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 Clubs. 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.

26. 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

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

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

29. 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.

30. 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.

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

32. 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.

33. 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.

34. 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 Life Members, and one or more independent accountants, 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 25;
- 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 the INF;
- o. Contact and engage with the 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 and Affiliates, 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 and Affiliates 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.

35. Each officer of the Committee may sign official documents on behalf of Swiss Netball (other than documents concerning juridical or financial obligations). Documents concerning juridical or financial obligations will be validated by the joint signatures of the President and Treasurer.

36. 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

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

38. 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.

39. 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.

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

41. 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

42. The Statutes of Swiss Netball shall bind all members of Swiss Netball throughout the term of their membership. All members and Affiliates 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 or Affiliates 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 or Affiliate, which may result in suspension of membership privileges or, in cases of serious misconduct, expulsion from the Association.

43. For the avoidance of doubt, any disciplinary matter should first be dealt with at a local organisation level. Swiss Netball may choose not to consider a matter or an appeal where it considers it has been properly addressed at the local organization level. The Committee nevertheless retains the discretion to examine any disciplinary matter, in the interests of Swiss Netball.

44. There shall be a right of appeal to the Committee of Swiss Netball against any decision made by a Netball Club. 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.

45. 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

46. 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.

47. The Committee may enact changes to the Regulations, however the procedures set out in Article 44 above shall also apply to such changes.

Part X - Amendment to the Statutes

48. 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 20.

Part XI - Dissolution

49. 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.

50. 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

51. 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.

52. 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 Clubs. 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: 19 September 2019

Place: Centre sportif de la Queue-d'Arve, Francois-Dussard, 1227 Geneva