



MOUNTAIN DISTRICT NETBALL ASSOCIATION  
INCORPORATED

BYLAWS

DATE: 29/01/2019

# TABLE OF CONTENTS

1. CLUB DELEGATE MEETINGS.....	5
2. CORRESPONDENCE .....	5
3. FINANCES.....	5
4. INFORMATION TO CLUBS.....	5
5. CLUB AND TEAM REGISTRATION.....	ERROR! BOOKMARK NOT DEFINED.
6. NETBALL VICTORIA MEMBERSHIP .....	6
7. AFFILIATION FEE.....	6
8. INCLUSIVE ENVIRONMENTS .....	6
9. AGE REQUIRMENTS.....	7
10. GRADING .....	7
11. DRESS CODE.....	8
12. CLEARANCES .....	8
13. CONDUCT OF GAMES .....	9
14. SCORING .....	9
15. COMPETITION LADDERS.....	9
16. BORROWING PLAYERS .....	9
17. FINALS.....	9
18. PLAYER QUALIFICATION .....	10
19. FORFEITS.....	10
20. CANCELLATIONS.....	10
21. SELECTION OF REPRESENTATIVE TEAMS .....	10
22. TEAM OFFICIALS.....	11
24. AWARDS .....	11
24. PRESENTATION NIGHT .....	11
25. FUNDRAISING .....	11
26. COURSES, SEMINARS & OTHER OPPORTUNITIES.....	11
27. ACCREDITATION.....	12

<b>28. RISK MANAGEMENT .....</b>	<b>126</b>
<b>29. DISPUTE RESOLUTION .....</b>	<b>12</b>
<b>30. SPECIAL CIRCUMSTANCES/PROVISIONS CLAUSE .....</b>	<b>13</b>
<b>29. INDEMNITY .....</b>	<b>13</b>

**DEFINITIONS**

**“Association”** means the Mountain District Netball Association Incorporated.

**“Club”** means a non-profit incorporated body which has an interest in netball and is affiliated with the Association.

**“Bylaws”** means these By-Laws of the Association as amended from time to time.

**“Council”** is the governing body of the Association.

**“Constitution”** means the constitution of the Association as amended from time to time.

**“Club Delegate”** is a representative of a Club or Team who liaises with the Council.

**“Ineligible player”** is a player who is not entitled to participate in a game, which may include a player who has not qualified or a player not eligible to play in that age section.

**“Team”** is a team which is not affiliated with a governing Club at either the Night Competition or the Saturday Competition.

**“Team Official”** has the meaning given to it by Bylaw 0.

## **BYLAWS**

These Bylaws govern the Association. They are the operating procedures that determine the conduct of the Association and its members. The Council adopted these Bylaws on 24/01/2019. Any amendments to these Bylaws come into effect on the date they are approved by the Council and will remain in force until amended, repealed or replaced.

### **1.CLUB DELEGATES MEETINGS**

1.1: Club Delegate meetings will be held on the dates determined by the Council and advised to Clubs from time to time.

1.2: All Clubs must be represented by at least one delegate at all Club Delegate meetings.

1.3: Clubs who do not comply with Bylaw 0 will be fined by the Committee (with the amount of the fine to be determined by the Council).

### **2.CORRESPONDENCE**

2.1: All correspondence sent by a Club to the Association must be sent in writing from the Club Secretary or authorised person to the Association Secretary.

2.2: All correspondence from the Association to a Club will be addressed to the Club Secretary or authorised person.

### **3.FINANCES**

#### **3.1:Fees**

- a. The Council shall determine the fees to be paid by each Club and Team to the Association.
- b. The fees shall be calculated to cover the costs of Association and Competition management activities.
- c. All monies due to the Association must be paid by the nominated due date. Clubs or Teams that have not paid by the nominated date will not be permitted to take the court.
- d. All players shall be fully paid members of their own Club or Team in order to be eligible to participate in any activities governed by the Association.
- e. Any individual with outstanding debt to the Association shall not be permitted to take the court for any Club or Team in any competition until the outstanding debt is paid.
- f. Any individual who breaches Bylaw 3.1(e) may be subject to a fine as determined by the Committee.

#### **3.2:Reimbursements / Payments**

- a. Council members are entitled to claim authorised expenses incurred whilst acting in an official capacity from the Association. Receipts must be supplied to the Association in order for any reimbursements to be made. Council members will be paid an annual honorarium according to role commitments.
- b. Umpires will be paid at the rate determined by the Association.
- c. Other Association personnel may be entitled to claim authorised expenses incurred whilst acting on behalf of the Association as determined at the discretion of the Association on a case-by-case basis.

### **4.INFORMATION TO CLUBS**

4.1:The Association shall provide information to all Clubs prior to the start of the season. This information may include:

- a. Association contact details;
- b. Association venue address;
- c. Competition Bylaws;
- d. Fixtures; and
- e. Details of courses, seminars etc.
- f.

### **5.CLUB AND TEAM REGISTRATION**

- a. In order for a Club or Team to be eligible to compete in the Association's competitions, the Club or Team must complete and return official entry forms to the Association by the due date.
- b. All Clubs and Teams that submit valid entry forms and are subsequently registered by the Association shall receive information from the Association, which may include:

- I. Due date and amount of all fees and levies that are to be paid for the season, including Registration Fees, Court Fees, Netball Victoria Fees and any other fees that may be deemed necessary for that season;
- II. A link to the Association Constitution and Bylaws;
- III. Information regarding any meetings or other requirements of the Association; and
- IV. any information provided in accordance with Bylaw 0.
  - c. The Association reserves the right to reject the registration application of any Club or Team applying to the Association for registration to participate in a competition.
  - d. All Clubs and Teams will have access to relevant Netball Victoria policies, procedures, regulations and Codes of Conduct via the Netball Victoria website.

## **6.NETBALL VICTORIA MEMBERSHIP**

6.3:The Netball Victoria membership fees are set annually by the Victorian Netball Association Inc.

- a. In order to be eligible to participate in affiliated Association competitions or programs (including NetSetGo), as a player, coach or umpire, an individual must be a current financial Netball Victoria member. All Junior, Senior and All Abilities players, coaches and umpires must register through the appropriate online registration form as provided by the Association.
- b. An off-the-court membership (administrative roles eg President, secretary, time keeper) product will be offered to those Association members that have an off-court role.

6.2:No player, coach or umpire will be permitted to participate in the Association's activities in any capacity without a current Netball Victoria membership. Any breach of this Bylaw will be subject to sanction to the individual, Team or Club as determined by the Council.

6.3:Single Game Vouchers may be used.

- a. Individuals may purchase a Single Game Voucher and purchase of a voucher will allow the individual to participate as a player in the Association's activities only for the particular game or activity to which the Single Game Voucher relates.
- b. A player must purchase a Single Game Voucher through the nominated process prior to becoming eligible to participating in the relevant game or activity.
- c. If a player converts to a full membership, games played will be counted as qualification for finals.

## **7.AFFILIATION FEE**

7.2:Each Club shall affiliate with Mountain District Netball Association by signing an Affiliation and Agreement Form (listing current club official contacts) and submit the Affiliation and Agreement Form to the Secretary by due date.

## **8.INCLUSIVE ENVIRONMENTS**

8.1:The Association is committed to providing a safe, fair and inclusive sporting environment where all people can contribute and participate.

8.2:The Association will endeavour to provide opportunities for males to participate in mixed and male competitions.

8.3:The Association may conduct cultural awareness training & inclusive workshops to ensure your club is providing a welcoming environment and creating awareness around cultural views and barriers.

8.4:The Association supports participation in netball on the basis of the gender with which a person identifies. If issues arise, the Association will seek advice on the application of the applicable Victorian discrimination laws for the particular circumstances.

8.5:All competitions will be clearly labelled in regard to age group and gender. This includes additional references to all genders that are permitted to play. All competition labelling will be clear and transparent.

8.6:The Association observes the Netball Victoria Gender Regulation in regard to male participation:

- a. Males who are 13 years (and older) are not permitted to participate in female competition. This means that males must be less than 13 years of age (actual age) as at the first day of the competition or season; and
- b. males that turn 13 during that competition or season will be permitted to participate for the duration of that competition or season.

8.7:The Association observes the Netball Victorian Gender Regulation in regard to mixed competition:

- a. Mixed competition for the 11&U and 13&U age groups will have NO restrictions applied on the basis of gender.
- b. Mixed competition for the 15&U and above age groups will observe the following rules:

- I. The minimum number of males in a team is ZERO, and
- II. A mixed team must only have a maximum of 3 males on court at any one time, and
- III. A mixed team must only have up to one male in each third on court. For the avoidance of doubt this means:
  - A. One male is permitted in the defence third occupying the position of Goal Defence or Goal Keeper, and
  - B. One male is permitted in the mid third occupying the position of Center, Wing Attack or Wing Defence, and
  - C. One male is permitted in the goal third occupying the position of Goal Attack or Goal Shooter.

### **9.AGE REQUIREMENTS**

9.1: Generally, player age is determined as at the 31 December of the current playing year. Specially, bylaw 8.6 must also be applied

9.2: Participants must provide their correct date of birth at the time of registering and failure to do so will result in ineligibility to participate in the Association's activities

9.3: Participants aged between 5 and 10 years are encouraged to participate in the NetSetGO Program.

9.4: Participants are only eligible to participate in certain age groups upon reaching the relevant age threshold (Minimum Age Requirements). The Minimum Age Requirements for each age group are:

Age Group	Minimum
Set Program	
Allstarz	
Superstarz	7 years
11&U	9 Years
13&U	10 Years
15&U	13 Years
17&U	14 Years
23/U	15 Years
Open	15 Years

9.5: A Team or Club who breaches this Bylaw 9 may be subject to a penalty of the loss of four (4) premiership points.

### **10.COMPETITIONS AND PROGRAMS**

10.1 The Association offers the following competition & programs:

NetSetGo	Mixed	(females & males – no restrictions) – see 8.7 (a)
11&U	Mixed	(females & males – no restrictions) – see 8.7 (a)
13&U	Female	(males <13 years of age as at the first day of competition may participate)
13&U	Male	(females may participate)
13&U	Mixed	(females and males – no restrictions) – see 8.7 (a)
15&U	Female	
15&U	Male	(females may participate)
15&U	Mixed	(females and males – restrictions apply) – see 8.7 (b)
17&U	Female	
17&U	Male	
17&U	Mixed	(females and males – restrictions apply) – see 8.7 (b)
23/U	Female	
Open	Female	
Open	Male	
Open	Mixed	(females and males – restrictions apply) – see 8.7 (b)

### **11.GRADING**

11.1: The Association will implement a grading process which will be determined by the Association to evaluate, grade and re-grade all teams.

In the Winter Season Grading games will be scored as :

- 1 point for a win
- 1 point for a draw
- 0 points for a loss

11.2: The Association reserves the right to re-grade a Team or Club at any time of any season.

11.3: Re-grading requests submitted to the Association by a Team or Club will be considered by the Association without any requirement for the Association to take any further action in relation to the grading of that Team or Club.

11.4: The Association will be the ultimate adjudicator of all grading decisions.

11.5: If a Team or Club is re-graded during a season, premiership points and goals for and against accrued in the initial grade in that season will be transferred and apply in the new grade the Team or Club has been entered into for the remainder of the season.

## **12. DRESS CODE**

### **12.1: Players**

- a. Each Club and Team must submit its proposed uniform to the Association, for approval by the Association.
- b. Each Club and Team must have a female and male uniform option.
- c. Participants may choose the uniform option they are comfortable with.
- d. Clubs and Teams must notify the Association in writing of any proposed changes to their uniform for approval by the Association.
- e. The Association must approve all Club and Team uniform colors and designs.
- f. All players must wear their Club or Team nominated uniform including positional bibs and any sports brief or shorts when participating in the Association's activities.
- g. Any player may seek a variation to the uniform for medical, cultural, religious or other reasonable grounds and must submit a request to the Association, which may be granted or declined at the discretion of the Association.
- h. Junior participants in Superstarz and Allstarz sections, may wear leggings where approved by the Association. Legging color must be submitted to the Association as part of the Team or Club uniform approval process.
- i. No jewelry or body piercing may be worn when participating in the Association's activities and players may be precluded from participating until such jewelry or body piercings are removed or covered
- j. Finger nails must be short and smooth and can be taped using approved tape, when participating in the Association's activities. Players will not be able to take the court if this requirement is not met.
- k. Players will receive a warning before a penalty is applied for incorrect uniform.

**Penalty:** *Fine to be determined by the Council*

### **12.2: Umpires**

- a. Umpires shall wear uniform as determined by the Association. Suitable footwear is required.
  - I. Each Club and Team must have a female and male umpire uniform option.
  - II. Umpires may choose the uniform option they are comfortable with.

### **12.3: Representative Squad**

- a. The Association representative squad uniform will be determined by the Association.

## **13: CLEARANCES**

13.1: A clearance is required if a player wishes to transfer to another Club during a season and has played with a different club in the previous season (Spring) or previous calendar year (Winter)

13.2: No player will be granted more than one (1) clearance per season.

13.3: A clearance will not be granted after the half way point of the relevant season has passed.

13.4: Players who owe outstanding playing fees to the Association or are in possession of Club or Team property (uniform, equipment) are not eligible to be granted a clearance.

**Penalty:** *Match points will be lost by the receiving club in each instance the player takes the court without approved clearance as determined by the council.*

13.5: To obtain a clearance, a player must submit a clearance application online and must comply with all of the requirements as outlined by the Association. The individual's existing Club or Team has seven (7) days from date of lodgement to complete the clearance upon receipt of approval from the Association or the Association will automatically clear the player to the new Club. If a clearance application is approved by the Association, the player and both Clubs will receive notification of such approval.

13.6: Any dispute arising from clearance restrictions will be dealt with according to the relevant grievance procedure of the Association.



#### **14.CONDUCT OF GAMES**

14.1:The Association is subject to, and must comply at all times with, the “Official Rules of Netball” as amended or revised from time to time.

14.2:The length of quarters for all matches governed by the Association will be determined by the Association prior to the start of the season.

14.3:If games are centrally timed there will be no injury time. However, matches may be stopped by the umpires at their discretion at any stage as considered appropriate to ensure the safety of players and maintain a safe playing area.

#### **15.SCORING**

15.1:It is the responsibility of the first named Team or Club to score the game.

15.2:Each Team or Club must provide a non-participating scorer for all games.

15.3:The scorers must stand together for the duration of the game on the sideline level with the centre circle.

15.4:One (1) official scoresheet will be used for each game. This scoresheet will list the complete names (both given and surname) of all players intending to participate as players in the game. This scoresheet shall also indicate the positions played each quarter by individuals and the game score. A record of centre passes must also be kept and provided if requested by an umpire.

15.5:At the conclusion of the game, to indicate their satisfaction that the information on the official scoresheet is correct, the official scoresheet is to be signed by the captains of both competing Teams or Clubs and the scorers.

15.6:The officiating umpires must also sign the scoresheet to indicate they have officiated the game.

15.7:One (1) premiership point will be deducted for teams with incorrect or incomplete score sheets or that have otherwise failed to comply with Bylaws 14.1-14.7.

15.8:If a scorer, Team or Club believes the score sheet is incorrect they must:

- I. not sign the official scoresheet and notify the Council;
- II. lodge a dispute in writing with the Association's secretary within 48 hours of the game being played.

The Council will advise the result of the dispute and this decision shall be final and binding on all parties.

#### **16.COMPETITION LADDERS**

16.1:Competition ladders will be made available by the Association during competition seasons.

16.2:Premiership points are awarded during competition seasons as follows:

- a. 4 points for a win or bye;
- b. 2 points for a draw; and
- c. 0 points for a loss, forfeit or abandonment.

16.3:In the event of Teams or Clubs being equal on points, positions shall be determined by the percentage of goals scored for and against each Team or Club (with higher percentage from the relevant Teams or Clubs leading to higher position on the ladder). In the event of Teams or Clubs being equal on percentage, positions shall be determined by the greater number of goals scored by those Teams or Clubs.

#### **17. BORROWING PLAYERS**

17.1:Players shall only be permitted to play in a higher section or age group.

17.2:Where there are two or more Teams from the same Club graded in the same section, players can only play with their registered Team in that section.

17.3:Players may transfer between Teams until the player participates in their fourth game with the one Team in one season. Once this occurs the player will be deemed to have transferred to that Team and for the duration of the season.

#### **18.FINALS**

18.1:Finals will be played at the conclusion of the regular rounds of a season.

18.2:The format for finals for any given competition will be determined by the Association.

18.3:The ladder position of Teams and Clubs at the conclusion of the regular rounds of the season shall determine the Teams and Clubs which qualify to participate in the finals. Ladder positions are to be calculated in accordance with Bylaw 0.

18.4:Bylaw 13 applies to finals matches in the same manner as regular season matches.

18.5: If a final does not reach half time, it must be re-scheduled.

18.6: Drawn games will be conducted and resolved in accordance with the 'Official Rules of Netball' as amended or revised from time to time.

18.7: NetSetGO and 11/Under Teams or Clubs may participate in a round robin instead of finals.

18.8: The Council will determine awards for premiers and runners-up in competitions.

### **19: PLAYER QUALIFICATION**

19.1: Subject always to Bylaw 0, players shall be permitted to play in two age division(s) per day.

19.2: Players must play a minimum of five games (Winter) three games (Spring) played for the club throughout the season to qualify to compete in the finals.

19.3: Teams or Clubs found playing an ineligible player during finals will be deemed to have lost that game.

**Penalty:** *If the individual does not play the number of games as stipulated above, the player will be ineligible to participate in finals for that section.*

### **20. FORFEITS**

20.1 In the event that a Team or Club forfeits prior to the game clock starting, only players of the non-offending Team or Club will be deemed to have participated in that game. Players of the offending Team or Club will not be deemed to have participated in that game.

20.2: A forfeit fine determined by the Council will be imposed on any Team or Club that forfeits a match and must be paid before that Team or Club's next game to the non-offending club/team.

### **21. CANCELLATIONS/FORFEITS**

#### **Cancellations:**

21.1: When games are cancelled on account of a factor beyond the control of the relevant Teams or Clubs (e.g. power outage, or other extenuating circumstances,, weather or some other cause) the match will be deemed a draw, both Teams or Clubs will be credited with two (2) points and five (5) goals each and the competition will continue as per the fixture.

21.2: Four (4) points can only be awarded to a Team or Club for winning at half time or at the time of cancellation.

21.3: In the event that a game is cancelled due to weather a maximum of twelve players for each Team or Club can be deemed to have participated in the game.

21.4: Should circumstances occur which require successive rounds to be cancelled, the Council will consider the position and determine a suitable course of action.

#### **Forfeits/Walkovers**

21.5: All competition games will commence at the time as listed in the fixture

21.6: If there are at least five (5) players present, a team will be required to take the court to start play. Players arriving after the game has commenced are 'late arrivals' and will be able to enter the game only as specified in the official rule book. If the centre player is missing, one player shall move to that position in order for the game to commence.

21.7: In the event that there are fewer than five (5) players present for one team, a maximum of one quarter will be allowed for at least five (5) players of the team to take the court. If at the end of the maximum quarter period, there are still less than five (5) players present, the game shall be awarded to the non-offending team (4 points and a score of 10-0)

21.8: In the event that there are fewer than five (5) players for both teams, a maximum period of one quarter will be allowed for at least five (5) players of a team to take the court. If at the end of this time there are fewer than five (5) players present for both teams, the game shall be abandoned and no points or score shall be credited to either team – Forfeit fees will apply to both teams paid to the Association

21.9: When a game is in progress with a team fielding five (5) players, should a player from their team be injured or unable to continue playing, a forfeit shall be declared and 10 goals to Nil and four (4) points awarded to the opposing team, regardless of the score at the time the forfeit is determined – forfeit fees will not apply.

### **22. SELECTION OF REPRESENTATIVE TEAMS**

22.1: The Association will develop a team selection policy.

22.2: The Association will organise the representative squad selection trials.

22.3: Selection trials will be conducted under the following conditions:

- a. All players who have submitted a player registration form online shall be informed of the date, time and place where selection trials are to be held.
- b. Notice of selection trials will be provided at least ten (10) days prior to the date of the selection trials.

#### 22.4: Team Selection Panels

- a. Team Selectors will be appointed for each team and may be made up of the Team Coach and other nominated selectors.
- b. Team Selectors may be appointed to more than one panel.

22.5: Players shall be notified of the outcome of selection trials within the timeframe nominated by the Association.

22.6: Players may request feedback from the Team Selectors.

22.7: The Team Selector's decision shall be final and no appeals regarding selections made under this Bylaw are available.

### **23. TEAM OFFICIALS**

23.1: The Team Officials shall consist of the following roles:

- a. Coaches
  - I. All coaches must have a minimum 'Foundation Coaching Level Accreditation' in order to coach a Team or Club.
- b. Team Managers
  - I. A team manager shall be appointed for each selected Team or Club.
- c. Scorer and Timekeeper
- d. Umpires
  - I. An umpire shall be appointed for each match.
  - II. An individual must, at a minimum, have completed the online theory exam to be eligible to be appointed as an umpire.
- e. Captain & Vice-Captain
- f. Each Team and Club is allocated a team bench where Team Officials and bench players are located during play.

### **24. AWARDS**

- a. All NetSetGO and 11&U participants will receive a participation award as deemed appropriate by the Association.
- b. All players who participate in a grand final will receive an award to be determined by the Association.
- c. Fairest and Best players will receive an award to be determined by the Association for the Winter Season
- d. Presentation of all Association awards shall be made on Grand Final Day

### **25. PRESENTATION NIGHT**

25.1: A presentation night shall be held by the Association for the Representative Program

25.2: The date and format shall be determined annually by the Representative Teams Sub-committee

### **26. FUNDRAISING**

26.1: The Association shall conduct fundraising activities during each year.

26.2: The Council shall determine the specific fundraising activities to be conducted.

26.3: Individual Teams or Clubs must seek approval from the Council for any individual fundraising activities they wish to conduct. Teams or Clubs must apply in writing at least four weeks prior to the event, providing details of and rationale for the fundraising activity. Information as to how the activity will be organised, including risk management and safety measures if relevant, must be provided.

26.4: All members are required to support the fundraising activities of the Association.

### **27. COURSES, SEMINARS & OTHER OPPORTUNITIES**

27.1: The Association shall provide notification of opportunities for all members to improve their skills by attending courses, seminars and other personal development activities.

27.2: The Association shall encourage and support members who wish to attend appropriate courses, seminars and other personal development activities.

**28. ACCREDITATION**

28.1: The Association shall take all reasonable steps to ensure that all Team Officials have the appropriate minimum qualifications.

28.2: Where minimum accreditation standards are not met, the Association shall encourage and support the member(s) to achieve the minimum accreditation standard.

**29. RISK MANAGEMENT****29.1: Injury Reporting**

- a. All Teams and Clubs are responsible for recording all injuries of the injured player (or players' guardian for players under 18) to First Aid Personnel and be listed on the Association Injury Report Form.

**29.2: Child Safety in Netball**

- a. The Association and all Teams and Clubs are responsible for the observance, promotion, enforcement and monitoring of the Child Safety in Netball Policy and Code of Conduct.
- b. The Association and all Teams and Clubs are responsible for the management and administration of the application of the Netball Victoria Working with Children Check Regulation.

**29.3: Game Day Checklist**

- a. A Game Day Checklist must be completed prior to all Association and Team and Club competitions, tournaments, games, programs and training.
- b. Any hazards identified will be:
  - I. Documented;
  - II. Rectified if possible; and
  - III. Reported to the appropriate agency (local council, reserve committee) if major repair is required.

**29.4: First Aid**

- a. The Association will provide a first aid kit for competitions played at the Association's venues.
- b. The first aid kit will be stored in the First Aid room and all appropriate personnel will have access to it.
- c. First Aid Convenor will maintain the first aid kit supplies.
- d. The Association will have a designated room or area for the treatment of injuries. The room or area should be kept clean and accessible at all times.
- e. The Association will ensure that a qualified first aider is present at all competitions.

**29.5: Emergency procedures**

Emergency phone numbers - ambulance, police and an emergency procedure plan is to be displayed at the Association venue.

**29.6: Weather**

In the case of extreme weather conditions, the Association shall refer to the Association's weather policy.

**29.7: Smoke Free**

The Association adopts a smoke free policy.

Smoking is banned within 10 metres of an outdoor public sporting venue during organised underage sporting events and training sessions.

**29.8: Responsible Serving of Alcohol in Sporting Clubs**

The Association will adopt a responsible serving of alcohol policy.

**29.9: Sun Protection**

The Association will adopt a sun smart policy.

**30. NETBALL AUSTRALIA AND NETBALL VICTORIA POLICIES**

The Association will adopt all codes, policies, procedures and regulations from Netball Australia and Netball Victoria as amended from time to time.

**31. DISPUTE RESOLUTION**

31.1: Where a member breaches a Bylaw, and that Bylaw prescribes a penalty for such breach, then the Council may impose such penalty. For any other breach of the Bylaws, the Council will impose any other penalty it sees fit in accordance with these Bylaws and the Constitution.

31.2: Any member who does not agree with a penalty or action of the Council made under this Bylaw, may advise the Committee in writing within a timely manner following the penalty or decision being made. The Council may then:

- I. Discuss the issue with the relevant party and then make a decision regarding the matter. The Council shall inform the party/s involved of their decision either verbally or in writing; or
- II. Have an informal meeting with the relevant party/s in order to discuss and resolve the dispute.

31.3: Any penalty imposed under Bylaw 29.2 is final.

**NOTE :** Where it is not otherwise stated in these By-laws, Netball Victoria's Policies and Procedures will be applied.

### **32. SPECIAL CIRCUMSTANCES/PROVISIONS CLAUSE**

Where these Bylaws are silent on a particular matter, a decision can be made by the Council. In exceptional or extenuating circumstances, the Council may, acting reasonably, alter, vary or waive the requirements set out in these bylaws relating to the Association.

### **33. INDEMNITY**

Except where provided or required by law and such cannot be excluded, the Association and its respective directors, officers, members, servants or agents are absolved from all liability however arising from injury or damage, however caused, arising whilst participating in the Association's activities as a member.