

Constitution

Bunbury & Districts Hockey
Stadium Incorporated



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SECTION 1 — PRELIMINARY

1.1 Name of Association

The name of the Association is “Bunbury and Districts Hockey Stadium Inc” trading as “Bunbury and Districts Hockey Association”.

1.2 Objects of Association

The objects and purposes of the Association are:

- a. To promote and develop the game of hockey in the Greater Bunbury Region and any other districts that wish to join the Association;
- b. To promote and facilitate International, Interstate and Interclub hockey matches and tour teams, clubs, other associations, State and National bodies to use the facilities of the Association;
- c. To publish or join with any person or persons in producing or publishing through any medium, material relating to the game of hockey that directly or indirectly benefits the game of hockey;
- d. To construct and maintain facilities owned and/or occupied by the Association, providing all the necessary equipment, appliances and conveniences to do so; and
- e. To become affiliated with or become a member of any other association or bodies whose objects are similar to the objects of the Association, and if thought fit, to withdraw or retire from any such association or body.

1.3 Quorum for committee meetings

More than 50% of committee members present constitute a quorum for the conduct of the business at a committee meeting.

1.4 Quorum for general meetings

A minimum of 15 Members entitled to vote under these rules, will constitute a quorum for the conduct of business at a general meeting.

1.5 Financial year

The Association’s Financial Year will be the period of 12 months commencing on 1st October and ending on 30th September of each year.

1.6 Definitions - Terms used

In these rules, unless the contrary intention appears —

Act means the *Associations Incorporation Act 2015*;

Association means Bunbury & Districts Hockey Stadium Incorporated to which these rules apply;

books, of the Association, includes the following —

- (a) a register;
- (b) financial records, financial statements or financial reports, however compiled, recorded or stored;
- (c) a document;
- (d) any other record of information;

by laws means by-laws made by the Association under rule 8.1;

chairperson means the committee member holding office as the chairperson of the Association;

Commissioner means the person for the time being designated as the Commissioner under section 153 of the Act;

committee means the executive management committee of the Association;

committee meeting means a meeting of the executive committee;

committee member means a member of the executive committee;

financial records includes —

- a. invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; and
- b. documents of prime entry; and
- c. working papers and other documents needed to explain —
 - i. the methods by which financial statements are prepared; and
 - ii. adjustments to be made in preparing financial statements;

financial report, of a tier 2 association or a tier 3 association, has the meaning given in section 63 of the Act;

financial statements means the financial statements in relation to the Association required under Part 5 Division 3 of the Act;

financial year, of the Association, has the meaning given in rule 1.5;

general meeting, of the Association, means a meeting of the Association that all members are entitled to receive notice of and to attend;

member means a person who is an ordinary member or an associate member of the Association;

ordinary member means a member with the rights referred to in rule 3.4 a.;

register of members means the register of members referred to in section 53 of the Act;

rules means these rules of the Association, as in force for the time being;

special general meeting means a general meeting of the Association other than the annual general meeting;

special resolution means a resolution passed by the members at a general meeting in accordance with section 51 of the Act;

subcommittee means a subcommittee appointed by the committee;

tier 1 association means an incorporated association to which section 64(1) of the Act applies;

tier 2 association means an incorporated association to which section 64(2) of the Act applies;

tier 3 association means an incorporated association to which section 64(3) of the Act applies;

SECTION 2 — POWERS OF THE ASSOCIATION

2.1 Powers of the Association

- a. To purchase, take on lease, exchange, hire or otherwise acquire any real or personal property which may be deemed necessary or convenient for any of the objects of the Association;
- b. To raise money by affiliation fees, registration fees, subscriptions and levies and by such other methods to cater for the needs of the Association;
- c. To open and operate bank accounts to ensure the ongoing running of the Association;
- d. To invest its money –
 - i. in any security in which trust moneys may be invested; or
 - ii. in any other manner authorised by the rules of the Association;and
- e. To legally promote the game of hockey.

2.2 Not-for-profit body

2.2.1 The property and income of the Association must be applied solely towards the promotion of the objects or purposes of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in good faith in the promotion of those objects or purposes.

2.2.2 A payment may be made to a member out of the funds of the Association only if it is authorised as below.

2.2.3 A payment to a member out of the funds of the Association is authorised if it is —

- a. the payment in good faith to the member as reasonable remuneration for any services provided to the Association, or for goods supplied to the Association, in the ordinary course of business; or
- b. the payment of interest, on money borrowed by the Association from the member, at a rate not greater than the cash rate published from time to time by the Reserve Bank of Australia; or
- c. the payment of reasonable rent to the member for premises leased by the member to the Association; or
- d. the reimbursement of reasonable expenses properly incurred by the member on behalf of the Association.

SECTION 3 — MEMBERSHIP

3.1 Membership shall be open to any person who wishes to further the interests of the Association. They shall consist of such persons, hockey clubs, hockey teams and hockey associations as may be or have been admitted to membership of the Association and whose membership has not been terminated under or virtue of this Constitution.

3.2 Any person, hockey club, hockey team or hockey association seeking membership shall make application to the committee, and the committee shall determine whether the application is successful or not.

3.3 Each person, hockey club, hockey team and hockey association admitted to membership shall be;

- a. Bound by the Constitution and Rules of the Association.
- b. Come liable for such fees and subscriptions as may be fixed by the Association.
- c. Entitled to all advantages and privileges of membership as far as the law permits.

3.4 Membership categories:

a. ORDINARY MEMBER

Any person over the age of 18 years who is a financial member of an affiliated hockey club, team or association playing in the Association. They are entitled to hold any office and enjoy the privileges of the Association.

b. SOCIAL MEMBER

Persons other than ordinary members who are interested in promoting the Association, but who do not wish to participate in the playing activities of the Association, may become a Social Member.

c. JUNIOR MEMBER

Any person under the age of 18 years who is a financial member with the Association or a financial member of an affiliated club, team or association playing in the Association.

d. LIFE MEMBERSHIP

The committee may elect as a Life Member any member who has given outstanding service to the Association. Any member may nominate a person as per the Bunbury & Districts Hockey Rules to the committee for consideration for Life Membership. Life Members of the previous Bunbury Women's Hockey Association Inc. and Bunbury & Districts Men's Hockey Association Inc are automatically life members of the Association.

e. HONORARY MEMBER

Membership that may be granted to Association Patrons, Sponsors and any other such persons as the committee may decide from time to time.

f. TEMPORARY MEMBERSHIP

Pursuant to the Act section 48 (4) a person who is a guest of a member on that day; and section 48 (5) a person who on any day is visiting the Club as a member or an official of, or a person assisting, a team that is to contest a pre-arranged event in a sport on that day: or at the invitation of a member to engage in sport on that day, may be taken to be a person who is accorded temporary membership.

g. PATRON

The Association may, at its discretion, elect a patron/s or vice patron/s of the Association for such period as may be deemed necessary. Such patron/s or vice patron/s shall not be eligible to vote unless they are current members of the Association under another category of membership.

h. AFFILIATED CLUBS OR TEAMS

A club or team desirous of becoming an affiliated club or team must make application in accordance with the Rules of the Association. Such application must be lodged with the Association Administrator on or before a date as determined by the committee of the Association. Each affiliated club or team shall appoint or elect a delegate as their representative to meetings (in accordance to the rules) of the Association.

3.5 Register of members

3.5.1 The administrator, or another person authorised by the committee, is responsible for the requirements imposed on the Association under section 53 of the Act to maintain the register of members and record in that register any change in the membership of the Association.

3.5.2 In addition to the matters referred to in section 53(2) of the Act, the register of members must include the class of membership (if applicable) to which each member belongs and the date on which each member becomes a member.

3.5.3 The register of members must be kept at a place determined by the committee.

3.5.4 A member who wishes to inspect the register of members must contact the Association to make the necessary arrangements.

3.5.5 If —

- a. a member inspecting the register of members wishes to make a copy of, or take an extract from, the register under section 54(2) of the Act; or
- b. a member makes a written request under section 56(1) of the Act to be provided with a copy of the register of members,

the committee may require the member to provide a statutory declaration setting out the purpose for which the copy or extract is required and declaring that the purpose is connected with the affairs of the Association.

3.6 Subscriptions

Defined fees shall be paid in accordance with Bunbury & Districts Hockey Rules.

3.7 Termination of membership

3.7.1 Any person's, hockey club, hockey team or hockey association membership shall be terminated by the following events;

- a. Resignation or death.
- b. Winding up of the member.
- c. Motion of the Association to that effect provided that:
 - i. Notice of the intention to move the termination of the membership be sent to the last known address of the member or last known or notified Secretary at the last known or notified address by registered post or certified mail at least twenty one (21) days before the committee meeting at which the motion for the termination of memberships to be dealt with: and
 - ii. Such motion is carried by at least three-fourths majority of those present and entitled to vote at that committee meeting.

3.7.2 The Executive Committee shall have the power to suspend or expel any member of the Association for:

- a. any of the events in Item 3.7.1
- b. false or inaccurate statements made in the member's application for membership of the Association,
- c. breach of any rule, regulation or by-law of the Association
- d. failure to pay any membership fees due to the Association after one month of falling due.
- e. by any act detrimental to the Association. After having undertaken due inquiry.

3.7.3 Any member who is expelled, suspended or has their membership terminated, shall have the right to appeal against their suspension or expulsion by presenting their case to a General Meeting called for such purpose, and the decision of the General Meeting shall be final. General Meeting protocols are contained within the Rules.

SECTION 4 — COMMITTEE

4.1 Committee

4.1.1 The committee members are the persons who, as the executive management committee of the Association, have the power to manage the affairs of the Association.

4.1.2 Subject to the Act, these rules, the by-laws and the resolution passed at a general meeting, the committee has the power to do all things necessary or convenient to be done for the proper management of the affairs of the Association.

4.1.3 The committee must take all reasonable steps to ensure that the Association complies with the Act, these rules and the by-laws.

4.2 Committee members

The following are the office holders of the Association, known as the Executive Committee. These positions may be altered by a vote at a General meeting or Special meeting.

- a. President
- b. Vice President
- c. Financial Convenor
- d. Facilities Convenor
- e. Junior Development Coordinator
- f. Marketing Convenor
- g. Senior Match Convenor
- h. Junior Match Convenor
- i. Masters Match Convenor

4.2.1 A person may be a committee member if the person is 18 years of age and an ordinary member.

4.2.2 A person may not hold 2 or more of the offices mentioned at the same time.

4.2.3 A maximum of three (3) persons who are individual members of the same affiliated club, members include players and administrators of that club.

4.3 Powers of the committee

- a. The committee shall carry out the day-to-day running of the Association and shall have the power to;

- b. Administer the finances, appoint bankers, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account;
- c. Fix the manner in which such banking accounts shall be operated upon, providing the committee passes all payments;
- d. Fix fees and subscriptions payable by members and decide such levies, fines and charges as is deemed necessary and advisable, and to enforce payment thereof;
- e. Adjudicate on all matters brought before it which in any way affect the Association.
- f. Cause minutes to be made of all proceedings at meetings of the committee and General Meetings of members;
- g. Make, amend and rescind rulings.
- h. Have the power to form and appoint any subcommittee/s as required for specific purposes;
- i. May at their discretion employ a person or persons to carry out certain duties required by the Association, at salaries or remunerations for such period of time, as may be deemed necessary.
- j. Appoint an officer/s or agent of the committee to have custody of the Association's records, documents and securities.
- k. The committee may approve any fundraising activities that represent the Association in some way.

4.4 How members become committee members

A member becomes a committee member if the member —

- a. is elected to the committee at a general meeting; or
- b. is appointed to the committee by the committee to fill a casual vacancy under rule 4.10

4.5 Nomination of committee members

4.5.1 At least 28 days before an annual general meeting, the Association must send written notice by either postal or electronic to all the members —

- a. calling for nominations for election to the committee; and
- b. stating the date by which nominations must be received by.

4.5.2 A member who wishes to be considered for election to the committee at the annual general meeting must nominate for election by sending written notice of the nomination to the Association at least 7 days before the annual general meeting.

4.6 Election of office holders

- 4.6.1 At the annual general meeting, a separate election must be held for each position of office holder of the Association.
- 4.6.2 If there is no nomination for a position, the chairperson of the meeting may call for nominations from the ordinary members at the meeting.
- 4.6.3 If only one member has nominated for a position, the chairperson of the meeting must declare the Member elected to the position.
- 4.6.4 If more than one member has nominated for a position, the ordinary members at the meeting must vote in accordance with procedures that have been determined by the committee to decide who is to be elected to the position.
- 4.6.5 Each ordinary member present at the meeting may vote for one member who has nominated for the position.
- 4.6.6 A member who has nominated for the position may vote for himself or herself.

4.7 Term of office

- 4.7.1 The term of office of a committee member begins when the member —
- a. is elected at an annual general meeting
 - b. is appointed to fill a casual vacancy under rule 4.10
- 4.7.2 Subject to rule 4.9, a committee member holds office until the position on the committee is declared vacant at the end of a 2 year term.
- 4.7.3 A committee member may be re-elected.

4.8 Resignation and removal from office

- 4.8.1 A committee member may resign from the committee by written notice given to the President.
- 4.8.2 The resignation takes effect —
- a. when the notice is received by the president; or
 - b. if a later time is stated in the notice, at the later time.
- 4.8.3 At a general meeting, the Association may by resolution —
- a. remove a committee member from office; and
 - b. elect a member who is eligible to fill the vacant position.

4.8.4 A committee member who is the subject of a proposed resolution under Section 4.8.3 a, may make written representations (of a reasonable length) to the Association or President and may ask that the representations be provided to the members.

4.8.5 The Association or President may give a copy of the representations to each member or, if they are not so given, the committee member may require them to be read out at the general meeting at which the resolution is to be considered.

4.9 When membership of committee ceases

A person ceases to be a committee member if the person —

- a. dies or otherwise ceases to be a member; or
- b. resigns from the committee or is removed from office; or
- c. becomes ineligible to accept an appointment or act as a committee member under section 39 of the Act;
- d. becomes permanently unable to act as a committee member because of a mental or physical disability; or
- e. fails to attend 3 consecutive committee meetings, of which the person has been given notice, without having notified the committee that the person will be unable to attend.

4.10 Filling casual vacancies

4.10.1 The committee may appoint a member who is eligible to fill a position on the committee that —

- a. has become vacant; or
- b. was not filled by election at the most recent annual general meeting.

4.10.2 Subject to the requirement for a quorum under rule 1.3, the committee may continue to act despite any vacancy in its membership.

4.10.3 If there are fewer committee members than required for a quorum under rule 1.3, the committee may act only for the purpose of —

- a. appointing committee members under this rule; or
- b. convening a general meeting.

4.11 Committee meetings

- 4.11.1 The committee must meet at least 3 times in each year on the dates and at the times and places determined by the committee.
- 4.11.2 The date, time and place of the first committee meeting must be determined by the committee members as soon as practicable after the annual general meeting at which the committee members are elected.
- 4.11.3 Special committee meetings may be convened by the President or any 2 committee members.

4.12 Notice of committee meetings

- 4.12.1 Notice of each committee meeting must be given to each committee member at least 48 hours before the time of the meeting.
- 4.12.2 The notice must state the date, time and place of the meeting and must describe the general nature of the business to be conducted at the meeting.
- 4.12.3 Unless subrule 4.12.4 applies, the only business that may be conducted at the meeting is the business described in the notice.
- 4.12.4 Urgent business that has not been described in the notice may be conducted at the meeting if the committee members at the meeting unanimously agree to treat that business as urgent.

4.13 Procedure and order of business

- 4.13.1 The chairperson or, in the chairperson's absence, the deputy-chairperson must preside as chairperson of each committee meeting.
- 4.13.2 If the chairperson and deputy chairperson are absent or are unwilling to act as chairperson of a meeting, the committee members at the meeting must choose one of them to act as chairperson of the meeting.
- 4.13.3 The order of business at a committee meeting may be determined by the committee members at the meeting.
- 4.13.4 A member or other person who is not a committee member may attend a committee meeting if invited to do so by the committee.
- 4.13.5 A person invited under subrule 4.13.4 to attend a committee meeting —
 - a. has no right to any agenda, minutes or other document circulated at the meeting; and
 - b. must not comment about any matter discussed at the meeting unless invited by the committee to do so; and
 - c. cannot vote on any matter that is to be decided at the meeting.

4.14 Use of technology to be present at committee meetings

4.14.1 The presence of a committee member at a committee meeting need not be by attendance in person but may be by that committee member and each other committee member at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.

4.14.2 A member who participates in a committee meeting as allowed under subrule 4.14.1 is taken to be present at the meeting and, if the member votes at the meeting, the member is taken to have voted in person.

4.15 Quorum for committee meetings

4.15.1 Subject to rule 4.10.3, no business is to be conducted at a committee meeting unless a quorum is present. The quorum for committee meetings is specified in rule 1.3.

4.15.2 If a quorum is not present within 30 minutes after the notified commencement time of a committee meeting —

- a. in the case of a special meeting — the meeting lapses; or
- b. otherwise, the meeting is adjourned to the same time, day and place in the following week.

4.16 Voting at committee meetings

4.16.1 Each committee member present at a committee meeting has one vote on any question arising at the meeting.

4.16.2 A motion is carried if a majority of the committee members present at the committee meeting vote in favour of the motion.

4.16.3 If the votes are divided equally on a question, the chairperson of the meeting has a second or casting vote.

4.16.4 A vote may take place by the committee members present indicating their agreement or disagreement or by a show of hands, unless the committee decides that a secret ballot is needed to determine a particular question.

4.16.5 If a secret ballot is needed, the chairperson of the meeting must decide how the ballot is to be conducted.

4.17 Minutes of committee meetings

4.17.1 The committee must ensure that minutes are taken and kept of each committee meeting.

- 4.17.2 The minutes must record the following —
- a. the names of the committee members present at the meeting;
 - b. the name of any person attending the meeting under rule 4.13.4;
 - c. the business considered at the meeting;
 - d. any motion on which a vote is taken at the meeting and the result of the vote.
- 4.17.3 The chairperson must ensure that the minutes of a committee meeting are reviewed and signed as correct by —
- a. the chairperson of the meeting; or
 - b. the chairperson of the next committee meeting.
- 4.17.4 When the minutes of a committee meeting have been signed as correct they are, until the contrary is proved, evidence that —
- a. the meeting to which the minutes relate was duly convened and held; and
 - b. the matters recorded as having taken place at the meeting took place as recorded; and
 - c. any appointment purportedly made at the meeting was validly made.

SECTION 5 — GENERAL MEETINGS

5.1 Annual general meeting

- 5.1.1 The committee will determine the date, time and place of the annual general meeting.
- 5.1.2 The ordinary business of the annual general meeting is as follows —
- a. to confirm the minutes of the previous annual general meeting and of any special general meeting held since then if the minutes of that meeting have not yet been confirmed;
 - b. to receive and consider —
 - i. the committee's annual report on the Association's activities during the preceding financial year; and
 - ii. if the Association is a tier 1 association, the financial statements of the Association for the preceding financial year presented under Part 5 of the Act; and
 - iii. if the Association is a tier 2 association or a tier 3 association, the financial report of the Association for the preceding financial year presented under Part 5 of the Act;
 - iv. if required to be presented for consideration under Part 5 of the Act, a copy of the report of the review or auditor's report on the financial statements or financial report;
 - c. to elect the office holders of the Association and other committee members;
 - d. if applicable, to appoint or remove a reviewer or auditor of the Association in accordance with the Act;
 - e. to confirm or vary the entrance fees, subscriptions and other amounts (if any) to be paid by members.
- 5.1.3 Any other business of which notice has been given in accordance with these rules may be conducted at the annual general meeting.

5.2 Special general meetings

- 5.2.1 The committee may convene a special general meeting.
- 5.2.2 The committee must convene a special general meeting if at least 20% of the members require a special general meeting to be convened.
- 5.2.3 The members requiring a special general meeting to be convened must —
- a. make the requirement by written notice given to the Association; and
 - b. state in the notice the business to be considered at the meeting; and
 - c. each sign the notice.
- 5.2.4 The special general meeting must be convened within 28 days after notice is given.
- 5.2.5 If the committee does not convene a special general meeting within that 28 day period, the members making the requirement (or any of them) may convene the special general meeting.
- 5.2.6 A special general meeting convened by members under subrule 5.2.3 —
- a. must be held within 3 months after the date the original requirement was made; and
 - b. may only consider the business stated in the notice by which the requirement was made.

5.3 Notice of general meetings

- 5.3.1 The Association or, in the case of a special general meeting convened under rule 5.2.2, the members convening the meeting, must give to each member —
- a. at least 21 days' notice of a general meeting if a special resolution is to be proposed at the meeting; or
 - b. at least 14 days' notice of a general meeting in any other case.
- 5.3.2 The notice must —
- a. specify the date, time and place of the meeting; and
 - b. indicate the general nature of each item of business to be considered at the meeting; and
 - c. if the meeting is the annual general meeting, include the names of the members who have nominated for election to the committee under rule 4.5.2; and
 - d. if a special resolution is proposed —
 - i. set out the wording of the proposed resolution as required by section 51(4) of the Act; and
 - ii. state that the resolution is intended to be proposed as a special resolution; and
 - iii. comply with rule 5.4.7.

5.4 Proxies

- 5.4.1 Subject to subrule 5.4.2, a club may appoint an individual who is an ordinary member as their proxy to vote and speak on the clubs behalf at a general meeting.

- 5.4.2 An ordinary member may be appointed the proxy for not more than 2 other clubs.
- 5.4.3 The appointment of a proxy must be in writing and signed by the president of the club making the appointment.
- 5.4.4 The club appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf.
- 5.4.5 If no instructions are given to the proxy, the proxy may vote on behalf of the club in any matter as the proxy sees fit.
- 5.4.6 If the committee has approved a form for the appointment of a proxy, the member may use that form or any other form —
- a. that clearly identifies the person appointed as a clubs proxy; and
 - b. that has been signed by the president of the club.
- 5.4.7 Notice of a general meeting given to an ordinary member must —
- a. state that a club may appoint an individual who is an ordinary member as a proxy for the meeting; and
 - b. include a copy of any form that the committee has approved for the appointment of a proxy.
- 5.4.8 A form appointing a proxy must be given to the Association before the commencement of the general meeting for which the proxy is appointed.

A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Association not later than 24 hours before the commencement of the meeting.

5.5 Use of technology to be present at general meetings

- 5.5.1 The presence of a member at a general meeting need not be by attendance in person but may be by that member and each other member at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.
- 5.5.2 A member who participates in a general meeting as allowed under subrule 5.5.1 is taken to be present at the meeting and, if the member votes at the meeting, the member is taken to have voted in person.

5.6 Presiding member and quorum for general meetings

- 5.6.1 The chairperson or, in the chairperson's absence, the deputy chairperson must preside as chairperson of each general meeting.
- 5.6.2 If the chairperson and deputy chairperson are absent or are unwilling to act as chairperson of a general meeting, the committee members at the meeting must choose one of them to act as chairperson of the meeting.

5.6.3 No business is to be conducted at a general meeting unless a quorum is present. A quorum for a general meeting is specified in rule 1.4.

5.6.4 If a quorum is not present within 30 minutes after the notified commencement time of a general meeting —

- a. in the case of a special general meeting — the meeting lapses; or
- b. in the case of the annual general meeting — the meeting is adjourned to —
 - i. the same time and day in the following week; and
 - ii. the same place, unless the chairperson specifies another place at the time of the adjournment or written notice of another place is given to the members before the day to which the meeting is adjourned.

5.7 Adjournment of general meeting

5.7.1 The chairperson of a general meeting at which a quorum is present may, with the consent of a majority of the ordinary members present at the meeting, adjourn the meeting to another time at the same place or at another place.

5.7.2 Without limiting subrule 5.7.1, a meeting may be adjourned —

- a. if there is insufficient time to deal with the business at hand; or
- b. to give the members more time to consider an item of business.

5.7.3 No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.

5.7.4 Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with rule 5.3.

5.8 Voting at general meeting

5.8.1 On any question arising at a general meeting —

- a. each affiliated club shall have the following number of votes. A club must have one financial member present for each vote made. The amount of votes will depend on the number of senior teams the club had in the immediately preceding hockey competition conducted by the Association:
 - i. 1 to 2 teams = 1 vote;
 - ii. 3 to 4 teams = 2 votes; and
 - iii. 5 teams and above = 3 votes
- b. committee members have a deliberate vote.

5.8.2 Except in the case of a special resolution, a motion is carried if a majority of the members present at a general meeting vote in favour of the motion.

5.8.3 If votes are divided equally on a question, the chairperson of the meeting has a second or casting vote.

5.8.4 If the question is whether or not to confirm the minutes of a previous general meeting, only members who were present at that meeting may vote.

5.9 When special resolutions are required

5.9.1 A special resolution is required if it is proposed at a general meeting —

- a. to affiliate the Association with another body; or
- b. to request the Commissioner to apply to the State Administrative Tribunal under section 109 of the Act for the appointment of a statutory manager.

5.9.2 Subrule 5.9.1 does not limit the matters in relation to which a special resolution may be proposed.

5.10 Determining whether resolution carried

5.10.1 In this rule —

poll means the process of voting in relation to a matter that is conducted in writing.

5.10.2 Subject to subrule 5.10.4, the chairperson of a general meeting may, on the basis of general agreement or disagreement or by a show of hands, declare that a resolution has been —

- a. carried; or
- b. carried unanimously; or
- c. carried by a particular majority; or
- d. lost.

5.10.3 If the resolution is a special resolution, the declaration under subrule 5.10.2 must identify the resolution as a special resolution.

5.10.4 If a poll is demanded on any question by the chairperson of the meeting or by at least 3 other ordinary members present in person —

- a. the poll must be taken at the meeting in the manner determined by the chairperson;
- b. the chairperson must declare the determination of the resolution on the basis of the poll.

5.10.5 If a poll is demanded on the election of the chairperson or on a question of an adjournment, the poll must be taken immediately.

5.10.6 If a poll is demanded on any other question, the poll must be taken before the close of the meeting at a time determined by the chairperson.

5.10.7 A declaration under subrule 5.10.2 or 5.10.4 must be entered in the minutes of the meeting, and the entry is, without proof of the voting in relation to the resolution, evidence of how the resolution was determined.

5.11 Minutes of general meeting

5.11.1 The administrator, or a person authorised by the committee, must take and keep minutes of each general meeting.

5.11.2 The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.

5.11.3 In addition, the minutes of each annual general meeting must record —

- a. the names of the ordinary members attending the meeting; and
- b. the financial statements or financial report presented at the meeting, as referred to in rule 5.1.2; and
- c. any report of the review or auditor's report on the financial statements or financial report presented at the meeting, as referred to in rule 5.1.2.

5.11.4 The chairperson must ensure that the minutes of a general meeting are reviewed and signed as correct by —

- a. the chairperson of the meeting; or
- b. the chairperson of the next general meeting.

5.11.5 When the minutes of a general meeting have been signed as correct they are, in the absence of evidence to the contrary, taken to be proof that —

- a. the meeting to which the minutes relate was duly convened and held; and
- b. the matters recorded as having taken place at the meeting took place as recorded; and
- c. any election or appointment purportedly made at the meeting was validly made.

SECTION 6 — FINANCIAL MATTERS

6.1 Source of funds

The funds of the Association may be derived from entrance fees, annual subscriptions, donations, fund-raising activities, grants, interest and any other sources approved by the committee.

6.2 Control of funds

6.2.1 The Association must open an account in the name of the Association with a financial institution from which all expenditure of the Association is made and into which all funds received by the Association are deposited.

6.2.2 Subject to any restrictions imposed at a general meeting, the committee may approve expenditure on behalf of the Association.

6.2.3 The committee may authorise the financial convenor to expend funds on behalf of the Association up to a specified limit without requiring approval from the committee for each item on which the funds are expended.

6.2.4 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments of the Association must be signed by —

- a. 2 committee members; or
- b. one committee member and a person authorised by the committee.

The two (2) signatories shall not be from the same household or related

6.2.5 All funds of the Association must be deposited into the Association's account within 5 working days after their receipt.

6.3 Financial statements and financial reports

6.3.1 For each financial year, the committee must ensure that the requirements imposed on the Association under Part 5 of the Act relating to the financial statements or financial report of the Association are met.

6.3.2 Without limiting subrule 6.3.1, those requirements include —

- a. if the Association is a tier 1 association, the preparation of the financial statements; and
- b. if the Association is a tier 2 association or tier 3 association, the preparation of the financial report; and
- c. if required, the review or auditing of the financial statements or financial report, as applicable; and
- d. the presentation to the annual general meeting of the financial statements or financial report, as applicable; and
- e. if required, the presentation to the annual general meeting of the copy of the report of the review or auditor's report, as applicable, on the financial statements or financial report.

SECTION 7 — RESOLVING DISPUTES

Terms used

In this Division —

grievance procedure means the procedures set out in this Division;

party to a dispute includes a person —

- a. who is a party to the dispute; and
- b. who ceases to be a member within 6 months before the dispute has come to the attention of each party to the dispute.

7.1 Application of Division

The procedure set out in this Division (the grievance procedure) applies to disputes —

- a. between members; or
- b. between one or more members and the Association.

7.2 Parties to attempt to resolve dispute

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days after the dispute has come to the attention of each party.

7.3 How grievance procedure is started

- 7.3.1 If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 7.2, any party to the dispute may start the grievance procedure by giving written notice to the Association of —
- a. the parties to the dispute; and
 - b. the matters that are the subject of the dispute.

7.3.2 Within 28 days after the Association is given the notice, a committee meeting must be convened to consider and determine the dispute.

7.3.3 The Association must give each party to the dispute written notice of the committee meeting at which the dispute is to be considered and determined at least 7 days before the meeting is held.

- 7.3.4 The notice given to each party to the dispute must state —
- a. when and where the committee meeting is to be held; and
 - b. that the party, or the party's representative, may attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the dispute.

- 7.3.5 If —
- a. the dispute is between one or more members and the Association; and
 - b. any party to the dispute gives written notice to the Association stating that the party does not agree to the dispute being determined by the committee;

the committee must not determine the dispute.

7.4 Determination of dispute by committee

- 7.4.1 At the committee meeting at which a dispute is to be considered and determined, the committee must —
- a. give each party to the dispute, or the party's representative, a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the dispute; and
 - b. give due consideration to any submissions so made; and
 - c. determine the dispute.

7.4.2 The committee must give each party to the dispute written notice of the committee's determination, and the reasons for the determination, within 7 days after the committee meeting at which the determination is made.

7.4.3 A party to the dispute may, within 14 days after receiving notice of the committee's determination under subrule 7.4.1 c, give written notice to the Association requesting the appointment of a mediator.

7.4.4 If notice is given under subrule 7.4.3, each party to the dispute is a party to the mediation.

SECTION 8 — GENERAL MATTERS

8.1 By-laws

8.1.1 The Association may, by resolution at a general meeting, make, amend or revoke by-laws.

8.1.2 By-laws may —

- a. provide for the rights and obligations that apply to any classes of associate membership and
- b. impose restrictions on the committee's powers, including the power to dispose of the association's assets; and
- c. impose requirements relating to the financial reporting and financial accountability of the association and the auditing of the association's accounts; and
- d. provide for any other matter the association considers necessary or convenient to be dealt with in the by-laws.

8.1.3 A by-law is of no effect to the extent that it is inconsistent with the Act, the regulations or these rules.

8.1.4 Without limiting subrule 8.1.3, a by-law made for the purposes of subrule 8.1.2 c. may only impose requirements on the Association that are additional to, and do not restrict, a requirement imposed on the Association under Part 5 of the Act.

8.1.5 At the request of a member, the Association must make a copy of the by-laws available for inspection by the member.

8.2 Executing documents and common seal

8.2.1 The Association may execute a document without using a common seal if the document is signed by —

- a. 2 committee members; or
- b. one committee member and a person authorised by the committee.

8.2.2 If the Association has a common seal —

- a. the name of the Association must appear in legible characters on the common seal; and
- b. a document may only be sealed with the common seal by the authority of the committee and in the presence of —
 - i. 2 committee members; or
 - ii. one committee member and a person authorised by the committee,

and each of them is to sign the document to attest that the document was sealed in their presence.

8.2.3 The Association must make a written record of each use of the common seal.

8.2.4 The common seal must be kept in the custody of the Association or a committee member authorised by the committee.

8.3 Giving notices to members

In this rule —

recorded means recorded in the register of members.

- 8.3.1 A notice or other document that is to be given to a member under these rules is taken not to have been given to the member unless it is in writing and —
- a. delivered by hand to the recorded address of the member; or
 - b. sent by prepaid post to the recorded postal address of the member; or
 - c. sent by facsimile or electronic transmission to an appropriate recorded number or recorded electronic address of the member.

8.4 Custody of books and securities

8.4.1 Subject to subrule 8.4.2, the books and any securities of the Association must be kept in the Associations custody or under the Associations control.

8.4.2 The financial records and, as applicable, the financial statements or financial reports of the Association must be kept in the financial convenor's custody or under the Associations control.

8.4.3 Subrules 8.4.1 and 8.4.2 have effect except as otherwise decided by the committee.

8.4.4 The books of the Association must be retained for at least 7 years.

8.4 Record of office holders

The record of committee members and other persons authorised to act on behalf of the Association that is required to be maintained under section 58(2) of the Act must be kept in the Associations custody or under the Associations control.

8.6 Inspection of records and documents

8.6.1 Subrule 8.6.2 applies to a member who wants to inspect —

- a. the register of members under section 54(1) of the Act; or
- b. the record of the names and addresses of committee members, and other persons authorised to act on behalf of the Association, under section 58(3) of the Act; or
- c. any other record or document of the association.

8.6.2 The member must contact the Association to make the necessary arrangements for the inspection.

8.6.3 The inspection must be free of charge.

8.6.4 If the member wants to inspect a document that records the minutes of a committee meeting, the right to inspect that document is subject to any decision the committee has

made about minutes of committee meetings generally, or the minutes of a specific committee meeting, being available for inspection by members.

8.6.5 The member may make a copy of or take an extract from a record or document referred to in subrule 8.6.1 c. but does not have a right to remove the record or document for that purpose.

8.6.6 The member must not use or disclose information in a record or document referred to in subrule 8.6.1 c. except for a purpose —

- a. that is directly connected with the affairs of the Association; or
- b. that is related to complying with a requirement of the Act.

8.6 Publication by committee members of statements about Association business prohibited

A committee member must not publish, or cause to be published, any statement about the business conducted by the Association at a general meeting or committee meeting unless —

- a. the committee member has been authorised to do so at a committee meeting; and
- b. the authority given to the committee member has been recorded in the minutes of the committee meeting at which it was given.

8.7 Distribution of surplus property on cancellation of incorporation or winding up

In this rule —

surplus property, in relation to the Association, means property remaining after satisfaction of

—

- a. the debts and liabilities of the Association; and
- b. the costs, charges and expenses of winding up or cancelling the incorporation of the Association,

but does not include books relating to the management of the Association.

8.7.1 On the cancellation of the incorporation or the winding up of the Association, its surplus property must be distributed as determined by special resolution by reference to the persons mentioned in section 24(1) of the Act.

8.8 Alteration of rules

If the Association wants to alter or rescind any of these rules, or to make additional rules, the Association may do so only by special resolution and by otherwise complying with Part 3 Division 2 of the Act.