



Constitution

This document is the Constitution of the Ballina Hockey Club Inc.

This document has been reviewed and approved by the Board of Management of the Club and was adopted by the members of the Ballina Hockey Club Inc at a Meeting held for this purpose on September 5th, 2005.

Jamie Flood
President

Tanya Wells
Secretary

Cherie Crawford
Treasurer

Date

Date

Date

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1 Amendments

The following amendments/revisions have been reviewed and approved by the members of the Club at a duly authorised General Meeting.

Item 2005	Date Approved	Description
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2 Name

The name of the Club shall be the Ballina Hockey Club Inc. and such other bodies as the Board of Management from time to time determine.

The Ballina Hockey Club Inc shall hereafter be referred to as the Club.

2.1 Objectives

The Objectives for which the Club is established are:

- 1 To promote, advance and foster the game of Hockey.
- 2 To educate members of the Club in the game of Hockey so that all members have the opportunity to reach their maximum potential.
- 3 To encourage members of the Club to assist in the development of the game of Hockey within the community.

2.2 Terms

The term "in writing" used in this document shall refer to communication by mail, fax, poster, e-mail, web site or other reasonable public or private proclamation as the Board of Management deems fit for the purpose, from time to time.

The term "signature" used in this document shall refer to hand written signature, Fax, e-mail or other reasonable signature, that the Board of Management deems fit for the purpose, from time to time.

The term "the Act" means the Associations Incorporation Act 1984.

The term "the Regulation" means the Associations Incorporation Regulation 1994.

3 Membership

All members of the Club shall be amateurs (those who are not paid to play Hockey) and shall have paid the appropriate fee or be exempt from this payment of fees.

With the exception of life membership, membership shall be annual, ceasing on 28th February of the following year.

The Secretary shall maintain the register of all members. All membership applications are subject to approval of the Board of Management.

Membership signifies acceptance of the rules of this constitution and it's By-Laws. The jurisdiction of the Club shall extend to and be acknowledged by all Members of the Club.

The Club shall consist of the following classes of members:

- 1 Senior
- 2 Junior
- 3 Associate (Non-playing members)
- 4 Life Member

3.1 Senior Members

Senior Members are those who play for the Club in the Senior Grades of the respective affiliated associations and who are not Junior Members or Life Members.

3.2 Junior Members

Junior members are those members who play for the club in a Junior competition recognised by the Board of Management.

Junior members are not entitled to vote.

3.3 Associates (Non-playing Members)

Past players and other interested persons may be admitted to the Club as Non-playing Members (associates) by resolution of the Board of Management provided application be made in writing. They shall pay a fee and may attend meetings with power to vote.

Parents of Junior members are encouraged to take up Associate or other membership as applicable.

3.4 Life Members

Notice of all nominations for the admission as a Life Member shall be sent in writing to the Secretary at least seven (7) days prior to a AGM meeting.

Nominations shall be signed by two members of the Club and forwarded to the Secretary.

The recipients must have been a registered member of the club for a period not less than 10 years and have either:

- 1 served the Club in an official capacity for a period of not less than 10 years or
- 2 have been on the committee not less than 5 years.

The Board of Management shall verify the validity of each nomination.

Election of Life Members shall be by ballot at the Annual General Meeting (AGM) and by a two third **majority** of those present and voting.

For a nomination to be placed before the Annual General Meeting for consideration, the Board of Management must at a duly constituted meeting unanimously (by those present and voting) endorse such a nomination.

A Life Member shall be entitled to all the privileges of membership and shall be exempt from payment of Club membership fees and any other such fees as the Board of Management determines from time to time.

Life Members shall be entitled to attend all meetings with all rights and privileges attached to membership of Board of Management.

4 Board of Management

A Board of Management shall administer the Club. The Board of Management shall be responsible for the proper management of the Club.

4.1 Members of the Board

The Board of Management shall consist of the following, who shall be members of the Club and are entitled to vote at all club meetings:

- 1 The Executive
- 2 Delegates to Affiliated Associations.
- 3 Special Office Bearers
- 4 Life Members.

Unless otherwise specified in the Constitution, the duties of each member of the Board of Management shall be defined in the Club By-Laws.

4.2 The Executive

The Executive shall consist of the following:

- 1 President
- 2 Vice President
- 3 Secretary
- 4 Treasurer

The Executive shall be empowered to act in matters of urgency subject to ratification by the Board of Management.

4.3 Election of Executive members

The Executive (subject to provisions hereinafter appearing for the filling of casual vacancies) shall be elected annually at the AGM of the Club.

Two (2) financial members of the Club must sign nominations for the Executive.

No vote shall be required where there is only one nominee.

Voting shall be by a show of hands. Nominees to the Executive shall absent themselves from the room during voting for position.

All nominations for the Executive including those standing for re-election shall be in the hands of the Secretary fourteen (14) days prior to the AGM.

4.4 Removal of Board of Management Members

The Board of Management may declare a Casual Vacancy on the Board of Management and seek to fill it where such action is deemed necessary and appropriate due to resignation, illness or absence resulting in non-attendance at three consecutive Board of Management Meetings. Such a decision shall be by unanimous vote (by those present and eligible to vote) at a Board of Management meeting. The subject of such action may attend and address the Board of Management meeting but shall not be entitled to vote on the matter, nor are they entitled to utilise a Proxy Vote.

The Board of Management shall have the power to remove a person from the Board of Management and/or declare a casual vacancy where the Board of Management expresses no confidence in the member by a unanimous vote (by those present and eligible to vote) at a Board of Management meeting. The subject of such action may attend and address the Board of Management meeting but shall not be entitled to vote on the matter, nor are they entitled to utilise a Proxy Vote.

Any removal of a person from the Board of Management may be subject to an appeal to a Special General Meeting held for such purpose. Any Special General Meeting held for this purpose must be held within 30 days of lodgement of appeal.

Any appeal to a Special General Meeting must be in writing, in the hands of the Secretary of the Club within Forty-Eight (48) hours of the removal decision.

4.5 Casual Vacancies.

The Board of Management shall have the power to elect and/or appoint any member of the Club to any Board of Management position, where such a position becomes vacant due to resignation, death, incapacity, dismissal or failure to attend three successive Board Of Management meetings, or there were insufficient nominees at the Annual General Meeting.

Such appointments shall be advised to members in writing .

4.6 Board of Management Meetings

Board of Management meetings shall be held monthly.

All members of the Club shall be entitled to attend and speak on any subject before the meeting, but voting rights remain the same.

The Board of Management may from time to time hold meetings or portions of meetings "in camera" due to confidentiality requirements.

The Secretary shall give seven (7) days notice of meetings in writing to the Board of Management.

The order of business shall be:

- 1 Attendance and Apologies
- 2 Minutes of last meeting to be accepted.
- 3 Business arising from minutes
- 4 Secretary Report
- 5 Treasurer Report and balance sheet
- 6 Listed Business
- 7 General Business

5 Meetings of Members

5.1 Quorum

Ten (10) members, including three members of the Executive present and entitled to vote, shall constitute a quorum at any Annual General Meeting or Special General Meeting.

5.2 Voting

At all meetings, members of the Executive are entitled to vote.

No eligible persons shall be entitled to more than one (1) vote except the President, who shall have a deliberative and a casting vote.

Voting shall be by members present and entitled to vote or by proxy vote, such members being at least eighteen (18) years of age at the time of the meeting.

A member or proxy is not entitled to vote at any General meeting of the Club unless all money due and payable by the member or proxy to the Club has been paid.

Prior to the beginning of a meeting, voting members shall record their names in a register provided for that purpose. The Secretary shall record the names of those people submitting proxy votes.

Junior members are not entitled to vote. Parents of Junior members are encouraged to take up Associate or other membership as applicable.

5.2.1 Proxy Vote.

A proxy vote must be in writing signed and witnessed by a financial member - Proxy votes to be completed on proxy form provided and be in the hands of the Secretary within seven (7) days prior to a General Meeting. Proxy vote forms are only provided when requested.

5.3 Annual General Meeting

A General meeting shall be held annually in September or at a date and time determined by the Board of Management.

Fourteen (14) days notice to all members of the Club shall be given.

The order of business shall be:

- 1 Attendance and Apologies
- 2 President's Address
- 3 Minutes of last meeting
- 4 Business arising from minutes
- 5 Treasurer's Report and Balance sheet
- 6 Motions on Notice
- 7 Election of the Executive
- 8 Nomination of Convenors/Delegates to Affiliated Associations.
- 9 Nomination of Special Officers
- 10 Life Memberships (where applicable)
- 11 Any other business

A life member person must be nominated by the Board of Management to be the Returning Officer and to conduct the election.

The new Board of Management shall take up their positions immediately after Presentation Dinner.

The incoming President may address the members prior to the completion of the meeting.

5.4 Special General Meetings

Special General meetings may be called:

- 1 at the discretion of the Board of Management or
- 2 at the written request of at least 5% of the number of financial members in the Club or
- 3 as required where an Appeal to a Special General Meeting has been requested, in accordance with this constitution.

In calling the meeting the Secretary shall advise the business to be transacted and no other business shall be brought before such a meeting.

To call such a meeting the Secretary shall give Fourteen (14) days notice in writing to all members of the Club.

6 Conduct

The Board of Management shall be responsible for the conduct of members within the Club.

Cases of breach of rules, misconduct or dispute during the course of a game shall be dealt with in accordance with rules of the association organising that competition.

Allegations of breach of rules, misconduct or dispute by a club member shall be advised to the Secretary of the Club within Twenty-Four (24) hours of the incident. All such incidents shall be dealt in accordance with the Club Constitution & By-Laws.

Allegations of serious breaches of the rules, By-Laws, Constitution or conduct must be in writing, in the hands of the Secretary of the Club, within Forty-Eight (48) hours of the incident being brought to the attention of the Board of Management or any other Club member. Allegations must contain complete particulars.

Such allegations shall be referred to the Board of Management for further consideration and action.

Any member who violates this Constitution or By-Laws, or who acts in a manner considered to be adverse to the interests of the Club may be suspended, fined or expelled from membership by the Board of Management in accordance with the Constitution, regardless of any other actions taken by any other affiliated association or legal body.

The Club shall comply with all relevant Federal and State regulations.

6.1 Expulsion

The Board of Management shall take such actions as it may deem advisable, provided that no member shall be expelled from the Club unless a Board of Management meeting specifically called to address such action, unanimously (by those present and eligible to vote) endorses such action.

Any expulsion of a member from the Club may be subject to an appeal to a Special General Meeting held for such purpose. Any Special General Meeting held for this purpose must be held within 30 days of lodgement of appeal.

Any appeal to a Special General Meeting must be in writing, in the hands of the Secretary of the Club, within Forty-Eight (48) hours of the expulsion decision.

7 Finance

The Board of Management shall have power to determine fees and other charges payable by each member, including playing and non-playing fees and shall include Club membership fees and shall be paid at a date decided by the Club.

The Executives shall publish a schedule of Fees at least annually.

The Executives shall have power to control the funds of the Club.

7.1 Receipts

The Board of Management shall ensure that the Treasurer or persons nominated by the Treasurer shall pay all monies into an account at a Bank to be nominated by the Board of Management.

All money received by the Club must be deposited as soon as practicable and without deduction to the credit of the Club's bank account.

The Club must, as soon as practicable after receiving any money, issue an appropriate receipt.

7.2 Payments

All payments paid by cheque shall be signed by any two (2) of the following three (3) officers: President, , Secretary, Treasurer, any of who may endorse cheques credited to the Club account.

No disbursements shall be made without the authority of the Executives except in matters of

urgency when disbursement may be made by Executive decision to be ratified by the Board of Management.

An allowance for petty cash shall be made to the Secretary and Treasurer and a statement of such petty cash presented to the Board of Management. Other Board of Management members incurring expenses shall be reimbursed upon application to the Treasurer, subject to the Board of Management approval.

7.3 Financial Statements

The Treasurer shall submit to the Board of Management a monthly statement of receipts and payments and Bank Reconciliation Statements.

The accounts of the Club shall be made up each year to the last day in September, and shall be audited by a person nominated by the Board of Management. Audited accounts shall be presented to the Annual General Meeting.

7.4 Insurance

The Club must effect and maintain insurance under section 44 of the Act. In addition to the insurance required under this section, the Club may effect and maintain other insurance.

8 Committees, Delegates and Special Officers

The Board of Management shall have power to appoint such Committees, Special officers and Delegates from time to time, as it may deem necessary. They shall function under the Board of Management in accordance with the By-Laws.

The President and Secretary shall be ex-officio members of all committees.

The Board of Management shall appoint a Convenor for each Committee.

Each Committee, Special Officer and/or Delegate shall hold office at the discretion of the Board of Management or until the Annual General Meeting, whichever is sooner.

At the first Board of Management meeting after the AGM the Board of Management shall appoint Convenors, Delegates and Special Officers to fill those positions vacant.

All Convenors, Special Officers and Delegates may co-opt others to assist them.

9 Play

Members of the Club shall play according to the latest printed rules of the Australian Hockey Association or by the respective affiliated associations.

No person other than financial members of this Club shall play in any Association match for the Club.

Any player resigning or transferring from a Club during a playing season shall be required to obtain a clearance from such Club in writing before being eligible to represent any Club in competition matches.

Members of the Club shall be eligible for selection to play in the Association Representative team.

All teams must play in uniform approved by the Club.

10 Constitution

This constitution or any part of it may be rescinded, added to or otherwise varied at the AGM or a Special General Meeting by two-thirds of the members present and entitled to vote provided that the notice of alteration has been given in accordance with the provisions referring to an AGM or Special General Meeting.

11 By-Laws

The Board of Management shall have power to make, amend and rescind By-Laws for carrying into effect the provisions of the Constitution, provided that seven (7) days notice of any proposed By-Laws, amendment or rescission shall be forwarded by the Secretary to each member of the Board of Management, the same shall be considered notice of such a meeting.

12 Members' Liabilities

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

The members of the Board of Management, the Executive, the Public Officer, members of Committees, Special Officers and Delegates or appointees of the Club duly elected or appointed or co-opted thereto, acting in relation to any of the affairs of the Club, and everyone of them, and everyone of their Executors, Administrators and Trustees, shall be indemnified and held harmless by the Club from and against all actions, costs, charges, losses, claims, demands and expenses, which they or any of their Executors, Administrators and Trustees shall or may incur or sustain through their own wilful neglect or default: and none of them shall be answerable for the acts or defaults of the others or others of them, or for any loss, misfortune or damage which may happen in the execution of their respective offices, or in relation thereto, except the same shall happen by or through their own wilful neglect or default respectively.

13 Resolution Of Internal Disputes

Disputes between members (in their capacity as members) of the Club, and disputes between members and the Club, are to be referred to a community justice centre for mediation in accordance with the Community Justice Centres Act 1983, where they cannot be satisfactorily resolved by the Board Of Management.

14 Inspection Of Books

The records, books and other documents of the association must be open to inspection, free of charge, by a Executive of the association at any reasonable hour.

15 Cessation of Membership

Members may resign at any time or may have their Membership terminated or suspended by The Board of Management.

Any person ceasing to be a Member shall forfeit all rights and privileges of the Club and shall not be entitled to any refund of Subscriptions paid and, shall continue to be liable for any subscriptions and monies due and unpaid at the time of cessation of membership.

Where applicable, any person who ceases membership and has monies due and unpaid at the time of cessation of membership shall be declared non-financial and the respective affiliated associations advised.

16 Disbandment

The Club may only be disbanded through a resolution carried at a Special General Meeting called for that specified purpose.

In the event of disbandment of the Club all assets shall be sold.

The divisions of all monies shall be determined at the same Special General Meeting to a Club with similar interests.

End of Constitution