



CONSTITUTION OF THE BUNBURY AND DISTRICTS HOCKEY STADIUM INCORPORATED

As at the 6th December 2006



CONSTITUTION OF THE BUNBURY AND DISTRICTS HOCKEY STADIUM INCORPORATED

Contents Page

| | | |
|-----|--|----|
| 1. | PREAMBLE:..... | 3 |
| 2. | NAME:..... | 3 |
| 3. | DEFINITIONS:..... | 3 |
| 4. | OBJECTS:..... | 3 |
| 5. | PROPERTY OF ASSOCIATION: | 3 |
| 6. | POWERS OF THE ASSOCIATION:..... | 4 |
| 7. | MEMBERSHIP: | 4 |
| 8. | SUBSCRIPTIONS: | 6 |
| 9. | TERMINATION OF MEMBERSHIP:..... | 6 |
| 10. | MANAGEMENT:..... | 7 |
| 11. | FUNCTIONS OF THE PRESIDENT & EXECUTIVE COMMITTEE:..... | 8 |
| 12. | MEETING OF THE EXECUTIVE:..... | 8 |
| 13. | POWERS OF THE EXECUTIVE COMMITTEE:..... | 9 |
| 14. | ELECTION OF OFFICE BEARERS: | 10 |
| 15. | AUDITOR: | 10 |
| 16. | ANNUAL GENERAL MEETING & SPECIAL GENERAL MEETINGS: | 10 |
| 17. | VOTING:..... | 11 |
| 18. | FINANCE:..... | 11 |
| 19. | PROTEST & DISPUTES & APPEAL:..... | 12 |
| 20. | BUNBURY & DISTRICTS RULES AND STANDING ORDERS:..... | 12 |
| 21. | INTERPRETATION: | 12 |
| 22. | COMMON SEAL:..... | 12 |
| 23. | ALTERATIONS TO THE CONSTITUTION:..... | 12 |
| 24. | COURT OF APPEAL:..... | 13 |
| 25. | DISSOLUTION: | 13 |

1. PREAMBLE:

This Constitution has been amended to unite all the Associations – Bunbury Women's Hockey Association Inc., Bunbury & District Men's Hockey Association Inc., Bunbury Juniors and the Bunbury & Districts Hockey Stadium Inc. for the betterment of hockey in the Bunbury District.

2. NAME:

The name of the Association is **Bunbury & Districts Hockey Stadium (Inc.)** hereinafter referred to as the "Association".

3. DEFINITIONS:

- Rules - Bunbury & Districts Hockey Rules – are the rules for the good conduct of the affairs of the Bunbury & Districts Hockey Stadium Inc.
- Act – Liquor Licensing Act 1988.

4. OBJECTS:

The objects of the Association are:-

- 4.1 To promote and develop the game of hockey in the Bunbury District;
- 4.2 To promote, conduct and control International, Interstate and Interclub hockey matches and tour of teams, clubs, associations, State and National bodies to use the facilities of the Association;
- 4.3 To publish or join with any person or persons in producing or publishing through any medium, material relating to the game of hockey or calculated directly or indirectly to benefit the game of hockey;
- 4.4 To construct and maintain facilities occupied by the Association, provide all the necessary equipment, appliances and conveniences;
- 4.5 To become affiliated with or subscribe to 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;

5. PROPERTY OF ASSOCIATION:

The Association must apply all property and income of the Association towards the promotion of the objects or purposes of the Association and no part of that property or income to be paid or otherwise distributed, directly or indirectly, to members of the Association, except in good faith in the promotion of those objects or purposes.

6. POWERS OF THE ASSOCIATION:

- 6.1 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;
- 6.2 To raise money by affiliation fees, registration fees, subscriptions and levies and by such other methods as from time to time are appropriate to the needs of the Association.
- 6.3 To open and operate bank accounts;
- 6.4 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;
- 6.5 To do all other things that promote hockey and are legal;

7. MEMBERSHIP:

- 7.1 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.
- 7.2 Any person, hockey club, hockey team or hockey association seeking membership shall make application to the Executive Committee, and the Executive Committee shall determine whether the application is successful or not.
- 7.3 All applications shall be posted on the noticeboard of the Association for a period of not less than seven days before election, provided also that an interval of not less than two weeks shall elapse between nomination and election.
- 7.4 Each person, hockey club, hockey team and hockey association admitted to membership shall be;
 - 7.4.1 Bound by the Constitution and Rules of the Association.
 - 7.4.2 Come liable for such fees and subscriptions as may be fixed by the Association.
 - 7.4.3 Entitled to all advantages and privileges of membership as far as the law permits.
- 7.5 Membership Categories:
 - 7.5.1 **ORDINARY MEMBER**
Any person over the age of 18 years of age 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.

7.5.2 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.

7.5.3 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. Junior Members are encouraged to join and participate in sub committees.

7.5.4 LIFE MEMBERSHIP

The Executive 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 Executive 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.

7.5.5 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.

7.5.6 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.

7.5.7 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.

7.5.8 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 Executive 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.

- 7.6 The Executive Committee shall appoint a member to maintain an up to date register of members in respect of each class of membership of the Association. This register is to be continually available for inspection at the Associations premises.
- 7.7 A member may at any reasonable time inspect the records and documents of the Association as per the Bunbury & Districts Hockey Rules.
- 7.8 The maximum number of guests per member per day for the purpose of section 48(4)(b) of the Act is three (3).

8. SUBSCRIPTIONS:

- 8.1 A defined annual, half yearly or quarterly subscription fee shall be payable in advance.
- 8.2 Defined fees shall be paid in accordance with Bunbury & Districts Hockey Rules.

9 TERMINATION OF MEMBERSHIP:

- 9.1 Any person's, hockey club, hockey team or hockey association membership shall be terminated by the following events;
 - 9.1.1 Resignation or death.
 - 9.1.2 Winding up of the member.
 - 9.1.3 Motion of the Association to that effect provided that:
 - 9.1.3.1 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 Executive Committee meeting at which the motion for the termination of memberships to be dealt with: and
 - 9.1.3.2 Such motion is carried by at least three-fourths majority of those present and entitled to vote at that Executive Committee meeting.
- 9.2 The Executive Committee shall have the power to suspend or expel any member of the Association for:
 - 9.2.1 any of the events in Item 9.1
 - 9.2.2 false or inaccurate statements made in the member's application for membership of the Association,
 - 9.2.3 breach of any rule, regulation or by-law of the Association
 - 9.2.4 failure to pay any membership fees due to the Association after one month of falling due.
 - 9.2.5 by any act detrimental to the Association.

After having undertaken due inquiry.

- 9.3 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 contain within the Rules.

10. MANAGEMENT:

- 10.1 The management of the Association shall be vested in an 'Executive Committee" which shall consist of a numerical and structural strength determined from time to time by the members of the Association at the Annual General Meeting or Special General Meeting.
- 10.2 The Executive Committee members shall consist of;
- 10.2.1 President
 - 10.2.2 Financial Convenor
 - 10.2.3 Administration Convener
 - 10.2.4 Other executive members as determined by the members of the Association.
 - 10.2.5 A minimum of 25% of either gender.
 - 10.2.6 A maximum of three (3) persons who are individual members of the same affiliated club, members include players and administrators of that club.
- 10.3 No person shall hold more than one position on the Executive Committee at any one time.
- 10.4 The President and the Executive Committee Members are two year terms with half of the members finishing his/her term every year.
- 10.5 A person shall cease to be a member of the Executive Committee at the conclusion of his/her term of office at the Annual General Meeting.
- 10.6 Executive members will be eligible for re-election.
- 10.7 Except where in this Constitution, a right or duty is reserved to a specified person or group of persons, the Executive Committee has full powers under and by virtue of this Constitution.
- 10.8 The Executive Committee shall have the power to delegate any of its powers, except the power to delegate the expenditure of funds to a committee, to deal with any particular matter or matters and upon such terms as the Executive Committee may think fit.
- 10.9 The Executive Committee shall be ex-officio members of their portfolio sub committees.
- 10.10 A member of the executive committee may lose his or her seat on the committee for either of the following;
- Absence from three or more meetings without leave of absence.
 - Found not to be a financial member.

- Committed a breach in regard to the Constitution or Rules which in the opinion of the Executive Committee is unbecoming or contrary to the interests of hockey.

A person expelled from the Executive Committee shall have the right to Appeal as per the Rules.

- 10.11 Should any vacancy occur in the Executive Committee other than in the normal course of elections, the Executive Committee shall fill such vacancy from the financial members of the Association, and such member duly elected shall hold office for the unexpired portion of the predecessor's term.

11. FUNCTIONS OF THE PRESIDENT & EXECUTIVE COMMITTEE:

- 11.1 The roles, functions and responsibilities of the President and Executive Committee shall be carried out as determined in the Bunbury & Districts Hockey Rules.
- 11.2 The Committees shall function as determined in the Rules.

12. MEETING OF THE EXECUTIVE:

- 12.1 Shall meet monthly between the months of February to December, and as required, to conduct the business of the Association.
- 12.2 The President or any three (3) members of the Executive Committee shall have the power to call an extraordinary meeting of the Executive Committee.
- 12.3 A quorum of the Executive Committee shall be greater than 50% of its members.
- 12.4 At any meeting of the Executive Committee, the President or in the President's absence, any person acting as the President, shall be entitled to exercise a casting vote only, and all Executive Committee members shall be entitled to exercise a deliberative vote.
- 12.5 If the President is unable to attend a meeting, then a person from the Executive Committee shall be nominated as chairperson to chair that meeting.
- 12.6 Ordinary members, Life Members, delegates of Member Associations and individual members of clubs and teams may be admitted to meetings by invitation with the right to speak, but not to vote.
- 12.7 All acts or decisions done or made by any meeting of the Executive Committee or any member thereof shall, notwithstanding that it be afterwards discover that there was some defect in the appointment of such member or all or any members of the Executive Committee, be as valid and effective as if they had all been properly appointed, unless it is proved that the appointment was made in fraud or bad faith.

- 12.8 Copies of the minutes with current financial statements of the Association activities shall be distributed to the members of the Executive Committee and a nominated representative of each affiliated club, team or association.

13. POWERS OF THE EXECUTIVE COMMITTEE:

The Executive Committee shall carry out the day-to-day running of the Association and shall have the power to;

- 13.1. 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;
- 13.2 Fix the manner in which such banking accounts shall be operated upon, providing the Executive Committee passes all payments;
- 13.3 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;
- 13.4 Adjudicate on all matters brought before it which in any way affect the Association.
- 13.5 Cause minutes to be made of all proceedings at meetings of the Committee and General Meetings of members;
- 13.6 Make, amend and rescind rulings.
- 13.7 Have the power to form and appoint any sub committee/s as required for specific purposes;
- 13.8 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.
- 13.9 Nominations to fill vacant positions on the Executive Committee as they occur, will be conducted at Association meetings,
- 13.10 Appoint an officer/s or agent of the Executive Committee to have custody of the Association's records, documents and securities.
- 13.11 The Executive Committee may approve any fundraising activities that represent the Association in some way.

14 ELECTION OF OFFICE BEARERS:

- 14.1 The Executive Committee shall nominate a Returning Officer.
- 14.2 The Association shall call for nominations from eligible members four (4) weeks before the date of the Annual General Meeting. Nominations for the positions of Office Bearers will be open until the commencement of the AGM. If no nominations have been received there will be a call from the floor.
- 14.3 The President shall preside over the Annual General Meeting Agenda.
- 14.4 If there are more candidates than vacancies a secret ballot shall be undertaken by the Returning Officer. If in the event of a tie there shall be a second secret ballot of the persons tied. If tied after second ballot 17.1.1 of the Constitution applies.
- 14.5 Candidates shall be declared duly elected by the President.

15. AUDITOR:

- 15.1 The Annual General Meeting shall elect or appoint an Auditor or Auditors.
- 15.2 The Auditor/s shall examine and audit all the books and accounts of the Association annually, and have the power to call for all books, papers, accounts, receipts etc., of the Association and report thereon to the Annual General Meeting.

16. ANNUAL GENERAL MEETING & SPECIAL GENERAL MEETINGS:

- 16.1 The Annual General Meeting of the Association shall be held each year in December. The Association shall give at least fourteen (14) days notice of the date of the Annual General Meeting and Special General Meetings, to executive committee members and representatives of affiliated clubs, teams and associations.
- 16.2 Special General Meetings can be called by the Executive Committee with greater than 75% of its members or by a combined total of affiliated clubs, teams and associations greater than 75%.
- 16.3 All financial members may attend the Annual General Meeting and Special General Meetings.
- 16.4 The quorum at the Annual General Meeting and Special General Meetings shall be a minimum of 15 members.
- 16.5 If, at the end of 30 minutes after the time appointed in the notice for the opening of the Meeting, there be no quorum the meeting shall stand and adjourn for one week. If at such meeting there is no quorum those members present shall be competent to discharge the business of the meeting.

17. VOTING:

- 17.1. Voting powers at the Annual General Meeting & Special General
 - 17.1.1. Meetings;
 - 17.1.2. The President shall exercise a casting vote only.
 - 17.1.3. Executive Committee members have a deliberate vote.
 - 17.1.4. Each club, team or association affiliated with the Association shall have a maximum of two (2) votes if they have two financial members at the meeting.

18. FINANCE:

- 18.1. All funds of the Association shall be deposited into the Association's accounts at such bank or recognised financial institution as the Executive Committee may determine.
- 18.2. Accounts due by the Association shall be passed for payment at the Executive Committee Meeting. When immediate payment is necessary, account/s can be paid when authorised by two (2) delegated offices approved as per 18.8. These payments are to be presented for endorsement at the next Executive Committee meeting.
- 18.3. Accounts shall be paid by methods approved by the Executive Committee.
- 18.4. The Administrator shall not spend more than a set amount Petty Cash without the consent of the Executive Committee, and shall keep a record of such expenditure in a Petty Cash Book.
- 18.5. A statement showing the financial position of the Association shall be tabled at each Executive Committee Meeting by the Administrator.
- 18.6. A statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General Meeting. The auditor's report shall be attached to such financial report.
- 18.7. The financial year of the Association shall commence on 1st November each year. The accounts, books and all financial records of the Association shall be audited each year.
- 18.8. Two (2) signatures shall be required to authorise the payment (by cheques or other approved methods) of accounts. The signatories to the Association's account/s shall be the Administrator or person delegated by the Executive and any one (1) from the following;
 - President
 - Nominated Executive Committee MembersThe two (2) signatories shall not be from the same household or related.
- 18.9. All monies collected on behalf of the Association shall be banked and handled by the Administrator or person(s) delegated by the Executive.

- 18.10. All property and income of the Association will apply solely to the promotion of the objects of the Association and no part of that property or income shall be paid or otherwise distributed, directly, or indirectly, to members, except in good faith in the promotion of these objects.

19. PROTEST & DISPUTES & APPEAL:

- 19.1 The Executive Committee shall have the power to adjudicate on all disputes and matters brought before it of any nature which in any way affect the Association or any officer thereof or a affiliated club, team or association being a member of the Association or any member of that affiliated club, team or association, and the power to delegate any of its powers under this Constitution or the Rules to the Protest & Disputes Committee.

- 19.2 There shall be a Protest & Disputes Committee which shall consist of persons who are non-members of the Association.

20. BUNBURY & DISTRICTS RULES AND STANDING ORDERS:

The Executive Committee may from time to time make, alter and repeal rules and standing orders generally for the good of the affairs of the Association. Such rules shall, provided they are not inconsistent with the constitution for the time being, be binding on all members and their members and construed as part of the constitution.

21. INTERPRETATION:

The interpretation of this Constitution or of any of the Rules made thereunder shall be in the sole determination of the Executive Committee whose decision shall be binding on any person, club, team or association concerned.

22. COMMON SEAL:

The common seal of the Association shall be kept in the care of the President. The seal shall not be used or affixed to any deed or document except pursuant to a resolution of the Executive Committee and in the presence of at least the President and two members of the Committee, both of whom shall subscribe their names as witnesses.

23 ALTERATIONS TO THE CONSTITUTION:

- 23.1 No alteration, repeal or addition shall be made to the Constitution except at the Annual General Meeting or Special General Meeting, called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to members twenty one (21) days prior to the Annual General Meeting or a Special General Meeting called for such purpose.

- 23.2 The Administrator shall forward such notices of motion to each Executive Committee member, a representative of each affiliated club and to the

Director of Liquor Licensing at least twenty one (21) days prior to the Annual General Meeting or to a Special General Meeting.

- 23.3 Alterations to the Bunbury & Districts Hockey Rules can be made only at Executive Committee Meetings provided notice of the proposed alteration/s has been circulated to all executive members at least seven (7) days prior to the next Executive Meeting or a Extraordinary Executive Meeting called for that purpose.
- 23.4 Such motions, or any part thereof, shall be of no effect unless passed by a seventy five percent (75%) majority of those present and entitled to a vote at the Annual General Meeting, Special General Meeting or Executive Committee Meetings, as the case may be.
- 23.5 Within one month of the passing of a Constitution change, the Administrator shall notify the Department of Consumer and Employment Protection and the Director of Liquor Licensing of the change.
- 23.6 No effect shall be given to the change without the prior approval of the Director of Liquor Licensing.

24. COURT OF APPEAL:

The Association shall be the final arbiter of all matters pertaining to the rules of the game of hockey and arising under or by virtue of this Constitution

25. DISSOLUTION:

The Association may be dissolved or wound up by a resolution at any Special General Meeting called for such purpose.

If, on the winding up of the Association, any property of the Association remains after satisfaction of the debts and liabilities of the Association and the costs, charges and expenses of that winding up, that property shall be distributed to

- (a) another incorporated association having objects similar to those of the Association or institution having objects similar wholly or in part to the objects of the Association and which shall prohibit the distribution of its or their income and property among its or their members; or
- (b) to some charitable purpose or purposes which association, institution or purpose shall be determined by the members of the Association at or before the time of dissolution or winding up; or
- (c) or in default thereof or if and insofar as effect cannot be given to such determination then such payment or distribution shall be determined by a Judge of the Supreme Court of Western Australia.

The Commission of Taxation shall be advised of the date of dissolution within 30 days of dissolution.