



CONSTITUTION

(As amended 23 September 2017)

RULES OF THE ADELAIDE HOCKEY CLUB

1 Name

The name of the Incorporated Association is the ADELAIDE HOCKEY CLUB INCORPORATED referred to herein as "the Club".

2 Definitions

In this Constitution rules, unless the contrary intention appears:

"Committee" means the Committee of Management of the Club;

"meeting" means a general meeting of members of the Club convened in accordance with these rules;

"Special Resolution" means a resolution which is passed by 75% of members present at a meeting;

"the Act" means the Associations Incorporation Act, 1985;

"the Regulations" means the Association Regulations, 1985;

"Rules" means the terms and conditions outlined in this Constitution

3 Objects and Purposes

The objects of the Club shall be as follows:

- 1) To foster participation in, and advancement of, the game of hockey;
- 2) To do such things as promote the game of hockey;
- 3) To promote the development of skills of its members in the game of hockey;
- 4) To foster the social activities of its members;
- 5) To support, advance and promote the game of hockey;
- 6) To encourage the promotion of and participation in the game of hockey;
- 7) To do all such other things as are incidental or conducive to the attainment of the objects and exercise of the powers of the Club; and
- 8) To adopt any other object which may be considered appropriate by its members.

4 Powers

- 1) The powers of the Club shall be all those powers conferred by Section 25 of the Act.
- 2) Without limiting the generality of the foregoing the Club may affiliate itself with the South Australian Hockey Association Inc. and /or with any other body which replaces this body.

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5 Income and Property

The income and property of the Club from wherever it may be derived, shall be applied solely towards the promotion of the objects of the Club as set forth in these Rules and no portion thereof shall be paid or transferred, directly or indirectly, by way of dividend bonus or otherwise by way of profit to the members of the Club, provided that nothing herein shall prevent the payment, in good faith, of reasonable and proper remuneration to any officer or servant of the Club in return for services rendered to the Club.

6 Membership

1) Membership of the Club shall consist of:

- a) Senior Playing Members; who is a player 18 years and over on 01 January, and who subject to the Rules, shall have the right to receive notice of general meetings and to be present, to debate and to vote at general meetings; and
- b) Junior Playing Member, who is a player not yet 18 years or over on 01 January, and who subject to the Rules, shall have no right to receive notice of general meetings and no right to be present or debate or vote at general meetings.
- c) Life Members; who subject to the Rules, shall have the right to receive notice of general meetings and to be present, to debate and to vote at general meetings.
- d) Associate Members; who subject to the Rules, shall have the right to receive notice of general meetings and to be present, to debate and to vote at general meetings.
- e) Affiliate Members; who subject to the Rules, shall have no right to receive notice of general meetings and no right to be present or debate or vote at general meetings

2) Admission of Senior and Junior Playing Members

Any person who applies to be admitted as a playing member of the Club shall apply to the Club in writing and shall fill in a Club registration form. Upon agreeing to pay such subscription as may be fixed by the Club from time to time for the relevant sub-class of playing membership (which agreement shall be deemed to be given by the person upon completion of the registration form) and subject to the approval of the Committee.

3) Life Members

On the recommendation of the Committee any person being either a Playing Member or an Associate Member may at a meeting of the Club, in consideration of outstanding services rendered by that person to the Club over a period of not less than five (5) years be elected a Life Member. A majority of those present and voting shall be necessary to such election. Every Life Member shall without being required to pay any subscriptions be entitled to all rights attaching to Associate and to Playing Members of the Club during that person's life.

No more than two Life Members may be elected in any financial year. Each and every Life Member of the Sturt Hockey Club Inc. and each and every Life Member of the Aroha Hockey Club Inc. automatically is a Life Member of the Club.

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4) Admission of Associate Members

Associate Members include the following classes, if not already a Playing Member or a Life Member:

- a) Honorary Member:
 - i. President
 - ii. Treasurer
 - iii. Secretary
 - iv. Any other Committee Member
 - v. Coach of a team appointed by the Committee
 - vi. Manager of a team appointed by the Committee
 - vii. Any other person appointed by the Committee
- b) Parent or carer of a Junior Playing Member,
- c) Club supporter who applies to be admitted as an Associate Member of the Club

5) Affiliate Members

Includes:

- a) any person who is a member of a "club" or a "country club" as those terms are defined in the Constitution of South Australian Hockey Association Inc;
- b) such other persons who are members of another incorporated association or similar body that has been formed to promote a sporting activity;and
- c) members of Tennis Seniors SA who have paid an agreed membership fee.

provided that affiliate members will have such rights and obligations as the Committee determines from time to time but will have no right to vote or to hold office.

- 6) Each and every member of the Club shall be deemed to be a member of the Sturt Hockey Club Inc. and of the Aroha Hockey Club Inc. The Club shall be comprised of such persons as shall be admitted as Members by the Committee.
- 7) All membership applications including applications for renewal of membership (except in respect to affiliate members) will be subject to the approval of the Committee and the Committee may in its absolute discretion refuse to admit any person to the Membership of the Club if it considers that such admission would be prejudicial to the interests of the Club.
- 8) A register of members of the Club shall be maintained. The information on the register shall include the full name and the last known residential address of each member.
- 9) Members shall comply with these Rules and any alterations and addition thereto.
- 10) Suspension of a Member

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- a) In the event a member of the Club conducts themselves in a manner which is the opinion of the Committee brings the Club into disrepute, or conducted themselves in a manner that is not in the best interests of the Club, the Committee by majority vote at a properly convened meeting of the Committee may immediately suspend a member including their playing rights the term of such suspension being at the sole discretion of the Committee;
- b) Particulars of the suspension are to be communicated to the Member in writing within 48 hours of the Committee decision to suspend the Member;
- c) The Member may appeal the decision by lodging a formal notice with the Club Secretary outlining details of their appeal. Notice of the appeal is to be lodged with the Club secretary within 7 days of the receipt of the notice of suspension. On receipt of the appeal notice the Club secretary will convene a meeting of the Committee within 48 hours of receipt of the notice of appeal. The member will have the right to appear in front of the Committee to present their case. The Committee will make a determination on the appeal and communicate the decision to the Member within 48 hours of the meeting. The decision of the Committee will be final. In the case where the Member suspended is a minor that Member may be accompanied and represented by a parent or their legal guardian at the appeal hearing.

11) Expulsion of a Member

- a) Subject to giving a member an opportunity to be heard or to make a written submission, the Committee may resolve to expel a member upon a charge of misconduct detrimental to the interests of the Club.
- b) Particulars of the charge shall be communicated to the member at least one calendar month before the meeting of the Committee at which the matter will be determined.
- c) The determination of the Committee shall be communicated to the member, and in the event of an adverse determination the member shall subject to sub rule (d) cease to be a member fourteen (14) days after the Committee has communicated its determination to him/her.
- d) It shall be open to a member to appeal to the Club in a meeting against the expulsion. The intention to appeal shall be communicated to the Secretary or Public Officer of the Club within fourteen (14) days after the determination of the Committee has been communicated to the member.
- e) In the event of an appeal under sub rule (d) the appellant's membership of the Club shall not be terminated unless the determination of the Committee to expel the member is upheld by the members of the Club in a meeting after the appellant has been heard, and in such event membership will be terminated at the date of the meeting at which the determination of the Committee is upheld.

7 Subscriptions

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- 1) The subscription fees for each class and sub-class of membership shall be such sum as the Committee shall determine .
- 2) The subscription fees of each class of membership shall be payable annually or such date as the meeting determines or at such other time as the Committee shall determine from time to time.
- 3) The Committee shall have authority to grant a reduction in any subscription fees payable where it considers that it is appropriate in all the circumstances to grant such a reduction.
- 4) The Committee shall have authority to permit payment of any subscription fees by instalments where it considers that it is appropriate in all the circumstance to authorize such instalment payments.

8 Resignation

A member may resign from membership of the Club by giving written notice thereof to the Secretary of the Club. Any member so resigning shall be liable for any outstanding subscription which shall be recovered as a debt due to the Club.

9 The Committee

- 1) The affairs of the Club shall be managed and controlled exclusively by a Committee which in addition to any powers and authorities conferred by these Rules may exercise all such powers and authorities conferred by these Rules may exercise all such powers and do all such things as are within the objects of the Club, and are not by the Act or by these Rules required to be done by the Club in a meeting.
- 2) The Committee shall have the power to appoint such officers and employees as are required to carry out the objects of the Club, including a public officer required by the Act, and may discuss or delegate any of its powers to such officers and employees.
- 3) The Committee shall consist of a President, a Treasurer, a Secretary and not more than eight (8) other Committee members.
- 4) The Committee may allocate portfolios to Committee Members
- 5) The President, Secretary and Treasurer and all other Committee members shall be elected at the Annual General Meeting by the Club members and shall hold office from 01 October immediately after the Annual General Meeting, until 30 September the following calendar year.
- 6) In the event of a casual vacancy on the Committee occurring mid-term, the Committee shall be entitled to appoint a Club member to the casual vacancy until the next succeeding Annual General Meeting.
- 7) Any retiring Committee member shall be eligible to stand for re-election without nomination but no person not being a retiring Committee member shall be eligible to stand for election unless a member of the Club has nominated them by delivering the nomination of that person to the Secretary of the Club at least two (2) days prior to the Annual General Meeting. The nomination shall be signed by the proposer and by the nominee to signify a willingness to stand for election.

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- 8) At the discretion of the meeting, nominations may be called from the floor by the Chairperson.
- 9) If after having called for nominations from the floor only the required number of persons is nominated to fill existing vacancies, the Chairperson shall declare all such persons duly elected as Committee Members.
- 10) If there are insufficient nominations received to fill all vacancies on the Committee, the position will be deemed a casual vacancies.
- 11) If the number of nominations exceeds the number of vacancies to be filled then an election must be conducted at the Annual General Meeting. Elections must be conducted in such manner and by such method as may be determined by the Committee from time to time or if the Committee has not made a determination, by the method determined by the Chairperson of the Annual General Meeting.
- 12) If at the close of the Annual General Meeting, vacancies on the Committee remain unfilled, the vacant positions will be casual vacancies.
- 13) The Committee shall be entitled to appoint a Club member to the casual vacancy until the next succeeding Annual General Meeting.

10 Disqualification of Committee Members.

The office of Committee member shall become vacant if a Committee member is:

- 1) Disqualified by the Act;
- 2) Expelled under these rules;
- 3) Permanently incapacitated by ill health;
- 4) Absent without apology from more than three consecutive Committee meetings.

11 Proceedings of Committee

- 1) The Committee shall meet together for the dispatch of business and shall regulate its meetings as it sees fit.
- 2) The Committee may meet, or individual Committee Members may attend a meeting by telephone or other electronic means by which he or she can hear and or be heard.
- 3) Resolutions of the Committee at any Committee meeting shall be decided by a majority of votes, and in the event of equality of votes the President shall have a casting vote in addition to a deliberative vote. Each Committee Member has one (1) vote.
- 4) The Committee may pass a resolution without a Committee meeting being held if all the Committee Members entitled to vote on the resolution acknowledge via an email response to an email setting out the resolution, that they are in favour. The resolution is passed when more than 50% of the Committee responds. A resolution passed under this clause must be recorded in the Minutes of the next Committee Meeting.

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- 5) A member of the Committee having a pecuniary interest in a contract with the Club must disclose that interest to the Committee as required by the Act, and shall not vote with respect to that contract.

12 Committee Powers and Responsibilities

- 1) The Committee shall be responsible for control and management of the affairs of the Club.
- 2) The Committee shall meet as often as necessary to conduct the business of the Club.
- 3) A quorum for meetings of the Committee shall be four (4) members.
- 4) The Committee shall appoint sub-committees for such purposes as it may think fit and may delegate any of its powers or duties to such sub-committees. A subcommittee's decisions, recommendations or reports are not operative until adopted or approved by the Committee.
- 5) The Committee shall cause minutes to be kept and recorded of all resolutions and proceedings of meetings of the Club and meetings of the Committee, and shall cause such minutes to be signed by the President at the next ensuing meeting.

13 Patrons

The Committee or a meeting may appoint such patrons of the Club as it deems appropriate.

14 Financial Year

The financial year of the Club shall be the period ending on 30th June in each year.

15 Finance

- 1) The Club shall open and keep open at least one banking account with such bank or banks as the Committee may from time to time determine, and all monies belonging to the Club shall, as soon as practicable after the same shall be received, be paid and deposited to the credit of the account of the Club.
- 2) No withdrawal shall be made from, and no cheques shall be drawn on, any bank account in the name of the Club unless the withdrawal form, cheque or electronic transfer is signed or password-activated, as appropriate, by any two of the persons appointed by the Committee for such purposes. All extraordinary and capital expenditure must be ratified by the Committee.
- 3) Subject to this rule the Club may borrow money from banks or other financial institutions upon such terms and conditions as the Committee sees fit, and may secure the repayment thereof by charging the property of the Club.
- 4) A report of the Club's financial affairs shall be submitted by the Committee to the Annual General Meeting. A balance sheet and a report by the auditor thereon shall form part of such a report.

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- 5) The auditor of the Club shall be appointed at each an Annual General Meeting and shall examine and report upon the financial records and affairs of the Club at the end of each financial year and if not so appointed at the Annual General Meeting, the Committee shall have power to appoint an auditor.
- 6) The Club shall keep or cause to be kept accounting books and records to show the correct financial affairs of the Club.
- 7) The auditor shall examine all accounts, vouchers, receipts, books and other records, and furnish a report thereon to the members at the Annual General Meeting. Audits shall be conducted at regular intervals of not more than fifteen months.

16 Rules

- 1) Subject to approval by a Special Resolution, these Rules may be altered (including an alteration to name), or be rescinded and replaced by substituted rules. Such an alteration shall be registered with the Commission as required by the Act.
- 2) The registered rules shall bind the Club and every member to the same extent as if they had respectively signed and sealed them, and agreed to be bound by all of the provisions thereof. -

17 The Seal

- 1) The Club shall have a common seal upon which its corporate name shall appear in legible characters.
- 2) The seal shall not be used without the express authorization of the Committee, and every use of the seal shall be recorded in the minute book of the Club. The affixing of the seal shall be witnessed by any two of the President, Secretary and Treasurer of the Club.
- 3) The seal shall be kept in the custody of the Secretary or such other person as the Committee may from time to time decide.

18 Meetings

- 1) The Committee may call a meeting of the Club at any time, and shall call an Annual General Meeting in accordance with the Act.
- 2) Upon a requisition in writing of not less than twelve (12) members of the Club, the Committee shall within one month of the receipt of the requisition, convene a meeting for the purpose specified in the requisition.
- 3) Every requisition for a meeting shall be signed by the members making the same and shall state the purpose of the meeting.
- 4) If a meeting is not convened within one month as required by sub rule (3) the requisitions may convene a meeting. Such a meeting shall be convene in the same manner as a meeting convened by the Committee, and for this purpose the Committee shall ensure that the requisitions are supplied free of charge with particulars of the members entitled to receive a

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notice of meeting. The reasonable expenses of convening and conducting such a meeting shall be borne by the Club.

- 5) At least fourteen days' notice of any meeting shall be given to members. The notice shall set out where and when the meeting will be held, and particulars of the nature and order of the business to be transacted at the meeting. In the case of an Annual General Meeting, the order of the business at the meeting shall be the consideration of the accounts and reports of the Committee and the auditors, the appointment of auditors and Committee members (if required), approving the proposed budget for the next ensuing financial year and any other business requiring consideration by the Club in the meeting.
- 6) Should any member desire to bring forward any special business at any Annual General Meeting the member shall give written notice thereof to the Secretary at least fourteen (14) days prior to the Annual General Meeting at which the member may wish such business considered, and the Secretary shall embody such business in the notice convening the meeting.
- 7) No special business shall be transacted at any Annual General Meeting unless notice specifying the general nature of such business shall have been given in the notice convening such meeting.
- 8) Notice of a meeting at which a Special Resolution is to be proposed shall be given at least fourteen (14) days prior to the date of the meeting.
- 9) A notice may be given by the Club to any member by serving the member with the notice personally, or by sending it by post to the address appearing in the register of members or by email to the email address shown in the Members most recent registration form.
- 10) Where a notice is sent by post, service of the notice shall be deemed to be effected if it is properly addressed and posted to the member by ordinary prepaid mail.

19 Proceedings at Meeting

- 1) Ten (10) members present personally shall constitute a quorum at any meeting.
- 2) If within thirty minutes after the time appointed for the meeting a quorum of members is not present, a meeting convened upon the requisition of members shall lapse. In any other case, the meeting shall stand adjourned to the same day in the next week, at the same time and place and if at such adjourned meeting a quorum is not present within 30 minutes of the time appointed for the meeting the members present shall form a quorum.
- 3) The President or if there shall be no President, one of the Committee members chosen by the members present at the meeting shall preside a Chairperson at every meeting of the Club.
- 4) If there is no such Chairperson present within five minutes after the time appointed for holding the meeting, the members present may choose one of their number to be the Chairperson.
- 5) The Chairperson may with the consent of any meeting at which a quorum is present, and shall if so directed by the meeting, adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- 6) At any meeting, a resolution put to a vote shall be decided on a show of hands.

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20 Minutes

- 1) Proper minutes of all proceedings of meeting of the Club and of meetings of the Committee, shall be prepared within one month after the relevant meeting.
- 2) The minutes kept pursuant to this rule shall be signed by the Chairperson of the meeting at which the proceedings took place or by the Chairperson of the next succeeding meeting.
- 3) Where minutes are entered and signed they shall until the contrary is proved be evidence that the meeting was convened and duly held, that all proceedings held at the meeting shall be deemed to have been duly held, and that all appointments made at a meeting shall be deemed to be valid.

21 Voting Rights

Subject to these rules each member over the age of sixteen (16) years old who is present in person shall be entitled to one vote.

22 Interpretation of Rules

The Committee shall be the sole authority for the interpretation of these Rules and the decision of the Committee upon any question of interpretation or upon any matter affecting the Club and not provided for by these Rules shall be final and binding upon the members.

23 Acknowledgement

Each member acknowledges that he/she participates in activities organized by the Club at his/her own risk, and that he/she will not hold the Club responsible for any injury or damage incurred by that member as a result of participating in such activities.

24 Winding Up

- 1) The Club may be wound up by Special Resolution at a meeting called for that purpose.
- 2) If upon dissolution or winding up of the Club there shall be remaining after satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid to or distributed amongst the members of the Club but shall be given or transferred to some other society or institution or organization having objects similar, wholly or in part, to the objects of the Club or distributed between more than one such society or institution or organization as determined by the meeting. In default of any such determination such payment or distribution shall be determined by a Judge of the District Court.