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Constitution Eastern Goldfields Hockey Association Incorporated

AMENDED CONSTITUTION OCTOBER 2019
ADOPTED 24 NOVEMBER 2019

This document contains the constitution of the Eastern Goldfields Hockey Association. For general administration and hockey operations (junior and senior) please refer to the separate by-laws of the Association.

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PART 1 - PRELIMINARY

1.1 Name of Association

The name of the Association shall be known as the Eastern Goldfields Hockey Association Incorporated, hereafter referred to as 'the Association'.

1.2 Objects of Association

The principal objects of the Association are:

- (1) To foster, promote, control and manage the game of hockey in Kalgoorlie and surrounding districts;
- (2) To act for its members in all matters pertaining to hockey;
- (3) To promote, conduct and control inter-club matches and carnivals against other Association or Clubs;
- (4) To affiliate with other Associations or bodies whose objects are similar to the Association; and if thought fit, to withdraw or retire from any such Association or body; and
- (5) To promote the health, social and community benefits of hockey.
- (6) An ancillary object is to maintain a club liquor licence, in accordance with the Liquor Act and its amendments to enable the Association to provide an additional service to its members.

1.3 Powers of the Association

Subject to the Act, the Association may do all things necessary to carry out its objects in a lawful manner, including but not limited to:

- (a) Raise, invest and deal with the money of the Association in such manner as may from time to time be determined;
- (b) Acquire, hold, deal with, lease, exchange, hire or dispose of any real or personal property;
- (c) Employ, pay and dismiss employees as deemed necessary to further the objects of the Association;
- (d) Open and operate bank accounts;
- (e) Administer the finances of the Association;
- (f) Fix fees and subscriptions payable by Members and decide such levies and charges and to enforce payment thereof;
- (g) Apply for, obtain and renew from time to time, a club liquor licence, under the Liquor Licencing Act (1988) and its amendments;
- (h) Enter into any contract it considers necessary or desirable;
- (i) Adjudicate on all matters brought before it, which in any way affect the Association;
- (j) Make, amend and rescind by-laws, not inconsistent with this Constitution; and
- (k) Do other things necessary or convenient to be done in carrying out the objects.

1.4 Quorum for General Meetings

A quorum for the Annual General Meeting or any General Meeting shall consist of at least ten (10) members, including a delegate from at least 50% of Member Clubs, who are present and entitled to vote.

1.5 Quorum for Executive Committee Meetings

At an Executive Committee meeting 50% plus one (or the lower whole number) of Executive Committee members constitute a quorum for the conduct of the business of an Executive Committee meeting.

1.6 Terms Used

In these rules, unless the contrary intention appears —

Act means the *WA Associations Incorporation Act (2015)*; its amendments and any other legislation that may come into force to replace or supplement this Act and shall form part of these Rules;

Member means any club or body or individual who is a Member of the Association referred to in Part 3;

AGM means the Annual General Meeting;

Association means the Eastern Goldfields Hockey Association; 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 mean the operational guidelines, policies and procedures adopted by the Association in accordance with rule 9.7;

Chairperson means the Committee member presiding and chairing a meeting of the Association;

Executive means the Executive Management Committee of the Association;

Executive meeting means a meeting of the Executive Management Committee;

Executive Committee member means a person elected or appointed to the Executive Management Committee from time to time;

delegate means the persons elected or appointed by a Member Club to act for and on behalf of that Member Club and represent the Member Club at General Meetings or otherwise;

financial records include:

- (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 statements mean 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 8.1;

General meeting, of the Association means a general meeting of the Association, whether an Annual or Special General meeting that members are entitled to receive notice of and to attend;

Hockey WA means the Western Australian Hockey Association – the recognised state-based organisation overseeing the sport of hockey in WA;

Hockey Australia means the recognised national organisation overseeing the sport of hockey in Australia;

Kalgoorlie District means the regional area and surrounds of the City of Kalgoorlie-Boulder;

Liquor Act means the WA Liquor Control Act (1988), its amendments and any other legislation that may come into force to replace or supplement this Act, and shall form part of these rules;

Playing season means the time from the first official match of each season, until the completion of the final match of the season, as determined by the Executive;

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

rules mean the section of this Constitution;

special general meeting means a meeting convened in accordance with rule 6.3, at which only business that has been described in the notice may be transacted;

special resolution means a resolution passed by three-fourths of the presiding and voting members at a general meeting in accordance with Section 51 of the Act;

sub-committee means a sub-committee appointed by the Executive Committee under rule 5.8;

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;

Voting rights means the ability for a financial Member Club to move or second a motion; speak at all meetings, nominate for any Committee positions, vote at general meetings and call for a special general meeting.

PART 2 — ASSOCIATION TO BE NOT FOR PROFIT BODY

2.1 Not-For-Profit Body

- (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) A payment may be made to a member out of the funds of the Association only if it is authorised under sub-rule (3).
- (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 reimbursement of reasonable expenses properly incurred by the member on behalf of the Association.

2.2 Jurisdiction

The Association shall have jurisdiction over affiliated hockey players and affiliated Clubs within the Association, in all matters pertaining to hockey within the Association.

2.3. Affiliation

- (1) The Association is a member of Hockey WA and is required to administer and develop Hockey, subject to the reasonable direction of Hockey WA and in accordance with the objects of Hockey WA.
- (2) The Association may by special resolution, affiliate with or become a Member of, or accept affiliation with or Membership of, any organisation (including any regional, state or national Association) having similar or like interests to the Association.
- (3) The Executive Committee may appoint a representative to represent the Association, as requested by an affiliated organisation.

PART 3 — MEMBERSHIP

3.1 Number of Members

- (1) Under the Act, the Association must have at least six (6) members with full voting rights.
- (2) The maximum number of Members of the Association is at the discretion of the Executive Committee.

3.2 Membership

- (1) Membership of the Association is open to Hockey Clubs and individuals who support the objects of the Association.
- (2) The Association consists of the following classes of membership:
 - (a) Ordinary Members, with voting rights; and
 - (b) Associate Members, who have all rights of Ordinary members, except voting rights.
- (3) **Ordinary Members** shall consist of the following categories:
 - (a) **Member Club:** is one or more teams wishing to register as a Club, to play in interclub matches conducted by the Association. Member Clubs have one vote, through their appointed delegate as set out in rule 3.4;

- (b) **Life Members:** is an individual who has rendered long and meritorious service to the Association. Life members shall be entitled to full voting rights and are not required to pay any fees.
- (4) Associate Members shall consist of the following categories:
- (a) **Individuals (from Member Clubs):** are individuals that are financial registered members of a Club and may be playing or non-playing members;
 - (b) **Community Member** – including non-playing officials, coaches and community supporters that are not an individual member of a Member Club as set out in sub rule 4(a). Community members have no voting rights, unless they are appointed to the Executive Committee or a sub-committee;
 - (c) **Temporary member:** who on any day visiting the Association as a member or official of another Club to:
 - (iii) engage in a pre-arrange event conducted in accordance with the Associations objects; or
 - (iv) hold a pre-arranged function involving the use of the Associations facilities; or
 - (v) At the invitation of a Member Club to engage in that sport on that day;
 may be taken to be a person who is afforded temporary membership on that day.
 - (d) **Guest:** Individuals from Member Clubs may introduce guests to the Association at any time provided that:
 - (i) No individual member from a Member Club may introduce more than five (5) guests at any one time;
 - (ii) A guest shall not be supplied with liquor on the premises except by invitation and in the company of that individual member;
 - (iii) A guest shall only be supplied with liquor to be consumed on the premises only;
 - (iv) Any person who has been refused membership, or who is under suspension or expulsion from the association shall not be admitted as a guest by any member; and
 - (v) An Associate member may, at their expense and with the approval of the Executive, supply liquor to guests with limitation up to 300, at a function held by or on behalf of that individual member at the premises.
- (5) Subject to the Act, and without derogating from the rights of the existing members, the Executive Committee has the right and power from time to time to create additional categories of membership and determine the eligibility criteria, rights and obligations of those members, other than voting rights.
- (6) No new category of Ordinary membership may be granted unless the prior approval of the Members is first obtained by special resolution at a General Meeting.

3.3 Membership Obligations and Rights

- (1) An applicant for membership of the Association becomes a member when the Executive accepts the application and pays the fee;
- (2) Each Club/Member undertakes to the best of their ability to:
 - (a) Comply with this constitution and the by-laws of the Association in force from time to time;
 - (b) Entitled to all privileges of the specified membership;
 - (c) Be bound by all resolutions passed by delegates at a General meeting, whether they are present or not at the meeting; and
 - (d) Becomes liable for such fees, subscriptions and levies as may be fixed by the Executive.
- (3) Each Club/Member have all the rights provided to members under this constitution, including but not limited to:
 - (a) Receive notices from the Association; and

- (b) Provided with a copy or directed where to access a copy of the Associations constitution and by-laws; and
 - (c) Attend General Meetings of the Association; and
 - (d) Vote (if their membership category allows them to vote); and
 - (e) Be elected or appointed to the Executive Committee or any sub-committees of the Association (if applicable to the Membership category defined in rule 3.2.)
- (4) Each **Member Club** shall:
- (a) adopt in principle, the objects of the Association and do all that is reasonably necessary to enable the objects of the Association to be achieved;
 - (b) at all times operate with, and promote, mutual trust and confidence between the Association, the Club and the individual members in pursuit of the objects;
 - (c) at all times act on behalf of and in the interests of the members and the sport of hockey;
 - (d) maintain a Club register, in a form and with such details as are acceptable to the Association, of all Teams and individual players;
 - (e) register its colours and uniforms with the Association, as set out in the by-laws; and
 - (f) abide by any other reasonable requests made by the Association, which support the interests of the sport of hockey.

3.4 Delegates

- (1) Member Clubs shall elect or appoint at least one (1) and up to two (2) delegate to represent it at General Meetings.
- (2) Each Member Club shall have one (1) vote, through their delegate/s.
- (3) The appointed delegate/s contact details must be submitted in writing to the Secretary or President on or before the Annual General Meeting.
- (4) A delegate must:
 - (a) be a financial member of a Member Club;
 - (b) aged 18 or older;
 - (c) be appropriately empowered by the Member Club to consider, make decisions and vote at General Meetings; and
 - (d) not be a delegate for more than one Club.
- (5) Failure to supply at least one delegate to a meeting may result in a penalty as determined by the Executive Committee.

3.5 Life Members

- (1) To be eligible for membership as a Life Member, an individual from a Member Club must have provided outstanding service to the Association in promoting the objects;
- (2) A Member Club may nominate a person who is eligible in accordance with sub-rule (1)
- (3) The nomination process and criteria for Life Membership shall be set out in accordance with the Association's by-laws;
- (4) A nomination must be submitted in writing to the Secretary, prior to 31st July for consideration that year;
- (5) Life membership will only be considered at the first Executive meeting following the 31st July deadline, and shall be considered by the current Executive and previous life members.
- (6) Life membership shall only be granted with 75% or eligible members approval.

3.6 Deeming Provisions

All members who were Members or Life Members of the Association, prior to the time of approval of this Constitution under the Act, shall continue to be acknowledged as Members and Life Members, and will be entitled to such benefits as was conferred on them by the Association.

3.7 Application for Membership

- (1) Every application for membership must:
 - (a) be in a form (written or otherwise) approved by the Executive for that purpose and signed by the applicant;
 - (b) be submitted to the Secretary or in any other way approved by the Executive;
 - (c) be accompanied by the appropriate fee prior to the commencement of the season unless approved by the Executive.
- (2) The Committee must consider each application for membership to the Association and decide whether to accept or reject the application. If the membership is rejected a reason must be provided to the applicant.

3.8 Becoming A Member

- (1) An applicant for membership of the Association becomes a member when;
 - (a) the Committee accepts the application; and
 - (b) the applicant pays any membership fees payable to the Association under rule 3.12; and
 - (c) immediately after payment, the member is eligible to vote in any General or Special Meeting (if the membership class makes them eligible for voting).
- (2) A copy of the Association's constitution and by-laws will be made available to each Club/member by;
 - (a) directed to where the member can view the documents at any time.

3.9 When Membership Ceases

- (1) A Club/member ceases to be a member when any of the following takes place —
 - (a) the Club ceases to be a registered Club;
 - (b) the Club/member resigns from the Association under rule 3.10;
 - (c) the Club/member is expelled from the Association; or
 - (d) the Club/member is un-financial, under rule 3.12(4).
- (2) The secretary must keep a record, for at least one year, of —
 - (a) the date on which a member ceased to be a member; and
 - (b) the reason why the membership was ceased.

3.10 Resignation

- (1) A Club/member may resign from the Association by giving written notice to the Secretary of such intention to withdraw or resign.
- (2) The resignation takes effect —
- (3) when the Secretary receives the notice; or
- (4) if a later time is stated in the notice, at that later time.
- (5) The Club/member who has resigned remains liable for any fees that are owed to the Association at the time of resignation.
- (6) Where a Club ceases to be a member, the individual members of that Club may cease or remain members of another Club to the extent and for such time, at the discretion of the Executive Committee.

3.11 Rights Not Transferable

The rights of a member are not transferable and end when membership ceases.

3.12 Membership Fees and Subscription

- (1) The Executive Committee must determine and fix the fees and subscriptions payable by Members and decide such levies, fines and charges as is deemed necessary.

- (2) The fees determined under subrule (1) may be different for different classes of membership.
- (3) A Club/member must pay the membership fee to the Treasurer, or another person authorised by the Committee to accept payments, as and when decided by the Executive Committee.
- (4) If a member has not paid the membership fee by the due date, the member may cease to be a member.
- (5) If a Club/member who has ceased to be a member under subrule (4) offers to pay the membership fee after the period referred to in subrule (3) —
 - (a) the Executive Committee may, at its discretion, accept that payment; and
 - (b) if the payment is accepted, the membership is reinstated from the date the payment is accepted.

3.13 Register of Members and Executive Committee

- (1) The Secretary, or another person authorised by the Executive Committee, is responsible to maintain the register of members and record in that register any change in the membership of the Association within 28 days of the change occurring.
- (2) The register must include each Club/member's name and –
 - (a) a contact, postal, residential or email address of each member,
 - (b) the class of membership held by the member, and
 - (c) the date on which the Club/member became a member.
- (3) A record of Executive Committee members and other persons authorised to act on behalf of the Association is required to be maintained by the Secretary.
- (4) The register of Members and Executive Committee must be kept at the Secretary's place of residence, or at another place determined by the Committee.

3.14 Inspection of Register

- (1) Any Member can inspect the register free of charge, at a time and place mutually convenient to the Association and Member.
- (2) A Member must contact the Secretary and President to request the inspection.
- (3) The Member may make a copy of or take an extract from the register but shall have no right to remove the register for that purpose, provided they comply with the Privacy Act and Regulations.
- (4) The Executive Committee will require the Member to provide a statutory declaration setting out the purpose for which the copy or extract is required and declaring the purpose is connected to the affairs of the Association.
- (5) A Member must not use or disclose any information in the register for any purpose other than a purpose that:
 - (a) is directly connected to the affairs of the Association; or
 - (b) relates to the administration of the Act; or
 - (c) Complies with the Privacy Act.

PART 4 — MANAGEMENT

4.1 Executive Committee Powers

- (1) The Management of the Association shall be vested in an Executive Committee, hereafter called the Executive Committee.
- (2) Subject to the Act, these rules, the by-laws and any resolution passed at a General meeting, the Executive Committee has the power to do all things necessary or convenient to be done for the proper management of the affairs of the Association.

- (3) The Executive Committee must take all reasonable steps to ensure that the Association complies with the Act, these rules and the by-laws.
- (4) All Executive Committee members must be Members of the Association.

4.2 Executive Committee Members

- (1) The management of the Association shall be vested in the Executive Committee and consisting of the following Office Holder positions:
 - (a) President;
 - (b) Vice President;
 - (c) Secretary;
 - (d) Treasurer; and
- (2) at least three (3) and up to five (5) Directors.

4.3 Eligibility for Executive Committee

- (1) No Member Club may hold more than three (3) positions at any one time on the Executive Committee.
- (2) Employees of the Association are not eligible to hold a voting position on the Executive Committee.
- (3) The maximum number of Executive Committee members shall be nine (9).
- (4) A person may be an Executive Committee member if they are—
 - (a) aged over 18 years of age;
 - (b) are a Member as set out in rule 3.2;
 - (c) duly elected, as set out in rules 4.10 or 4.12, and
 - (d) are not disqualified from being an office holder of the Committee under Sections 39 and 40 of the Act.

4.4 Responsibilities of Executive Committee Members

- (1) An Executive Committee Member must exercise their powers and discharge their duties:
 - (a) with a degree of care and diligence that a reasonable person would exercise in the circumstances;
 - (b) in good faith in the best interests of the Association and for a proper purpose.
- (2) An Executive Committee Member or former Executive Committee Member must not improperly use information obtained because they are an Executive Committee Member to:
 - (a) gain an advantage for themselves or another person; or
 - (b) cause detriment to the Association.
- (3) An Executive Committee Member having any material personal interest in a matter being considered at an Executive Committee Meeting must:
 - (a) as soon as they become aware of that interest, disclose the nature and extent of their interest to the Committee; and
 - (b) agree with the Committee on the most appropriate manner to handle the disclosure of interest as set out in the by-laws; and
 - (c) must not be present when the matter is being considered at the meeting or vote on the matter; and
 - (d) ensure the nature and extent of the interest and how the interest relates to the activity of the Association is disclosed at the next General Meeting.
- (4) The Secretary must record every disclosure made by an Executive Committee Member under sub-rule (3) in the minutes of the Executive Committee Meeting at which the disclosure is made.
- (5) No Executive Committee Member shall make any public statement or comment or cause to be published any words or article concerning the conduct of the Association unless the person is

authorised to do so and such authority is recorded in the minutes of the Executive Committee Meeting.

- (6) No person shall be entitled to hold a position on the Executive Committee if the person has been convicted of, or imprisoned in the previous five years for:
- (a) an indictable offence in relation to the promotion, formation or management of a body corporate;
 - (b) an offence involving fraud or dishonesty punishable by imprisonment for a period of not less than three months; or
 - (c) an offence under Part 4 Division 3 (the duties of officers provisions) or Section 127 (the duty with respect to incurring of debt) of the Act; unless the person has obtained the consent of the Commissioner.
- (7) No person shall be entitled to hold a position on the Committee if the person is, according to the Interpretation Act Section 13D, a bankrupt or a person whose affairs are under insolvency laws unless the person has obtained the consent of the Commissioner.

4.5 Duties of President

- (1) The President has the following duties -
- (a) represent the Association;
 - (b) consult with the Secretary regarding the business to be conducted at each Committee meeting and General meeting;
 - (c) convene and preside at Executive Committee meetings and preside at Special and General meetings provided for in these rules;
 - (d) ensure that the minutes of General meetings and Executive Committee meeting are reviewed and signed as correct;
 - (e) report activities to the Members at the AGM;
 - (f) carry out any other duty under these rules or as requested by the Executive Committee.
- (2) In the absence of the President from an Executive Committee or General meeting, the Vice President shall sit in that position.
- (3) In the event of the Vice President not being present, any member of the Executive Committee may be appointed to the chair.

4.6 Duties of Secretary

The Secretary has the following duties, unless another person is authorised to do so —

- (a) deal with the Association's correspondence;
- (b) consult with the President regarding the business to be conducted at each Committee meeting and General meeting;
- (c) preparing the notices required for meetings and for the business to be conducted at meetings;
- (d) maintain the register of members, and recording in the register any changes in the membership;
- (e) maintain an up-to-date copy of these rules and the by-laws;
- (f) maintain a record of Committee members and other persons authorised to act on behalf of the Association;
- (g) ensure the safe custody of the books of the Association, other than the financial records, financial statements and financial reports;
- (h) maintain full and accurate minutes of Committee meetings and General meetings;
- (i) Provide Executive Committee members with a set of minutes of the Executive Committee meetings within ten (10) days of each meeting; and
- (j) carry out any other duty given to the Secretary under these rules or by the Executive Committee.

4.7 Duties of Treasurer

The Treasurer has the following duties, unless another person is authorised to do so —

- (a) ensure that any amounts payable to the Association are collected and issue receipts for those amounts in the Association's name;
- (b) pay all monies into such account or accounts of the Association as the Executive Committee from time to time direct;
- (c) ensure that any payments to be made by the Association that have been authorised by the Executive Committee or at a General meeting are made on time;
- (d) regularly report to the Executive Committee on the financial status and performance of the Association;
- (e) ensure that the Association complies with the relevant requirements of Part 5 of the Act;
- (f) ensure the safe custody of the Association's financial records, financial statements and financial reports;
- (g) coordinate the preparation of the Financial Statements of the Association prior to their submission to the Annual General meeting in accordance to the Association's tier level;
- (h) provide any assistance required by an auditor conducting and audit or review of the Associations financial statements or financial reports;
- (i) carry out any other duty given to the Treasurer under these rules or by the Executive Committee.

4.8 Duties of Vice President

The Vice President has the following duties -

- (a) oversee and ensure all sub-committees are responsible and accountable;
- (b) provide support and assistance to the President;
- (c) in the absence of the President, undertake all the roles and responsibilities of the President;
- (d) carry out any other duty given to the Vice President under these rules or by the Executive Committee.

4.9 Duties of Directors

The Directors have the following duties -

- (a) support the Executive Committee to oversee the Association, as set out in rule 5.1(5);
- (b) oversee and regularly report to the Executive Committee as the Chair of specific sub-committee's as set out in the bylaws; and
- (c) carry out any duties under these rules or as determined by the Executive Committee.

4.10 Term of Office

- (1) A member becomes an Executive Committee member if the Member —
 - (a) is elected to an Office Holder position at an Annual General Meeting; or
 - (b) is elected or appointed to a Director's position at an Annual General Meeting; or
 - (c) is appointed to fill a casual vacancy under rule 4.13.
- (2) All members of the Executive Committee, as Office Holders or Directors shall hold office for a one-year term, until the completion of the following Annual General Meeting.

4.11 Nomination of Executive Committee Members

- (1) The Secretary shall give at least fourteen (14) days' notice to Club/members of the date of the Annual General meeting and call for nominations for the Executive Committee positions.
- (2) A Member who wishes to be elected to the Executive Committee must send a nomination prior to or at the AGM, prior to the commencement of the meeting, indicating they wish to nominate for an Officer Holder position or a Director position.
- (3) If a member nominates for an Office Holder position and is unsuccessful in obtaining that role, they will automatically be nominated for an Executive Committee member role, if desired.

- (4) A nomination must be in writing in such form as is approved by the Committee from time to time and signed by the Member.
- (5) In the nomination form the Member must certify that they are eligible to be elected to the Committee in accordance with rule 4.3(4) and rules 4.4(6) and 4.4(7).

4.12 Election of Executive Committee – Office Holders and Directors

- (1) At the conclusion of each AGM, each Executive Committee member's term of office ends.
- (2) There must be a separate election for all positions on the Executive Committee.
- (3) No person may be elected to more than one position on the Executive Committee.
- (4) If the number of nominations received for each Executive Committee position is equal to the number of vacancies to be filled, the President must declare the Members elected to the position.
- (5) If the number of nominations received for the Executive Committee positions is less than the vacancies to be filled, the meeting may call for nominations from the Members attending the AGM.
- (6) If the number of nominations received for all Executive Committee positions is greater than the vacancies to be filled, the meeting must vote in accordance with procedures that have been determined by the Executive Committee to decide who is to be elected to the position.
- (7) A member who has nominated for a position may vote for themselves.
- (8) On the member's election, the new President of the Association may take over as the Chairperson of the meeting
- (9) Any person elected to the Executive Committee who has not completed a nomination in accordance with rule 4.11, must within 14 days confirm in writing to the Executive Committee their eligibility under rule 4.3(4) and rules 4.4(6) and 4.4(7).
- (10) If the person is not eligible, their appointment to the Executive Committee is deemed not to have taken place.

4.13 Vacancy on the Executive Committee

- (1) An Executive Committee Member's term of office ends and that office becomes vacant if the Committee Member:
 - (a) resigns from the Executive Committee by giving written notice to the Secretary or President;
 - (b) ceases to be a Member;
 - (c) dies;
 - (d) is, or becomes ineligible to act as a Executive Committee Member under rules 4.4(6) or 4.4(7);
 - (e) becomes physically or mentally incapable of performing the duties and the Executive Committee resolves that their office be vacated for that reason;
 - (f) is absent for more than two (2) consecutive meetings without a prior leave of absence; or
 - (g) is the subject of a special resolution passed by Members to terminate their appointment as an Executive Committee Member.
- (2) Under the Act the person, as soon as practicable after their membership ceases, must deliver to a member of the Executive Committee all the relevant documents and records they hold pertaining to the management of the Association's affairs.

4.14 Filling Casual Vacancies

- (1) The Executive Committee may appoint a member who is eligible to fill a position on the Executive Committee that —
 - (a) has become vacant; or
 - (b) was not filled by election at the most recent AGM.

- (2) The vacancy shall be filled until the next AGM of the Association.
- (3) Subject to the requirement for a quorum, the Executive Committee may continue to act despite any vacancy in its membership.
- (4) If there are fewer Committee members than required for a quorum under rule 1.5, the Executive Committee may act only for the purpose of —
 - (a) appointing Executive Committee members under this rule; or
 - (b) convening a General meeting.

4.15 Payment to Executive Committee and Sub-Committee Members

- (1) The Association must not pay fees to an Executive Committee Member for acting as an Executive Committee Member.
- (2) The Association may:
 - (a) consider and reimburse an Executive Committee Member or sub-committee member for out-of-pocket expenses properly incurred in connection with the Association's business; and
 - (b) such payments must be supported by appropriate documentation.
 - (c) Approval for payments under sub rule (a) must be approved in advance by the Executive.
 - (d) Consider an honorarium as approved by the Executive.

PART 5 – EXECUTIVE COMMITTEE MEETINGS

5.1 Executive Committee Meetings

- (1) The Executive Committee must meet not less than three (3) times in each year on the dates and at the times and places determined by the Executive Committee.
- (2) The date, time and place of the first Executive Committee meeting must be determined by the Executive Committee members as soon as practicable after the AGM at which the members are elected.
- (3) Additional Executive Committee meetings may be convened by the President or on the written request of three (3) Executive Committee members.

5.2 Notice of Executive Committee Meetings

- (1) Notice of each Executive Committee meeting must be given to each Executive Committee member at least seven (7) days before the time of the meeting.
- (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.
- (3) Unless sub-rule (4) applies, the only business that may be conducted at the meeting is the business described in the notice.
- (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.

5.3 Procedure and Order of Business

- (1) The President must preside as Chairperson of the Committee meeting.
- (2) If the President is absent or unwilling to act as Chairperson of a meeting, the Vice President shall act as Chairperson for the meeting.
- (3) If the President and Vice President are absent or unwilling to act as Chairperson, the remaining Executive Committee members will determine the Chairperson.
- (4) The procedure to be followed at an Executive Committee meeting will be determined from time to time by the Executive Committee.

- (5) The order of business at an Executive Committee meeting may be determined by the Committee members at the meeting.
- (6) A member or other person who is not an Executive Committee member may attend a meeting if invited to do so by the Executive Committee.
- (7) A person invited under sub-rule (6) to attend an Executive 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.

5.4 Quorum for Executive Committee Meetings

- (1) Subject to rule 4.14(4), no business is to be conducted at a Committee meeting unless a quorum is present.
- (2) At an Executive Committee meeting 50% plus one (or the lower whole number) of Executive Committee members constitute a quorum for the conduct of the business of an Executive Committee meeting, as set out in rule 1.5.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of an Executive Committee meeting —
 - (a) in the case of a Special Committee meeting — the meeting lapses; or
 - (b) otherwise, the meeting is adjourned to the same time, day and place in the following week or as otherwise determined by the President.
- (4) If —
 - (a) a quorum is not present within 30 minutes after the commencement time of an Executive Committee meeting held under sub-rule (3)(b); and
 - (b) at least 3 Executive Committee, including at least one office bearer, are present at the meeting,

those members present are taken to constitute a quorum.

5.5 Voting at Executive Committee Meetings

- (1) Each Executive Committee member present at an Executive Committee meeting has one vote on any question arising at the meeting.
- (2) The President shall be entitled to a deliberate vote and in the event of a tied vote, the motion is lost.
- (3) A vote may take place by the Executive Committee members present indicating their agreement or disagreement or by a show of hands, unless the presiding members decide that a secret ballot is needed to determine a decision.
- (4) If a secret ballot is needed the President, or the Chairperson (if not the President), of the meeting must decide how the ballot is to be conducted.

5.6 Minutes of Executive Committee Meetings

- (1) The Executive Committee must ensure that minutes are taken and kept of each Executive Committee meeting.
- (2) The minutes must record the following —
 - (a) the names of the Executive Committee members present at the meeting;
 - (b) the name of any other person attending the meeting;
 - (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;
 - (e) the disclosure of a Committee member's material personal interest in a matter being considered at a Committee meeting.

- (3) The President must ensure that the minutes of an Executive Committee meeting are reviewed and passed as correct by —
 - (a) the Chairperson of the meeting; or
 - (b) the Chairperson of the next Committee meeting.
- (4) When the minutes of an Executive Committee meeting have been passed 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.

5.7 Use of Technology for the Executive Committee

- (1) The presence of an Executive Committee Member at an Executive Committee meeting need not be by attendance in person but may be by that Executive Committee Member being simultaneously in contact by telephone or other means of instantaneous communication.
- (2) An Executive Committee Member who participates in an Executive Committee meeting as allowed under sub-rule (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.

5.8 Sub-Committees and Subsidiary Offices

- (1) To help the Executive Committee in the conduct of the Association's business the Executive Committee may, in writing, do either or both of the following —
 - (a) appoint one or more sub-committees;
 - (b) create one or more subsidiary offices and appoint people to those offices.
- (2) A sub-committee may consist of the number of people, whether or not members, that the Executive Committee considers appropriate.
- (3) Each sub-committee must include at least one member of the Executive Committee, who shall have no voting rights on the sub-committee.
- (4) A person may be appointed to a subsidiary office, whether or not the person is a member.
- (5) Subject to any directions given by the Executive Committee —
 - (a) a sub-committee may meet and conduct business as it considers appropriate; and
 - (b) the holder of a subsidiary office may carry out the functions given to the holder as determined in the by-laws.
- (6) The roles and responsibilities of any sub-committees shall be set out in the by-laws.

5.9 Delegation to Sub-Committees and Holders of Subsidiary Offices

- (1) In this rule —

non-delegable duty means a duty imposed on the Committee by the Act or another written law.

- (2) The Executive Committee may, in writing, delegate to a sub-committee or the holder of a subsidiary office the exercise of any power or the performance of any duty of the Executive Committee other than —
 - (a) the power to delegate; and
 - (b) a non-delegable duty.
- (3) A power or duty, the exercise or performance of which has been delegated to a sub-committee or the holder of a subsidiary office under this rule, may be exercised or performed by the sub-committee or holder in accordance with the terms of the delegation.
- (4) The delegation may be made subject to any conditions, qualifications, limitations or exceptions that the Executive Committee specifies in the document by which the delegation is made.

- (5) The delegation does not prevent the Executive Committee from exercising or performing at any time the power or duty delegated.
- (6) Any act or thing done by a sub-committee or by the holder of a subsidiary office, under the delegation has the same force and effect as if it had been done by the Executive Committee.
- (7) The Executive Committee may, in writing, amend or revoke the delegation.

PART 6 – GENERAL MEETINGS

6.1 Annual General Meeting (AGM)

- (1) The Executive Committee must determine the date, time and place of the Annual General meeting, within two months of the end of the Association's financial year.
- (2) At each AGM the Association must —
 - (a) confirm the minutes of the previous Association's AGM and of any Special general meeting held since then if the minutes of that meeting have not yet been confirmed;
 - (b) receive and consider the annual report on the Associations activities during the preceding financial year; and
 - (i) if a Tier 1 Association, receive the financial statements of the Association for the preceding financial year;
 - (ii) if a Tier 2 Association or a Tier 3 Association, receive the financial report for the preceding financial year;
 - (c) 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;
 - (d) elect the Executive Committee Members – Office Bearers and Directors;
 - (e) confirm the Club Member delegates;
 - (f) vote on any Life membership nominations;
 - (g) appoint or remove an auditor for the following 12 months in accordance with the Act (if required); and
 - (h) any other business of which notice has been given in accordance with these rules may be conducted at the AGM.

6.2 Notice of General Meetings

- (1) A General meeting will be held at least two (2) times during the year (including the Annual General Meeting) on the dates and at the times and places determined by the Executive Committee.
- (2) The Secretary or, in the case of a Special General meeting convened under rule 6.3, the members convening the meeting, must give to each member —
 - (a) at least 14 days' notice of a General meeting or Special General meeting.
- (3) 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 a special resolution is proposed —
 - (iii) set out the wording of the proposed resolution as required by Section 51(4) of the Act; and
 - (iv) state that the resolution is intended to be proposed as a special resolution; and
 - (v) be passed by not less than 75% of the members who are present and eligible to vote at the meeting.

6.3 Special General Meetings

- (1) The Executive Committee may convene a Special General meeting.

- (2) The Executive Committee must convene a Special General meeting if at least three (3) Member Clubs request in writing, a Special General meeting to be convened.
- (3) The Clubs/members requiring a Special General meeting to be convened must —
 - (a) make the requirement by written notice given to the Secretary; and
 - (b) state in the notice the special resolution to be considered at the meeting; and
 - (c) each sign the notice.
- (4) The Special General meeting must be convened within fourteen (14) days after notice is given under sub-rule (3).
- (5) If the Executive Committee does not convene a Special General meeting within that 14-day period, the members making the requirement (or any of them) may convene the Special General meeting.
- (6) A Special General meeting convened by members under sub-rule (5) —
 - (a) must be held within 2 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.
- (7) A special resolution may be moved either at a Special General meeting or at an AGM, but all members must be given not less than 14-days' notice of the meeting in which a special resolution is to be proposed.
- (8) The special resolution must be passed by not less than 75% of the Members who are present and eligible to vote at the meeting.

6.4 Presiding Member and Quorum for General Meetings

- (1) The President will preside as Chairperson of any General meeting.
- (2) If the President is not available, the Vice President shall act as Chairperson for the meeting.
- (3) No business is to be conducted at a General meeting unless a quorum is present.
- (4) At a General meeting, ten (10) members, including at least 50% of Member Clubs present will constitute a quorum for the conduct of business at a General meeting, as set out in rule 1.4.
- (5) If a quorum is not present within 30 minutes after the notified commencement time of a General meeting —
 - (a) Where the meeting is convened on the requisition of members, the meeting must be automatically dissolved; and
 - (b) In any other case:
 - (i) the meeting stands adjourned to a day, time and place as the Executive Committee decides, or at the same time and day in the following week; and
 - (ii) if no quorum is present at the resumed meeting within 30 minutes after the appointed time, provided at least 8 voting members are present at the resumed meeting, they will be taken to constitute a quorum.

6.5 Proxies

No proxy votes will be considered at General meeting, Special meetings or Executive Committee meetings.

6.6 Adjournment of General Meeting

- (1) The Chairperson of a General meeting at which a quorum is present may, with the consent of the majority of the members present at the meeting, adjourn the meeting to another time at the same place or at another place.
- (2) Without limiting sub-rule (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.

- (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.

6.7 Voting at Meetings

- (1) Each Member Club may have up to two (2) delegates present with one voting right at General Meetings, as set out in rule 3.4;
- (2) Each Life Member is entitled to one (1) vote at General Meetings;
- (3) Each Executive Committee member is entitled to one (1) vote at General meetings and all Executive Committee meetings;
- (4) In the event of a tied vote at any meeting, the motion is lost.

6.8 Minutes of General Meeting

- (1) The Secretary, or a person authorised by the Committee from time to time, must take and keep minutes of each General meeting.
- (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.
- (3) The President must ensure that the minutes of a General meeting are reviewed and passed as correct by —
 - (a) the Chairperson of the meeting; or
 - (b) the Chairperson of the next General meeting.
- (4) When the minutes of a General meeting have been passed 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.
- (5) The minutes of a General meeting must be entered into a minute book or in an electronic format and distributed to members within 30 days after the meeting is held.

6.9 When Special Resolutions Are Required

- (1) A special resolution must be moved at a General meeting where notice of the special resolution has been given.
- (2) A special resolution is required if it is proposed at a General meeting —
 - (a) to affiliate the Association with another body; or
 - (b) amend the name of the Association; or
 - (c) amend the rules; or
 - (d) voluntarily wind up the Association; and
 - (e) cancel incorporation.
- (3) Sub-rule (1) does not limit the matters in relation to which a special resolution may be proposed.
- (4) Notice of a special resolution must:
 - (a) be in writing;
 - (b) include the place, date and time of the meeting;
 - (c) include the intention to propose a special resolution; and
 - (d) give notice to all members.

PART 7 — DISCIPLINARY ACTION, DISPUTES AND MEDIATION

7.1 Disciplinary Action

- (1) Where the Executive Committee is advised or considers that a Member has allegedly –
 - (a) breached, failed, refused or neglected to comply with a provision of this Constitution or the by-laws, codes of conduct or any resolution or determination of the Executive Committee; or
 - (b) acted in a manner unbecoming of a Member or prejudicial to the objects and interests of the Association and/or the sport of hockey; or
 - (c) brought the Association into disrepute;

the Executive Committee may commence or cause to be commenced disciplinary proceedings against that Member.

- (2) The Member will be subject to, and submits unreservedly to the jurisdiction, procedures, penalties and appeal mechanisms as set out in the by-laws.

7.2 Consequences of Suspension

- (1) A Member whose Membership is suspended or who is expelled from the Association will be given written notice of the outcome.
- (2) During the period a member's membership is suspended, the member —
 - (a) loses any rights (including voting rights) arising as a result of membership; and
 - (b) is not entitled to a refund, rebate, relief or credit for membership fees paid, or payable, to the Association.
- (3) When a member is suspended, the Secretary must record in the register —
 - (a) the date on which the suspension takes effect; and
 - (b) the period of the suspension.
- (4) When the period of the suspension ends, the Secretary must record in the register of members that the member's membership is no longer suspended.

7.3 Internal Dispute Resolution

- (1) Disputes between Members (in their capacity as members) are to be referred to preliminary mediation as determined by the Executive Committee;
- (2) 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.
- (3) As soon as a complaint or grievance comes to the notice of an Executive Committee member, the Executive Committee may appoint a person, or persons, to discuss the matter in the first instance with the complainant, or complainants, to try to ensure that the matter does not escalate to a more serious dispute.
- (4) Where preliminary mediation results in an unsatisfactory outcome, disputes between members (in their capacity as members), and disputes between members and the Association are to be referred to Hockey WA or another similar regional or state affiliated body for mediation.

7.4 Appointment of a Mediator

- (1) The mediator must be a person chosen —
 - (a) if the appointment of a mediator was requested; and
 - (b) by agreement between the Member and the Executive Committee; or
 - (c) by agreement between the parties to the dispute.
- (2) If there is no agreement, then the Executive Committee must appoint the mediator.

- (3) The person appointed as mediator must be
 - (a) a person who acts as a mediator for a similar not-for-profit body; or
 - (b) is recommended by Hockey WA or another key stakeholder agency; and
 - (c) must not have a personal interest in the matter that is subject of the mediation; or
 - (d) unbiased of or against any party of the mediation.

7.5 Mediation Process

- (1) The parties to the mediation must attempt in good faith to settle the matter that is the subject of the mediation.
- (2) Each party to the mediation must give the mediator a written statement of the issues that need to be considered at the mediation at least seven (7) days before the mediation takes place.
- (3) In conducting the mediation, the mediator must —
 - (a) give each party to the mediation every opportunity to be heard; and
 - (b) allow each party to the mediation to give due consideration to any written statement given by another party; and
 - (c) ensure that natural justice is given to the parties to the mediation throughout the mediation process.
- (4) The mediator cannot determine the matter that is the subject of the mediation.
- (5) The mediation must be confidential, and any information given at the mediation cannot be used in any other proceedings that take place in relation to the matter that is the subject of the mediation.
- (6) The costs of the mediation are to be paid by the party or parties to the mediation that requested the appointment of the mediator.

7.6 If Mediation Results in Decision to Suspend or Expel Being Revoked

If —

- (a) mediation takes place because a Member whose Membership is suspended or who is expelled from the Association under 7.2 (1) gives notice; and
- (b) as the result of the mediation, the decision to suspend the Member's Membership or expel the Member is revoked,

that revocation does not affect the validity of any decision made at a Executive Committee meeting or General Meeting during the period of suspension or expulsion.

PART 8 — FINANCIAL MATTERS

8.1 Financial Year

The Association's financial year will be the period of 12 months commencing on 1 October and ending on 30 September of the following year.

8.2 Source of Funds

The funds of the Association may be derived from membership fees, levy's, donations, sponsorship, fundraising activities, grants, interest and any other sources approved by the Executive Committee.

8.3 Control of Funds

- (1) The Association funds must be kept in 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.
- (2) Subject to any restrictions imposed at a General meeting, the Executive Committee may approve expenditure on behalf of the Association.

- (3) The Executive Committee may authorise the Treasurer to expend funds on behalf of the Association up to a specified set limit, without requiring approval from the Executive Committee for each item on which the funds are expended, as set out in the bylaws.
- (4) The authorised signatories to the account are to be:
 - (a) the Treasurer and
 - (b) the President; and
 - (c) the Secretary.
- (5) Excluding sub-rule (3) all financial transactions of the Association must be approved by -
 - (a) At least two of the authorised signatories in sub-rule (4).
- (6) All funds of the Association must be deposited into the Association's account within 10 working days after their receipt.

8.4 Financial Statements and Financial Reports

- (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.
- (2) Without limiting sub-rule (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 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 AGM 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.
- (3) Under Section 66 of the Act, an Association must keep financial records that:
 - (a) correctly record and explain its transactions and financial position and performance; and
 - (b) enable true and fair financial statements to be prepared in accordance with Part 5 Division 3 of the Act.
- (4) The Association must retain its financial records for at least seven (7) years after the transactions are completed.

8.5 Auditor

- (1) At the AGM the members shall appoint an auditor at such remuneration as they determine.
- (2) The auditor shall examine the books, accounts, receipts and other financial records of the Association for the year in which they are appointed, and report to the following AGM.

PART 9 — GENERAL MATTERS

9.1 Giving Notices to Members

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 electronic transmission to an appropriate recorded number or recorded electronic address of the member.

9.2 Custody of Books and Securities

- (1) Subject to sub-rule (2), the books and any securities of the Association must be kept in the Secretary's custody or under the Secretary's control.
- (2) The financial records and, as applicable, the financial statements or financial reports of the Association must be kept in the Treasurer's custody or under the Treasurer's control.
- (3) Sub-rules (1) and (2) have effect except as otherwise decided by the Executive Committee.
- (4) The books and securities of the Association must be retained for at least seven (7) years.

9.3 Inspection of Records and Documents

- (1) Subject to sub-rule (3), a Member can inspect the books of the Association free of charge at a time and place that is mutually convenient to the Association and Member.
- (2) The Member must contact the Secretary to make the necessary arrangements to inspect -
 - (a) the register of members under section 54(1) of the Act; or
 - (b) the record of the names and addresses of Executive Committee members, and other persons authorised to act on behalf of the Association; or
 - (c) any other record or document of the Association.
- (3) If the Member wants to inspect a document that records the minutes of an Executive Committee meeting, the right to inspect that document is subject to any decision the Executive Committee has made about minutes of meetings generally, or the minutes of a specific Executive Committee meeting, being available for inspection by Members.
- (4) The Member may make a copy of or take an extract from a record or document referred to in sub-rules (2)(a) and (b) but does not have a right to remove the record or document for that purpose.

9.4 Executing Documents and Common Seal

- (1) The Association may execute a document without using a common seal if the document is signed by:
 - (a) the President, and
 - (b) at least one Executive Committee member or person authorised by the Executive Committee.
- (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 Executive Committee and in the presence of —
 - (i) 2 Executive Committee members; or
 - (ii) one Executive Committee member and a person authorised by the Executive Committee.
- (3) The Secretary must make a written record of each use of the common seal.
- (4) The common seal must be kept in the custody of the Secretary or another person authorised by the Executive Committee.

9.5 Indemnification

Every committee member, employee and volunteer of the club shall be indemnified out of the property of the Club, against any liability incurred by that person in the capacity of committee member, employee or volunteer in defending any proceedings, whether civil or criminal in which judgement is given in favour of that person or in which that person is acquitted.

9.6 Cancellation and Distribution of Surplus Property

- (1) The Association may cease its activities and have its incorporation cancelled in accordance with the Act if the members resolve by special resolution that the Association will:

- (a) apply to the Commissioner for cancellation of its incorporation; or
 - (b) appoint a liquidator to wind up its affairs.
- (2) The Association must be wound up under Section 30(a) and Part 9 of the Act before cancellation can take place if it has outstanding debts or any other outstanding legal obligations or is a party to any current legal proceedings.
- (3) If upon the winding up or dissolution of the Association there remains after satisfaction of all its debts and liabilities any property whatsoever, the surplus property must be given or transferred to another incorporated association, which
 - (a) has similar objects, and
 - (b) which is not-for-profit, and
 - (c) as determined by special resolution of the members.

9.7 By-Laws

- (1) The Executive Committee may formulate, issue, adopt, interpret and amend additional by-laws for the proper advancement, management and administration of the Association, the advancement of the Objects and as it thinks necessary or desirable from time to time.
- (2) Such by-laws must be consistent with the Act, the regulations and these rules.
- (3) All by-laws made shall be binding on the Clubs/members of the Association.
- (4) At the request of a Club/member, the Association must make a copy of the by-laws available for inspection or direct the Club/member to the appropriate electronic site for them to be viewed at no charge.

9.8 Alteration of Rules

- (1) No repeals of any existing rules and no new rules or alteration, amendments or suspensions of a rule shall be valid unless a special resolution is carried by a 75% majority of members present and with voting rights at an Annual General Meeting or Special General Meeting.
- (2) Notices of motions to repeal, alter or suspend any rule shall be given to the Secretary at least twenty-one (21) days preceding the Annual or Special General Meeting at which the motion shall be presented.
- (3) The Secretary shall exhibit the proposal through the Association notice board at least fourteen (14) days prior to such meeting.
- (4) As soon as is practical after the making of any proposals for a change to the Constitution, the Secretary shall provide to the Director of Liquor Licensing, certified particulars of the change proposed. No effect will be given to the amendments without the approval of this department.
- (5) Within one month after the making of any amendment or addition to the rules of the Association, passed by special resolution, the Committee shall send or deliver the required documents and a certified copy of the amendment or alteration to the relevant departments.

END

