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**ROOTY HILL RSL HOCKEY CLUB INCORPORATED**

**CONSTITUTION & BY-LAWS (2023)**

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Name

The name of The Club shall be Rooty Hill RSL Hockey Club, Inc. (hereinafter called "The Club")

Objects

The objects of The Club shall be:

1. To promote, foster, control, and manage the game of Hockey
2. To select and manage Club Competition Teams
3. To do all such other lawful things as are incidental to, or which The Club may think conducive to the attainment of these objects

 Part 1 Preliminary

1. Definitions
	1. In this constitution:

***By-laws*** means the By-Laws appended to these rules as amended from time to time

***Club Member*** means a non-playing person who has paid the required fees to the club, as stipulated by the Management Council

***Committee Member*** means an office-bearer or ordinary committee member.

***Delegate*** means a club member who is registered with Nepean Hockey Association, Inc.

***exercise*** a function includes perform a duty.

***function*** includes a power, authority, or duty.

***Hockey*** means the game of hockey and includes field hockey and indoor hockey

***HNSW*** means Hockey New South Wales Limited

***Junior Member*** means a financial member of age less than 18 years. Junior Members are ineligible to vote or hold any office in the Executive or Management Council. This is in exception to the Leadership Training Program

***Leadership Training Program*** means a Junior Member may hold a position in the Management Council as an assistant being trained by the Club Coach or a Prior approved person. This position is under the direct control of the Executive and management council. This role does not permit voting at a management council for members under 18 years.

***Life Member*** means a person who has been granted Life Membership of The Club in accordance with the By-Laws

***Notice*** means notice in writing signed by a member of the Executive

***office-bearer*** means a committee member who is elected to an office referred to in clause 14(1)(a)(i) - (iv).

***ordinary committee member*** means a committee member who is not an office-bearer.

***register of members*** means the register of members maintained under clause 4.

***secretary***, of the association, means:

* + 1. the person holding office under this constitution as secretary, or
		2. if no person holds that office -the public officer of the club.

***special general meeting***, of the Club, means a general meeting of the club other than an annual general meeting.

***subcommittee*** means a subcommittee established under clause 20.

***the Act*** means the *Clubs Incorporation Act 2009*.

***the Regulation*** means the *Clubs Incorporation Regulation 2022*.

**Note:** The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this constitution.

* 1. The *Interpretation Act 1987* applies to this constitution as if it were an instrument made under the Act.

**Note:** The Act, Part 4 deals with various matters relating to the management of associations.

Part 2 Members of The Club

1. Membership generally
2. An individual is taken to be a member of the club if:
	* 1. the person applied to be a member under clause 3(1) and the application has been approved, or
		2. the person was 1 of the individuals on whose behalf an application for registration of the Club was made under the Act, section 6(1)(a), or
		3. the person was:
			1. for an unincorporated body registered as the club - a member of the body immediately before the registration, or
			2. for a registrable corporation registered as the club - a member of the corporation immediately before the registration, or
			3. for a club that was amalgamated to form the relevant club - a member of the existing club immediately before the amalgamation.
3. Membership applications
4. An application by a person to be a member of The Club must be:
5. made in writing, and
6. in the form determined by the committee, and
7. lodged with the secretary.
8. The committee may determine that an application may be made or lodged by email or other electronic means.
9. The secretary must refer an application to the committee as soon as practicable after receiving the application.
10. The committee must approve or reject the application.
11. As soon as practicable after the committee has decided the application, the secretary must:
12. give the applicant written notice of the decision, including by email or other electronic means if determined by the committee, and
13. if the application is approved - inform the applicant that the applicant is required to pay the entrance fee and annual subscription fee payable under clause 5 within 28 days of the day the applicant received the notice.
14. The secretary must enter the applicant’s name in the register of members as soon as practicable after the applicant pays the entrance fee and annual subscription fee in accordance with subclause (5)(b).
15. The applicant becomes a member once the applicant’s name is entered in the register.
16. Register of members
17. The secretary must establish and maintain a register of members of the club.
18. The register:
19. may be in written or electronic form, and
20. must include, for each member:
21. the member’s full name, and
22. a residential, postal or email address, and
23. the date on which the person became a member, and
24. if the person ceases to be a member - the date on which the person ceased to be a member, and
25. must be kept in New South Wales:
26. at The Club’s main premises, or
27. if the club has no premises - at The Club’s official address, and
28. must be available for inspection, free of charge, by members at a reasonable time, and
29. if kept in electronic form -must be able to be converted to hard copy.
30. If the register is kept in electronic form, the requirements in subclause (2)(c) and (d) apply as if a reference to the register is a reference to a current hard copy of the register.
31. A member may obtain a hard copy of the register, or a part of the register, on payment of a fee of not more than $1, as determined by the committee, for each page copied.
32. Information about a member, other than the member’s name, must not be made available for inspection if the member requests that the information not be made available.
33. A member must not use information about a member obtained from the register to contact or send material to the member, unless:
34. the information is used to send the member:
35. a newsletter, or
36. a notice for a meeting or other event relating to the club, or
37. other material relating to the club, or
38. it is necessary to comply with a requirement of the Act or the Regulation.
39. Fees and subscriptions
40. The entrance fee to be paid to the club by a person whose application to be a member of the club has been approved is:
41. $1, or
42. another amount determined by the committee.
43. A member must pay to the Club an annual subscription fee of $2, or another amount determined by the committee:
44. if the member becomes a member on or after the first day of the financial year of the club in a calendar year:
45. in accordance with clause 3(5)(b), and
46. before the first day of the financial year of the club in each subsequent calendar year, or
47. otherwise - before the first day of the financial year of the club in each calendar year.
48. Members’ liabilities

The liability of a member of The Club to contribute to the payment of either of the following is limited to the amount of any outstanding fees for the member under clause 5:

1. the debts and liabilities of The Club,
2. the costs, charges, and expenses of the winding up of The Club.
3. Disciplinary action against members
4. A person may make a complaint to the committee that a member of The Club has:
5. failed to comply with a provision of this constitution, or
6. willfully acted in a way prejudicial to the interests of the club.
7. The committee may refuse to deal with a complaint if the committee considers the complaint is trivial or vexatious.
8. If the committee decides to deal with the complaint, the committee must:
9. serve notice of the complaint on the member, and
10. give the member at least 14 days from the day the notice is served on the member within which to make submissions to the committee about the complaint, and
11. consider any submissions made by the member.
12. The committee may, by resolution, expel the member from The Club or suspend the member’s membership if, after considering the complaint, the committee is satisfied that:
13. the facts alleged in the complaint have been proved, and
14. the expulsion or suspension is warranted.
15. If the committee expels or suspends the member, the secretary must, within 7 days of that action being taken, give the member written notice of:
16. the action taken, and
17. the reasons given by the committee for taking the action, and
18. the member’s right of appeal under clause 8.
19. The expulsion or suspension does not take effect until the later of the following:
20. the day the period within which the member is entitled to exercise the member’s right of appeal expires, or
21. if the member exercises the member’s right of appeal within the period - the day the club confirms the resolution under clause 8.
22. Right of appeal against disciplinary action
23. A member may appeal against a resolution of the committee under clause 7 by lodging a notice of appeal with the secretary within 7 days of being served notice of the resolution.
24. The member may include, with the notice of appeal, a statement of the grounds on which the member intends to rely for the purposes of the appeal.
25. The secretary must notify the committee that the secretary has received a notice of appeal.
26. If notified that a notice has been received, the committee must call a general meeting of the club to be held within 28 days of the day the notice was received.
27. At the general meeting:
28. no business other than the question of the appeal is to be transacted, and
29. the member must be given an opportunity to state the member’s case orally or in writing, or both, and
30. the committee must be given the opportunity to state the committee’s case orally or in writing, or both, and
31. the members present must vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
32. The appeal is to be determined by a simple majority of votes cast by the members.
33. Resolution of internal disputes
34. The following disputes must be referred to a Community Justice Centre within the meaning of the *Community Justice Centres Act 1983* for mediation:
35. a dispute between 2 or more members of the club, but only if the dispute is between the members in their capacity as members, or
36. a dispute between 1 or more members and the association.
37. If the dispute is not resolved by mediation within 3 months of being referred to the Community Justice Centre, the dispute must be referred to arbitration.
38. The *Commercial Arbitration Act 2010* applies to a dispute referred to arbitration.
39. Membership entitlements not transferable

A right, privilege, or obligation that a person has because the person is a member of the association:

1. cannot be transferred to another person, and
2. terminates once the person ceases to be a member of the club.
3. Member resignation
4. A member of the club may resign from being a member by giving the secretary written notice of at least 1 month, or another period determined by the committee, of the member’s intention to resign.
5. The member ceases to be a member on the expiration of the notice period.
6. Cessation of membership

A person ceases to be a member of the club if the person:

1. dies, or
2. resigns from being a member, or
3. is expelled from the club, or
4. fails to pay the annual subscription fee payable under clause 5(2) within 3 months of the due date.

Part 3 Committee

## Division 1 Constitution

1. Functions of committee

Subject to the Act, the Regulation, this constitution, and any resolution passed by The Club in general meeting, the committee:

1. is to control and manage the affairs of The Club, and
2. may exercise all the functions that may be exercised by The Club, other than a function that is required to be exercised by The Club in general meeting, and
3. has power to do all things that are necessary or convenient to be done for the proper management of the affairs of the club.
4. Composition of committee
5. The committee must have 7 members, as elected in accordance with clause 15, consisting of:
6. the following office-bearers:
7. the president,
8. the vice-president,
9. the secretary,
10. the treasurer, and
11. at least 3 ordinary committee members.

**Note -** The Act, section 28 contains requirements relating to membership eligibility and composition of the committee.

1. An office-bearer may hold up to 2 offices, other than both the offices of president and vice-president.
2. Election of committee members
3. Any member of The Club may be nominated as a candidate for election as an office-bearer or ordinary committee member.
4. The nomination must be:
5. made in writing, and
6. signed by at least 2 members of the club, not including the candidate, and
7. accompanied by the written consent of the candidate to the nomination, and
8. given to the secretary at least 7 days before the date fixed for the annual general meeting at which the election is to take place.
9. If insufficient nominations are received to fill all vacancies:
10. the candidates nominated are taken to be elected, and
11. a call for further nominations must be made at the meeting.
12. A nomination made at the meeting in response to a call for further nominations must be made in the way directed by the member presiding at the meeting.
13. Vacancies that remain after a call for further nominations are taken to be casual vacancies.
14. If the number of nominations received is equal to the number of vacancies to be filled, the members nominated are taken to be elected.
15. If the number of nominations received is more than the number of vacancies to be filled, a ballot must be held at the meeting in the way directed by the committee.
16. Terms of office
17. Subject to this constitution, a committee member holds office from the day the member is elected until immediately before the next annual general meeting.
18. A member is eligible, if otherwise qualified, for re-election.
19. There is no limit on the number of consecutive terms for which a committee member may hold office.
20. Vacancies in office
21. A casual vacancy in the office of a committee member arises if the member:
22. dies, or
23. ceases to be a member of the club, or
24. resigns from office by written notice given to the secretary, or
25. is removed from office by the club under this clause, or
26. is absent from 3 consecutive meetings of the committee without the consent of the committee, or
27. becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
28. is prohibited from being a director of a company under the *Corporations Act 2001* of the Commonwealth, Part 2D.6, or
29. is convicted of an offence involving fraud or dishonesty for which the maximum penalty is imprisonment for at least 3 months, or
30. becomes a mentally incapacitated person.
31. The club in general meeting may, by resolution:
32. remove a committee member from office at any time, and
33. appoint another member of the club to hold office for the balance of the committee member’s term of office.
34. A committee member to whom a proposed resolution referred to in subclause (2) relates may:
35. give a written statement, of a reasonable length, to the president or secretary, and
36. request that the committee send a copy of the statement to each member of the association at least 7 days before the general meeting at which the proposed resolution will be considered.
37. If the committee fails to send a copy of a statement received under subclause (3)(a) to each member in accordance with a request made under subclause (3)(b), the statement must be read aloud by the member presiding at the general meeting at which the proposed resolution will be considered.
38. The committee may appoint a member of the club to fill a casual vacancy other than a vacancy arising from the removal from office of a committee member.
39. Subject to this constitution, a member appointed to fill a casual vacancy holds office until the next annual general meeting.
40. Secretary
41. As soon as practicable after being elected as secretary, the secretary must lodge a notice with the club specifying the secretary’s address.
42. The secretary must keep minutes of:
43. all elections of committee members, and
44. the names of committee members present at a meeting of the committee or a general meeting, and
45. all proceedings at committee meetings and general meetings.
46. The minutes must be:
47. kept in written or electronic form, and
48. for minutes of proceedings at a meeting -signed, in writing or by electronic means, by:
49. the member who presided at the meeting, or
50. the member presiding at the subsequent meeting.
51. Treasurer

The treasurer of the club must ensure—

1. all money owed to the club is collected, and
2. all payments authorised by the club are made, and
3. correct books and accounts are kept showing the financial affairs of the club, including full details of receipts and expenditure relating to The Club’s activities.
4. Delegation to subcommittees
5. The committee may:
6. establish 1 or more subcommittees to assist the committee to exercise the committee’s functions, and
7. appoint 1 or more members of The Club to be the members of the subcommittee.
8. The committee may delegate to the subcommittee the exercise of the committee’s functions specified in the instrument, other than:
9. this power of delegation, or
10. a duty imposed on the committee by the Act or another law.

**Note:** The *Interpretation Act 1987*, section 49 deals with various matters relating to delegations.

Division 2 Procedure

21 Committee meetings

1. The committee must meet at least 3 times in each 12-month period at the place and time determined by the committee.
2. Additional meetings of the committee may be called by any committee member.
3. The procedure for calling and conducting business at a meeting of a subcommittee is to be as determined by the subcommittee.

**Note:** The Act, section 30(1) provides that committee meetings may be held as and when the association’s constitution requires.

22 Notice of committee meeting

1. The secretary must give each committee member oral or written notice of a meeting of the committee at least 48 hours, or another period on which the committee members unanimously agree, before the time the meeting is due to commence.
2. The notice must describe the general nature of the business to be transacted at the meeting.
3. The only business that may be transacted at the meeting is:
4. the business described in the notice, and
5. business that the committee members present at the meeting unanimously agree is urgent business.
6. Quorum
7. The quorum for a meeting of the committee is 3 committee members.
8. No business may be transacted by the committee unless a quorum is present.
9. If a quorum is not present within half an hour of the time the meeting commences, the meeting is adjourned:
10. to the same place, and
11. to the same time of the same day in the following week.
12. If a quorum is not present within half an hour of the time the adjourned meeting commences, the meeting is dissolved.
13. If the number of committee members is less than the number required to constitute a quorum for a committee meeting, the committee members may appoint 1 or more members of The Club as committee members to enable the quorum to be constituted.
14. A committee member appointed under subclause (5) holds office, subject to this constitution, until the next annual general meeting.
15. This clause does not apply to the filling of a casual vacancy to which clause 17 applies.

**Note:** The Act, section 28A provides for the filling of vacancies on the committee to constitute a quorum.

1. Presiding committee member
2. The following committee member presides at a meeting of the committee:
3. the president,
4. if the president is absent - the vice-president,
5. if both the president and vice-president are absent - 1 of the members present at the meeting, as elected by the other members.
6. The member presiding at the meeting has:
7. a deliberative vote, and
8. in the event of an equality of votes - a second or casting vote.
9. Voting

A decision supported by a majority of the votes cast at a meeting of the committee or a subcommittee at which a quorum is present is the decision of the committee or subcommittee.

1. Acts valid despite vacancies or defects
2. Subject to clause 23(1), the committee may act despite there being a casual vacancy in the office of a committee member.
3. An act done by a committee or subcommittee is not invalidated because of a defect relating to the qualifications or appointment of a member of the committee or subcommittee.
4. Transaction of **business outside meetings or by telephone** or other means
5. The committee may transact its business by the circulation of papers, including by electronic means, among all committee members.
6. If the committee transacts business by the circulation of papers, a written resolution, approved in writing by a majority of committee members, is taken to be a decision of the committee made at a meeting of the committee.
7. The committee may transact its business at a meeting at which 1 or more committee members participate by telephone or other electronic means, provided a member who speaks on a matter can be heard by the other members.
8. The member presiding at the meeting and each other member have the same voting rights as they would have at an ordinary meeting of the committee for the purposes of:
9. the approval of a resolution under subclause (2), or
10. a meeting held in accordance with subclause (3).
11. A resolution approved under subclause (2) must be recorded in the minutes of the meetings of the committee.

**Note:** The Act, section 30(2) and (3) contains requirements relating to meetings held at 2 or more venues using technology.

Part 4 General meetings of association

1. Annual general meetings
2. The Club must hold the club’s first annual general meeting within 18 months of the day the club was registered under the Act.
3. The Club must hold subsequent annual general meetings within:
4. 6 months of the last day of the club’s financial year, or
5. the later period allowed or prescribed in accordance with the Act, section 37(2)(b).
6. Subject to the Act and subclauses (1) and (2), the annual general meeting is to be held at the place and time determined by the committee.
7. The business that may be transacted at an annual general meeting includes the following:
8. confirming the minutes of the previous annual general meeting and any special general meetings held since the previous annual general meeting,
9. receiving reports from the committee on The Club’s activities during the previous financial year,
10. electing office-bearers and ordinary committee members,
11. receiving and considering financial statements or reports required to be submitted to members of the club under the Act.

**Note:** The Act, section 37(1) and (2) provides for when annual general meetings must be held.

1. Special general meetings
2. The committee may call a special general meeting whenever the committee thinks fit.
3. The committee must call a special general meeting if the committee receives a request made by at least 5% of the total number of members.
4. The request:
5. must be in writing, and
6. must state the purpose of the meeting, and
7. must be signed by the members making the request, and
8. may consist of more than 1 document in a similar form signed by 1 or more members, and
9. must be lodged with the secretary, and
10. may be in electronic form and signed and lodged by electronic means.
11. If the committee fails to call a special general meeting within 1 month of the request being lodged, 1 or more of the members who made the request may call a special general meeting to be held within 3 months of the date the request was lodged.
12. A special general meeting held under subclause (4) must be conducted, as far as practicable, in the same way as a general meeting called by the committee.
13. Notice of general meeting
14. The secretary must give each member notice of a general meeting:
15. if a matter to be determined at the meeting requires a special resolution - at least 21 days before the meeting, or
16. otherwise - at least 14 days before the meeting.
17. The notice must specify:
18. the place and time at which the meeting will be held, and
19. the nature of the business to be transacted at the meeting, and
20. if a matter to be determined at the meeting requires a special resolution - that a special resolution will be proposed, and
21. for an annual general meeting - that the meeting to be held is an annual general meeting.
22. The only business that may be transacted at the meeting is:
23. the business specified in the notice, and
24. for an annual general meeting - business referred to in clause 28(4).
25. A member may give written notice to the secretary of business the member wishes to raise at a general meeting.
26. If the secretary receives a notice under subclause (4), the secretary must specify the nature of the business in the next notice calling a general meeting.
27. Quorum
28. The quorum for a general meeting is 5 members of the club entitled to vote under this constitution.
29. No business may be transacted at a general meeting unless a quorum is present.
30. If a quorum is not present within half an hour of the time the meeting commences, the meeting:
31. if called on the request of members - is dissolved, or
32. otherwise - is adjourned:
33. to the same time of the same day in the following week, and
34. to the same place, unless another place is specified by the member presiding at the meeting at the time of the adjournment or in a written notice given to members at least 1 day before the adjourned meeting.
35. If a quorum is not present within half an hour of the time an adjourned meeting commences, but there are at least 3 members present, the members present constitute a quorum.
36. Adjourned meetings
37. The member presiding at a general meeting may, with the consent of the majority of the members present, adjourn the meeting to another time and place.
38. The only business that may be transacted at the adjourned meeting is the business remaining from the meeting at which the adjournment took place.
39. If a meeting is adjourned for at least 14 days, the secretary must give each member oral or written notice, at least 1 day before the adjourned meeting, of:
40. the time and place at which the adjourned meeting will be held, and
41. the nature of the business to be transacted at the adjourned meeting.
42. Presiding member
43. The following member presides at a general meeting:
44. the president,
45. if the president is absent - the vice-president,
46. if both the president and vice-president are absent - 1 of the members present at the meeting, as elected by the other members.
47. The member presiding at the meeting has:
48. a deliberative vote, and
49. in the event of an equality of votes - a second or casting vote.
50. Voting
51. A member is not entitled to vote at a general meeting unless the member:
52. is at least 18 years of age, and
53. has paid all money owed by the member to the association.
54. Each member has 1 vote, except as provided by clause 33(2)(b).
55. A question raised at the meeting must be decided by:
56. a show of hands, or
57. if clause 36 applies - an appropriate method as determined by the committee, or
58. a written ballot, but only if:
59. the member presiding at the meeting moves that the question be decided by ballot, or
60. at least 5 members agree the question should be determined by ballot.
61. If a question is decided using a method referred to in subclause (3)(a) or (b), either of the following is sufficient evidence that a resolution has been carried, whether unanimously or by a majority, or lost, using the method:
62. a declaration by the member presiding at the meeting,
63. an entry in The Club’s minute book.
64. A written ballot must be conducted in accordance with the directions of the member presiding.
65. A member cannot cast a vote by proxy.
66. Postal or electronic ballots
67. The Club may hold a postal or electronic ballot, as determined by the committee, to decide any matter other than an appeal under clause 8.
68. The ballot must be conducted in accordance with Schedule 2 of the Regulation.
69. Transaction of business outside meetings or by telephone or other means
70. The Club may transact its business by the circulation of papers, including by electronic means, among all members of the club
71. If The Club transacts business by the circulation of papers, a written resolution, approved in writing by a majority of members, is taken to be a decision of the club made at a general meeting.
72. The Club may transact its business at a general meeting at which 1 or more members participate by telephone or other electronic means, provided a member who speaks on a matter can be heard by the other members.
73. The member presiding at the meeting and each other member have the same voting rights as they would have at an ordinary meeting of The Club for the purposes of:
74. the approval of a resolution under subclause (2), or
75. a meeting held in accordance with subclause (3).
76. A resolution approved under subclause (2) must be recorded in the minutes of the meetings of the association.

**Note:** The Act, section 37(3) and (4) contains requirements relating to meetings held at 2 or more venues using technology.

Part 5 Administration

1. Change of name, objects, or constitution

An application for registration of a change in the club’s name, objects or constitution made under the Act, section 10 must be made by:

1. the public officer, or
2. a committee member.
3. Funds
4. Subject to a resolution passed by the club, the club’s funds may be derived from the following sources only:
5. the entrance fees and annual subscription fees payable by members,
6. donations,
7. other sources as determined by the committee.
8. Subject to a resolution passed by the club, the club’s funds and assets must be used to pursue the club’s objects in the way that the committee determines.
9. As soon as practicable after receiving money, the club must:
10. deposit the money, without deduction, to the credit of the club’s authorised deposit-taking institution account and issue a receipt for the amount of money received to the person from whom the money was received.
11. A cheque or other negotiable instrument must be signed by 2 authorised signatories.

**Note:** The Act, section 36 provides for the appointment of authorised signatories.

1. Insurance

The Club may take out and maintain insurance as appropriate for the club’s assets and liabilities.

1. Non-profit status

Subject to the Act and the Regulation, The Club must not conduct The Club’s affairs in a way that provides a pecuniary gain for a member of The Club.

**Note:** See the Act, section 40.

1. Service of notices
2. For the purposes of this constitution, a notice may be given to or served on a person:
3. by delivering the notice to the person personally, or
4. by sending the notice by pre-paid post to the address of the person, or
5. by sending the notice by electronic transmission to an address specified by the person for giving or serving the notice.
6. A notice is taken to have been given to or served on a person, unless the contrary is proved:
7. for a notice given or served personally - on the date on which the notice is received by the person, or
8. for a notice sent by pre-paid post - on the date on which the notice would have been delivered in the ordinary course of post, or
9. for a notice sent by electronic transmission:
10. on the date the notice was sent, or
11. if the machine from which the transmission was sent produces a report indicating the notice was sent on a later date—on the later date.
12. Custody of records and books

Except as otherwise provided by this constitution, all records, books, and other documents relating to the club must be kept in New South Wales:

1. at The Club’s main premises, in the custody of either of the following persons, as determined by the committee:
	1. the public officer,
	2. a member of the Club, or
2. if the club has no premises - at the club’s official address, in the custody of the public officer.
3. Inspection of records and books
4. The following documents must be available for inspection, free of charge, by members of the club at a reasonable time:
5. this constitution,
6. minutes of committee meetings and general meetings of the club,
7. records, books, and other documents relating to the club.
8. A member may inspect a document referred to in subclause (1):
9. in hard copy, or
10. in electronic form, if available.
11. A member may obtain a hard copy of a document referred to in subclause (1) on payment of a fee of not more than $1, as determined by the committee, for each page copied.
12. The committee may refuse to allow a member to inspect or obtain a copy of a document under this clause:
13. that relates to confidential, personal, commercial, employment or legal matters, or
14. if the committee considers it would be prejudicial to the interests of the club for the member to do so.
15. Financial year

The Club’s financial year is:

1. the period commencing on the date of incorporation of the club and ending on the following 31 October, and
2. each period of 12 months after the expiration of the previous financial year, commencing on 1 November and ending on the following 31 October.

**Note:** The Regulation, section 21 contains a substitute clause 44 for certain associations incorporated under the *Associations Incorporation Act 1984*.

1. Distribution of property on winding up
2. Subject to the Act and the Regulation, in a winding up of the club, the surplus property of the club must be transferred to another organisation:
3. with similar objects, and
4. which is not carried on for the profit or gain of the organisation’s members.
5. In this clause:

***surplus property*** has the same meaning as in the Act, section 65.

By – Laws

Part 1 Service Awards

1. Life Membership

Awarded for outstanding contribution to the activities of The Club for a period of not less than ten (10) years. This award is the supreme award of The Club

1. Recipients must have:
2. Served The Club in the area of administration, as indicated in Section (1 b) and,
3. In the opinion of the Management Council, achieved excellence in the area of service to The Club, and,
	* 1. The area of Administration includes.
4. Convenor of a Club Committee
5. Member of a Club Committee
6. Delegate to Affiliated bodies
7. Coach of Club team or individuals
8. Manager of Club team(s)
9. Umpire
10. Any other service (duties) as appointed by The Club
11. Given this service to The Club for a period of not less than 10 years.
12. Life Members are now liable for The Club and Affiliated bodies registration fees
13. Life Members will be liable for their ground playing fees and any other associated costs. (i.e., functions / uniforms).
14. It is also discretionary by the executive board in power of the Club to facilitate any such dispensation and or exemption.

2 Player Service Award

1. Player Service Award – Senior – Awarded for being a playing member of the club continuously for a period of five (5) years, and thereafter in five (5) yearly increments. (18 years and over)
2. Player Service Award - Juniors Awarded between 5 years and 18 years of age for being a playing member for the club continuously for a period of five (5) years and thereafter in five (5) yearly increments.
3. Should a Junior Player because of age restrictions then becomes eligible only for the senior competition, providing it is continuous playing service then that player will become eligible under 2. 1 for a Player Service Award.

3 Special Service Awards

Awarded for any outstanding contribution to the activities of The Club.

1. Procedure for Determining the Award of Service Awards
2. Nomination for Service Awards must be submitted to The Club Secretary by 30 September.
3. Nomination must include:
4. Details of criteria upon which the Award is sought,
5. Signatures of nominator and seconder, who must be financial members of The Club,
6. Class of Service Award sought.
7. The Executive will, in the first instance, check Club records to verify the validity of the specific details of each nomination.
8. The Secretary will notify all Voting Members and Life Members in writing, of valid nominations, including the criteria upon which each Award is sought.
9. Voting Members will determine, by ballot at the AGM of The Club, those nominations for Life Membership that have achieved the required level of excellence for conferring of the Award. The decision shall be by a two-thirds majority of those present and voting.
10. The conferring of a Special Service Award will be determined by a ballot at a General Meeting of The Club. The decision shall be by a two-thirds majority of those present and voting.
11. Long Service Awards shall be automatically granted once verified by the Executive.

Part 2 Finance

1. Finance
	1. Membership Fees shall be due and payable at such times and in such instalments as are determined by the Management Council and notified in writing to Members, provided that the Final Instalment shall not be later than 31st July of that year.
	2. The financial year of The Club shall end on 31st October in each year.
	3. Levies, fines and other charges are payable within thirty days of receipt of the invoice following the date of the resolution or event establishing the fine, levy or other charge.
2. Unfinancial Members
	* 1. On failure to pay any fee, levy, fine or other charge within the time prescribed or approved, a member, by resolution of The Management Council, will be declared unfinancial.
		2. An unfinancial member shall not participate in meetings, competitions, carnivals or other events conducted by The Club or any Association with which The Club has affiliation.
		3. Names of unfinancial members shall be forwarded to Affiliated body and HNSW at the commencement of each playing season.
		4. The Club’s accounts shall be examined by a qualified accountant who shall be appointed annually at the AGM. The Club Treasure shall forward all financial Records to the Accountant by the end of The Clubs financial year each year.
		5. If a cheque is dishonoured, payment shall be deemed to have not been paid and the Drawer will be liable for any charges that are incurred by The Club for the dishonoured cheque.
3. Vouchers

At the completion of one (1) club organised training session or one (1) Affiliated body’s competition game. Unless in extenuating circumstances, the NSW Government Active Kids Vouchers are not refundable or transferable.

Part 3 Duties and Meetings

* + - 1. Duties of the Honorary Secretary

**The Honorary Secretary shall:**

* 1. Call meetings as required under the Rules and By-Laws.
	2. Attend Management Council meetings and General Meetings and take Minutes.
	3. Forward a copy of the Minutes of each Management Council meeting to all Management Council Members within twenty-one (21) days after the meeting.
	4. Conduct the correspondence and act in such matters as may be delegated by the Management Council.
	5. In conjunction with the President, prepare the Annual Report to which shall be appended the Annual Reports of Committees.
	6. Call for nominations for Executive Members, Committee Conveners, members of any Selection Committee, members of Judiciary Committee and Delegates to other organisations in accordance with the Rules and By-Laws. Such nominations shall be received by the Secretary by 30 September in each year.
	7. Forward to Affiliated body as soon as elected, the names and address of The Club Executive, and the names and addresses of the Delegates to represent The Club.
	8. Have the power to co-opt the services of a Minutes Secretary or Assistant Secretary, subject to approval by the Management Council, should such assistance be required.
	9. The Secretary shall maintain a register of voting Members and Club appointed Officials.
	10. Provide notice to The Club on any proposed amendment/s to the Rules and/or By-Laws.
	11. Instigate the provision of articles to local or State media concerning aspects of upcoming events on hockey, which need promotion if no Publicity Convenor has been elected.
		+ 1. Duties of the Honorary Treasurer

**The Honorary Treasurer shall:**

* 1. Collect and keep proper accounts for all fees, fines, levies, and other monies due to The Club.
	2. Issue as necessary, all invoices and statements of account.
	3. Pay all the accounts of The Club under the authority of a minute passed by the Management Council or a General Meeting.
	4. Submit an annual budget to the first Management Council meeting after the AGM.
	5. Provide each Management Council meeting statements of receipts and expenditure, budget variations, bank reconciliation, major debts and creditors and any other financial information required by the Management Council.
	6. Submit to the Annual General Meeting a duly audited Statement of Income and Expenditure and Balance Sheet with comparable figures from the previous financial year.
		+ 1. Delegates
	7. The duties of a Club Delegate shall be:
		1. To attend such meetings as required by the Affiliated body,
		2. To attend such other meetings as required by The Club,
		3. To present views of The Club as instructed by the Management Council, at such meetings,
	8. To report back to the Management Council the results of these meetings.
		+ 1. Duties of The Public Officer
	9. Refer to Rules section 16 for information relating to the duties of the Public Officer.
		+ 1. Special Appointments
	10. The Management Council shall call for applications for all approved appointments for election at the AGM. The closing date for receipt of applications shall be 30th September.
	11. Applications for any approved special appointment shall be in writing, stating qualifications and experience.
	12. Applications shall be discussed and voted on at the AGM.
	13. The Management Council may call for further applications for any positions remaining vacant and shall deal with them at such times as shall be determined by The Management Council.
		+ 1. Meetings
	14. The order of business at the Annual General Meeting shall be:
		1. Apologies
		2. Minutes of the previous AGM
		3. Minutes of any SGM’s held during the year.
		4. Correspondence
		5. Treasurers Report and Balance Sheet
		6. Annual Report of The Club
		7. Election of Executive
		8. Election of Conveners
		9. Election of Life Members
		10. Motions on Notice, provided that such notice in writing was received by the Secretary not less than twenty-one (21) days prior to the AGM and forwarded not less than ten days prior to the AGM to all Voting Members and Life Members.
		11. Discussion, without proceeding to a vote, of other such business as may legitimately be brought before the AGM.
	15. The order of business at a Special General Meeting shall be:
		1. Apologies
		2. Reading of notice convening the meeting.
		3. Special business for which the meeting was summoned.
	16. The order of business at a Management Council Meeting of The Club shall be:
		1. Apologies
		2. Minutes
		3. Correspondence
		4. Treasurers Report
		5. Delegates Reports
		6. Conveners Reports
		7. General Business
	17. All meetings shall be conducted in the following manner:
		1. All questions shall be decided by a bare majority, except in such cases as shall be specified in the Rules
		2. No motion shall be discussed unless it is seconded and when seconded shall not be withdrawn without the consent of the seconder.
		3. When a motion shall have been moved and seconded, any member may move an amendment thereon which shall not be discussed until it is seconded. Such motion or amendment, if required by the Chairperson, is to be stated in writing by the member proposing the motion of amendment.
		4. No second amendment shall be taken into consideration until the previous amendment shall have been disposed of, but any member may give notice of further amendment.
		5. If any amendment, either upon the original motion or upon an amended motion, shall be negated, then a further amendment may be moved upon the original motion, and so on, provided that not more than one question and one proposed amendment thereon shall be before the meeting at the one time.
		6. No member may speak twice on the same question unless in explanation and then only with the permission of the Chairperson, provided always that any member having previously spoken on the original question shall be entitled to speak on each amendment, and that the mover of the original question shall have the right of final reply.
		7. No speaker, other than the mover of a motion, shall speak on any motion or amendment for a period longer than three minutes without the consent of the meeting. The mover of a motion shall not speak thereon for a period longer than five minutes without the consent of the meeting.
		8. Any member at any stage of a discussion may move “that the question now be put”. Such motion shall forthwith be put without further debate and if carried, the original motion then shall be voted on.
		9. The voting at meetings, except where specified in the Rules or on matters of a personal nature, shall be by show of hands, which shall be conclusive on the declaration of the Chairperson, unless a vote by ballot is immediately demanded.
			1. Duties – Club Appointments
	18. Coach/s to organise coaching of players in the team to which they as Coach have been appointed. Liaise with team manager each week that all players within that team are correctly graded as per Affiliated body’s guidelines.
	19. Team Manager/s to confirm grading of all players within that team and notify the coach of any discrepancies. To collect fees and issue receipt for same. Give to Club Treasurer monies and duplicate copy of receipts issued to players. To ensure a match card is correctly completed each week. To check with team coach if extra players are required and check their eligibility.
	20. Equipment Officer to maintain register of all equipment owned by the club and correctly record any equipment issued out to teams. Arrange secure storage of equipment when not in use.
	21. Publicity Officer obtain publicity for the Club. To promote the sport of hockey across the wider community.
	22. Chid Protection Officer liaise with the Club secretary and work within the guidelines of section 4. 3 of this constitution.
	23. Umpires Convenor/Men/Women’s/Juniors Appoint umpires for association matches as required. Liaise with Affiliated Body’s Umpire Convenor for training/testing of umpires from the Club. Maintain a register of grading and games umpired by members. Notify Club Treasurer of the number of games umpired for remuneration purposes.
	24. Registrar Men’s/Wemen’s/Juniors Maintain a weekly register of matches played and ensure Club Coaches and Managers are notified of any players who has grading not consistent with requirements of Affiliated body’s guidelines.
	25. Delegate/s to Affiliated body’s meetings – two delegates required (Also alternate delegate/s). Ensure all information from Affiliated body’s meetings is forwarded to the Club secretary by email within 5 days of the meeting.
	26. Website Manager to keep all aspects of website maintained and currant so players are kept up to date.

Part 4 Play and Discipline

1. Play
	1. All matches shall be played in accordance with the rules of Hockey Australia, or as otherwise resolved by HNSW through Affiliated Body.
	2. The Affiliated body’s Competition By-Laws shall be reviewed annually, prior to the commencement of the playing season by The Club.
	3. Only affiliated players may take part in any match.
	4. Uniforms shall be of a style and colour approved by the Management Council
	5. The Club shall not be responsible for any injury or illness sustained by any person whosoever caused.
2. Discipline
	1. Breaches of Code of Conduct by Team Officials during a game will be investigated by the Executive, who will make recommendations to Management Council for action, within seven days.
	2. Breaches of Code of Conduct by spectators during a game will be reported to the Management Council for investigation, where those spectators are Members of The Club.
	3. Any person against whom a charge has been made, or who is under investigation by the Judiciary Panel, is entitled to be represented at the hearing, call others to give evidence or to question any person giving evidence.
	4. The Judiciary Panel shall request the presence of all relevant persons to give evidence and answer any questions put by a member at the hearing.
	5. Should a person fail to attend or to apply for a postponement of the hearing they shall nevertheless be bound by the findings of the Judiciary Panel.
	6. Where a Breach has occurred with regard to section 4 (2.1 & 2.2,) the written complaint must be submitted within seven (7) days.
	7. In the event of any other formal complaint being lodged, in writing, within seven (7) days of the incident, it shall be investigated in the first instance by the Executive who will, if necessary, summon the parties involved to a meeting. A copy of all relevant documentation to be given to all relevant parties 48 hours prior to any required meeting being called. The Executive, if deemed necessary, will then make a recommendation to Management Council for any further action (if required).
	8. The Judiciary Panel will consist of a member of the Executive and two other members of The Club. The panel will be appointed by the Management Council. If any of the members of the Management Council is the party being investigated, then they will exclude themselves from any role on the panel or in the selection of the panel.
	9. The Judiciary Panel will report in writing to the Management Council its findings and the penalty, if any, imposed.
3. Child Protection
	1. All Club Officials who are involved with junior players must complete a Child Protection Form each year.
	2. The Club Secretary is to ensure these forms are completed by members and are given to the Affiliated body’s Child Protection Officer by 1st May each year.
	3. The Secretary is to attach a letter listing names of members who have completed the forms. A copy of this letter is also to be given to the Affiliated body’s Secretary
	4. All Child protection Forms will be kept on file for a period of two (2) years after the year in which they were submitted.