

Fraser Tech Hockey Club Constitution

Fraser Tech Hockey Club Incorporated

To be voted into effect at AGM on 17 March 2013

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DRAFT Rules of Fraser Tech Hockey Club Incorporated

1 Name

- 1.1 The name of the club shall be the FRASER TECH HOCKEY CLUB INCORPORATED. (Hereinafter called “the Club”).

Previously:

The name of the club shall be the FRASER TECH HOCKEY CLUB (Hereinafter called “the Club”).

2 Registered Office

- 2.1 The Registered Office of the Club is:

Gallagher Hockey Center
Queens Ave
Innes Common
Hamilton 3240
New Zealand.

Previously:

None

3 Objects

- 3.1 To facilitate the participation of the Club’s members in the sport of hockey; to organise teams and their entry in competitions; to provide coaching, training facilities, support, and generally to promote and advance the sport of hockey.

Previously:

To provide the members with the opportunity to participate in the sport of hockey; to organise teams and participation in competitions; to provide coaching and training facilities and generally to promote and advance the sport of hockey.

- 3.2 To associate or enter into joint ventures or reciprocal concessions with any other club or organisation that in the opinion of the members is expedient to the welfare of the Club.
- 3.3 To apply for and obtain any permit, license, charter, authority, consent, permission, approval, or privilege as shall be necessary or desirable in order to attain all or any of the objects of the Club.
- 3.4 To acquire, for all or any purpose of the Club, real and personal property and, without prejudice to the generality of those words, to acquire freehold or leasehold property and property real or personal held on any tenure; to furnish the same or any parts thereof and generally equip the same for all or any purposes of the Club.
- 3.5 To sell, let, sub-let or otherwise turn to profit or advantage any property, real or personal at the time belonging to the Club.
- 3.6 To borrow or raise or secure the payment of money for purposes of the Club in such amounts and on such term as the Club may think fit and in particular by the issue of mortgages, charges or any other securities charged upon all or any of the real or personal property of the Club and to purchase, redeem or pay off any such securities.

- 3.7 To hire and employ whether casually or under contracts or service such administrative, secretarial, coaching and other staff as may be required.
- 3.8 To do other such things (not being unlawful or inconsistent with these objects) as, in the opinion of the Committee, would further or tend to further increase the interest of the members or of the sport of hockey in general.

4 Membership

- 4.1 The members of the Club shall have the rights and responsibilities set out in these rules.
Previously:
None, above added.
- 4.2 The members of the Club shall consist of:
 - (a) Playing Members: All playing persons shall be eligible for Playing Membership which shall entitle them to unrestricted playing rights (subject to rules of the appropriate Hockey Association, payment of subscriptions and the regulations from time to time made by the Committee).
 - (b) Associate Members: These members will include non-playing members that make donations to the Club on an annual basis. These donations shall be equal to an amount decided upon by the Committee.
 - (c) Life Members: On a unanimous decision of the Committee a member who has given significant service to the Club over a period of time may be granted the status of life membership. Life members shall be entitled to the rights and privileges of the Club but shall not be required to pay any subscriptions.
- 4.3 The Club shall consist of those members who have been admitted or may from time to time be admitted in accordance with these Rules.
- 4.4 Membership of the Club shall be open to all persons, male or female subject always to the discretion of the Committee.
- 4.5 Application for membership to the Club will be made in writing, signed by the applicant and will be in such a form as the Committee from time to time prescribes. The applicant shall be deemed to be accepted for membership, upon being approved by the Committee or accepted as a player in any team of the Club.
- 4.6 Persons who shall be elected to official positions in the Club, shall be at the time of their election be deemed to have been accepted and approved as members of the Club.
- 4.7 The Secretary of the Club shall keep a register of members, which will include the full name, residential address, telephone number, email address, membership category, and dates of admission of all persons admitted to membership of the Club. The Committee will keep and maintain the register in accordance with the provisions of the Privacy Act 1993.
Previously:
The Secretary of the Club shall keep a register of members, which will include the full name, residential address, membership category and dates of admission of all persons admitted to membership of the Club
- 4.8 Membership shall be ended by cancellation, resignation, on that member's death, or failure to pay their annual subscription.
- 4.9 A member may at any time resign membership of the Club by informing a Committee member of their wish to resign, but shall remain liable for any unpaid subscriptions and all arrears due and such unpaid at the date of registration. The Committee may in its discretion remit part or all of such unpaid monies. Resignation will be effective from seven days of receipt of the notice or until such time any unpaid subscriptions and all other arrears due are paid.

- 4.10 Membership of the Club shall not be continuous from season to season.
- 4.11 Membership may be suspended or terminated by the Committee if the member:
- (a) whose conduct, in the opinion of the Committee, is likely to damage the character, good order or welfare of the Club; or
 - (b) is convicted of an indictable offence; or
 - (c) fails to comply with any of the provisions of these Rules.
- 4.12 A member may have membership terminated, suspended or be removed from office on a resolution carried by a 75 percent majority at a Committee meeting called for that purpose provided that:
- (a) the member is given written notice of the charge against them at least seven days prior to the date upon which the Committee is to make a decision as to the suspension or termination of membership; and
 - (b) the member is given an opportunity to reply to the charges.
- 4.13 The member has a right of appeal to a General Meeting of the Club. Such appeal for a review of the decision must be lodged in writing to the Secretary within 14 days of the notice of cancellation or suspension of membership. In this case the member is entitled to attend the General Meeting and defend the charge, but not to vote.
- 4.14 A member may apply to have membership restored at the end of the period defined at the discretion of the Committee.
- 4.15 All members shall promote the objects of the club, undertake to abide by the Club's code of conduct, and shall do nothing to bring the Club into disrepute.
Previously:
None, above added.

5 Subscriptions

- 5.1 The subscription payable by members of each class of membership shall be such sum as is, from time to time, determined by the Committee.
- 5.2 All subscriptions shall be deemed to be payable in respect to a playing season. Each subscription shall entitle the member paying it to membership rights for that same year.
- 5.3 Each subscription can be paid in full or by instalment. If the payment is made by instalments, these amounts set by the Committee each year shall become due and payable by a date or dates set by the Committee each year. No player shall be permitted to play in competition games after that date unless their financial obligations to the Club have been met.
- 5.4 On grounds of hardship, any member may apply in writing to the Committee to have the due date for their subscriptions extended.
- 5.5 If any player fails to pay their annual subscription on it becoming due, the Committee shall have the power to remove that person's name from the list of members; provided that the Committee give that member seven days prior notice of intention to do so in order to afford that person an opportunity to pay the subscription. Persons so removed from membership shall remain liable for the amount of the unpaid subscription although the Committee may in its discretion remit part of the unpaid subscription upon that person approaching the Committee in writing.
- 5.6 When a member joins the Club part way through a financial year, the Committee may accept a reduced subscription based on the unexpired portion of that playing season.

6 Financial

- 6.1 The financial year of the Club shall end on 31 December.
- 6.2 The Treasurer shall be responsible for keeping true and full accounts of monies received and expended by the Club, and of the Assets and Liabilities of the Club in appropriate records, which shall be kept at such place as the Committee thinks fit.
- 6.3 The funds of the Club shall be kept in the control of the Committee and shall be kept in such bank or banks as the Committee may determine.
- 6.4 No disbursement of the Club's funds may be made except pursuant to a decision of the Committee or of a General meeting.
- 6.5 The Committee shall appoint at least three, but no more than five, of its members whom any two may operate on the account of the Club in such bank or savings bank. Two of these members assigned to operate the Club's bank accounts shall be the current President and Treasurer of the Club.
- 6.6 The income and property of the Club shall be applied solely towards the promotion of the objects of the Club and no part thereof shall be paid or transferred directly or indirectly by way of profits, dividend, bonus or otherwise howsoever, to the members of the Club and no member shall in anyway receive any pecuniary gain from the property or operations of the Club. Provided that nothing herein contained shall prevent the payment in good faith of remunerations to any salaried person, or the payment of allowances and expenses to members exercising any function of the Club, or prevent the bona fide borrowing on interest of money by the Club from any member.
- 6.7 The Annual General Meeting shall elect annually an Auditor who shall be a member of the Institute of Chartered Accountants of New Zealand. Such a person shall not be an Officer of the Club, or a member of the Committee and need not be a member of the Club. The Auditor shall remain in office until their successor is appointed and shall be eligible for re-election. If any casual vacancy in the office of the Auditor occurs, the Committee shall have the power to fill the vacancy.
- 6.8 Without prejudice to those foregoing rules relating to acquisition of property, the funds of the Club may be invested by the Committee in any investment, that the Committee considers of a low risk nature, for the time being approved by law for the investment of trust funds and in any other investment for the time being authorised by a resolution of a General Meeting relating to a specific investment or couched in general terms.

7 Annual General Meeting

- 7.1 The Annual General Meeting of the Club will be open to all financial members and held between 1 January and 31 March of the following year. The Secretary shall provide an agenda and give all members at least ten days notice of the date of the meeting.
- 7.2 At the Annual General Meeting the business shall include the following:
 - (a) Approval of the minutes of the previous AGM
 - (b) The presentation of the Annual Report, the Balance Sheet, the Statement of Accounts and the auditor's annual report for adoption.
 - (c) The election of Executive Officers, the Committee, other officials and the appointment of an auditor.
 - (d) The consideration of remits and resolutions submitted to the Secretary prior to the meeting and specified in the Agenda.

8 Special General Meeting

- 8.1 A Special General Meeting may be called by direction of the Committee at any time.
- 8.2 A Special General Meeting shall be called by the Secretary within 21 days of receipt of a requisition to that effect signed by not less than 20 members of the Club specifying the subject to be discussed at such meeting. Notice of such meeting, the specific matter to be discussed, shall be prepared by the Secretary. The Secretary shall give all members at least ten days notice of the date of the meeting. No business shall be transacted at any such meeting except that for which the notice has been given.
- 8.3 A Special General Meeting shall be called within 21 days of the receipt by the Secretary of a notice of appeal under Rule 4.13.
- 8.4 The business of a special meeting will be limited to only that as stated in the requisition notice.

9 Procedure At Annual / Special / General Meetings

- 9.1 Quorum for General Meetings shall be 7 members entitled to vote. Any General Meeting at which a quorum cannot be formed shall be adjourned by the members present to such day, within one month, as they appoint.
- 9.2 Those entitled to vote at Annual/General Meetings shall be Playing Members, Associate Members and Life Members who shall have one vote per member.
- 9.3 At all General Meetings voting shall be on a show of hands. Voting shall be by ballot if so moved and seconded. Should the voting be tied, the positions must be determined by the Chairpersons casting vote.
- 9.4 Where there are more than two nominations for a position and two are tied with the highest number of votes, the remaining nominations shall be discarded and a ballot held to choose between the two tied nominations.

10 Patrons

- 10.1 The Annual General Meeting shall appoint a patron(s) for the Club.

11 Officers

- 11.1 The Officers of the Club shall consist of, a President, no more than two Vice Presidents, no more than two Club Captains, a Secretary, and a Treasurer. They shall be elected at the Annual General Meeting and shall hold office until and including the next Annual General Meeting (unless they retire earlier) but shall be eligible for re-election.

12 Committee

- 12.1 The Committee shall comprise the Officers of the Club, and a number of other members elected at the Annual General Meeting or appointed by the current Committee to provide fair representation for all teams.
- 12.2 The Committee may delegate any part or parts of its functions to a sub-Committee or sub-Committees. Subject to Rule 17.1 and except for the convenors, members of sub-Committees need not be members of the Committee. The mode of appointment of members of a sub-Committee, the extent of its powers and the dissolution thereof shall in each case be determined by the Committee. Such sub-Committee shall periodically report their proceedings to the Committee and shall conduct business in accordance with the direction of the Committee. All sub-Committees shall retire at the next Annual General Meeting.

13 Elections

- 13.1 Nominations for elections of Officers, Committee Members and other Officials shall be taken from the floor at the Annual General Meeting.

14 Management

- 14.1 The management and control of the affairs of the Club shall be vested in the Committee. Subject to any overriding directions from a General Meeting, and save in respect of matters which are by these rules vested in the control only of a General Meeting, the Committee may exercise all powers and do all acts and things which may be exercised or done by the Club in General Meeting.
- 14.2 The Committee may appoint a Director of Coaches to have responsibility for appointing coaches to all grades and to liaise with the Committee. A written contract or terms of appointment detailing duties and remuneration (if any) may be required to be signed by the appointee. The Director will be responsible to the Committee but not part of it unless they have been elected to it in terms of these rules.
- 14.3 The Committee may appoint an Equipment Officer, Fundraising Officer and Apparel Officer, and any other position that may from time to time be required.
- (a) The Equipment Officer shall have the responsibility of keeping a record of all club equipment in use by the Club's teams (e.g. balls and goalie gear). This position will also include the distribution of team uniforms.
 - (b) The Fundraising Officer shall be responsible for all fundraising activities carried out on the Club's behalf in that season.
 - (c) The Apparel Officer shall be responsible for the purchasing and distribution of all Club apparel. This apparel will include items such as Club dress shirts and tracksuits. This apparel is to be sold to playing and non-playing members at a price decided by the Committee.

Previously:

The Committee may appoint an Equipment Officer, Fundraising Officer and Apparel Officer, and any other position that may from time to time be required. The Equipment Officer shall have the responsibility of keeping a record of all club equipment in use by the Clubs teams (e.g. balls and goalie gear). This position will also include the distribution of team uniforms. The Fundraising Officer shall be responsible for all fundraising activities carried out on the Club's behalf in that season. The Apparel Officer shall be responsible for the purchasing and distribution of all Club apparel. This apparel will include items such as Club dress shirts and tracksuits. This apparel is to be sold to playing and non-playing members at a price decided by the Committee.

15 Committee Proceedings

- 15.1 The Committee shall meet together monthly, unless the officers decide there is insufficient business, for the despatch of business, adjourn and otherwise convene their meetings as they think fit.
- 15.2 Matters arising at any Committee meeting shall be decided by a majority of votes. The quorum necessary for the transaction of business of the Committee shall be five Committee members, which a minimum of two of these shall be Executive Officers of the Club. The Chairperson of meetings shall have an original and a casting vote in the event of equality of voting.
- 15.3 The President and the Secretary shall on the request of three Committee members, at any time, summon a meeting of the Committee.
- 15.4 The Secretary of the Club shall keep minutes of all proceedings. If the Secretary is not present then the Committee shall elect a member of the Committee to record the minutes of the meeting.

- 15.5 Discussions between Committee meetings may take place via email (electronic communication) with all Committee members included. Decisions regarding these matters must be minuted at the next Committee meeting.
Previously:
None, above added.

16 Casual Vacancies

- 16.1 In the event of a casual vacancy occurring amongst the Officers or in the Committee, the remaining members of the Committee shall have the power to appoint another member to fill the vacancy.
- 16.2 If any member of the Committee, without leave of the Committee, shall absent himself/herself from three consecutive meetings of the Committee, remaining Committee shall have the power to deal with that matter as it sees fit.

17 Duties Of Officers

- 17.1 The President shall be the Chief Executive Officer of the Club. They shall preside at all meetings and have the power to attend all sub-Committee meetings as ex officio. In his/her absence from the meeting, the President shall be entitled to state another executive Committee member to chair the meeting, otherwise, those present may elect a person to chair the meeting.
- 17.2 The duties of the Treasurer shall include the receiving of money due to the Club, the issuing of official receipts and the depositing of money to the credit of the Club's bank account. They shall submit to the Annual General Meeting, a statement of accounts for the previous financial year, which shall have been duly audited and certified by the auditor appointed for the purpose. All accounts for payment shall be presented to and approved by the Committee. Accounts that are due for urgent payment can be approved by the Executive Officers of the Club.
- 17.3 The duties of the Secretary shall include the receiving of all correspondence on behalf of the Club and the recording and distribution of the minutes for all Committee meetings for which they are present.
- 17.4 The Club Captain(s) assisted by the team managers shall organise the inter-club teams, tournaments and competitions within the Club.

18 Uniform

- 18.1 Female's uniform – royal blue skirt or shorts, royal blue and white shirt, royal blue socks.
- 18.2 Male's uniform - royal blue shorts, royal blue and white shirt, royal blue and white socks.
- 18.3 The uniform can be changed only by a 75 percent resolution of the Committee.

19 Common Seal

- 19.1 The Committee shall provide a common seal for the Society and may from time to time replace it with a new one.
- 19.2 The Secretary shall have custody of the common seal, which shall only be used by the authority of the Committee. Every document to which the common seal is affixed shall be signed by the President and countersigned by the Secretary or a member of the Committee.
Previously:
No section.

20 Alteration Of These Rules

- 20.1 These rules may be altered, added to, rescinded or otherwise amended by a resolution passed by a two-thirds majority of those present and able to vote at a General Meeting. Twenty one (21) days notice must be given of such a meeting.
- 20.2 When a rule change is approved by a General Meeting, it shall not take effect until the Secretary has filed the changes with the Registrar of Incorporated Societies.
Previously:
None, above added.

21 Regulations

- 21.1 The Committee may from time to time make regulations (not inconsistent with these rules governing any aspect of the operation of the Club).
- 21.2 The Club facilities and equipment are to be the sole property of the Club and are to be managed by the Committee.
Previously:
The Club facilities and equipment are to be the sole property of the Fraser Tech Hockey Club and are to be managed by the Committee.

22 Resolutions

- 22.1 For the purposes of these rules a resolution shall be deemed to be a resolution of a General Meeting if passed by a majority of the members present and voting (subject to Rule 20).
- 22.2 A declaration by the Chair of any meeting to the effect that any resolution submitted to such meeting has been carried by the requisite majority or has been lost and an entry to that effect in the records of the Club, shall be conclusive evidence of the fact without proof of the number of votes recorded in favour or against the resolution.

23 Winding Up

- 23.1 If at any General Meeting a resolution for the dissolution of the Club shall be passed by a majority of the members present and such resolution shall at a subsequent General Meeting held not earlier than thirty days thereafter be confirmed by a resolution passed by a majority of the members voting, the Committee will thereupon or at such future date as will be specified in the resolution proceed to realise the property of the Club, discharge all liabilities and direct the disposal of any balance. The resolution will provide for the disposal of the Club's property and before the passing of the initial resolution the members present shall consider all matters which ought properly to be considered including the requirements of any applicable laws and the Inland Revenue Department.
- 23.2 The General Meeting at which the Club is being wound up shall be attended by members of the Waikato Hockey Association (Inc) in accordance with the rules of the said association. In the case of the said association failing to be represented, the Club's Secretary shall forward copies of the minutes to the said association within 14 days of the General Meeting.

24 Notices

- 24.1 Every notice required to be given to any member shall be deemed to have been duly delivered if either:

- (a) posted to them in a prepaid letter addressed to their last known place of residence or business;
or
- (b) emailed to them at the email address provided at the time of membership application.

Previously:

Every notice required to be given to any member shall be deemed to have been duly delivered if posted to them in a prepaid letter addressed to him at his last known place of residence or business.

25 Interpretation

- 25.1 The decision of the Committee on the interpretation, application or effect of any of these rules or on any matter or thing not provided for by these rules, and which pertains to the Club, its property or interests, shall be conclusive and binding on all members of the Club unless and until a contrary determination is made by vote at a General Meeting.