

13 SEP 2019

Melville City Hockey Club (MCHC) Constitution

June 2019



1 Name

The name of the Club shall be 'Melville City Hockey Club Inc.' and is hereinafter designated the 'Club'.

2 Colours

The colours of the Club shall be maroon, white and grey.

3 Objects

3.1 The objects of the Club shall be:

- (a) To promote, advance and encourage the playing of hockey
- (b) To participate in interclub and other hockey competitions
- (c) To provide facilities for the playing of hockey
- (d) To provide social and recreational facilities for members.

4 Powers

4.1 For the purpose of achieving or furthering these objectives the Club shall have power:

- (a) To purchase, sell, hold, lease or rent real or personal property
- (b) To borrow, raise or secure the payment of money to secure the repayment or performance of any debt, liability, contract or guarantee incurred or to be entered into by the Club
- (c) To raise money by membership fees, subscriptions and levies and by such other methods as from time to time are appropriate to the needs of the club
- (d) To enter into any arrangements with any government or local government authority or instrumentality
- (e) To employ, hire or engage managers, secretaries, workmen, coaches or other persons
- (f) To invest the moneys of the Club
- (g) To carry on any business which may seem to the Management Committee to be capable of being conveniently carried on by the Club and to be advantageous to the Club
- (h) To affiliate with Hockey WA hereinafter referred to as 'HWA', or such other body as, from time to time, may be decided upon
- (i) To do all such other things as are incidental or conducive to the objectives of the Club.

5 Income and property

- 5.1 The income and property of the Club shall be applied solely towards the promotion of the objectives of the Club and no portion of the income or property shall be paid, transferred or distributed directly or indirectly to the members of the Club, provided that nothing shall prevent the payment in good faith of remuneration to any officer or employee of the Club or to any person other than a member, in return for services actually rendered to the Club.
- 5.2 Any payment from the Club's funds to a member of the Management Committee must be authorised by resolution of the Club.

6 Qualification for membership

- 6.1 All persons not especially debarred by these Rules and /or by the Rules of HWA, or any other body with which the Club, from time to time, may be affiliated or connected, shall be eligible to become members of the Club subject to the following conditions:
- (a) All applications for membership shall be on the prescribed form, submitted by the applicant
 - (b) The Management Committee, at its discretion, shall be empowered to approve or refuse any application for membership, without any right to an applicant to require an explanation
 - (c) A copy of these Rules shall be available for perusal by all applicants for membership
 - (d) All persons whose applications are approved shall be deemed to have subscribed to these Rules.

7 Membership

- 7.1 There shall be 5 classes of members:
- (a) Senior playing members being all members other than those specified below.
 - (b) Junior playing member being those members who have not attained the age of 17 years by January 1 each year.
 - (c) Veteran playing members being members playing regularly in any veteran or like competition conducted by HWA.
 - (d) Associate members being non-playing members.
 - (e) Honorary Life Members being those members appointed from time to time to Life Membership of the Club in accordance with Rule.

8 Honorary Life Membership

- 8.1 In recognition of outstanding/significant service by a member of the Club, the President may, where practicable after consultation with the Life Members Nomination Committee (LMNC), appoint up to two Honorary Life Members each year.
- 8.2 No more than two Honorary Life Members shall be appointed in any one year.

9 Officers

- 9.1 The officers of the Club shall be the Patron, Vice Patrons, President, three Vice-presidents, immediate past President, Honorary Secretary, honorary Assistant Secretary, Honorary Treasurer and Honorary Assistant Treasurer.
- 9.2 The officers shall be proposed, seconded and elected at each Annual General Meeting of the Club and shall hold office until the conclusion of the next Annual General Meeting, when they shall retire. They shall be eligible for re-election from year to year. Casual vacancies which may occur during the year may be filled by the Management Committee nominating financial members of the Club to fill such vacancies, provided that any person so elected shall hold office only until the next Annual General Meeting.

10 Duties of officers

10.1 President

The President, or in his absence a Vice-president, shall preside at all general and committee meetings and ensure that the business is conducted in a proper manner.

He may call committee meetings in all cases of emergency and generally shall ensure the well-being of the Club.

10.2 Vice-president

The Vice-presidents shall assist the President at all meetings of the Club, and in his absence, one of them shall occupy the chair and perform all the duties of the President.

Each Vice-president shall be broadly responsible for one of the following:

- (a) Senior Administration
- (b) Junior Administration
- (c) Finance and Development

10.3 Honorary Secretary

The Secretary shall

- (a) receive and attend to all correspondence at the direction of the Management Committee or in an emergency in consultation with the President.
- (b) attend all general and committee meetings and record minutes of the proceedings in the proper Minute Book. These minutes shall be confirmed at the subsequent appropriate meetings.
- (c) carry out the directions of the Management Committee in all matters connected with the conduct of the Club.
- (d) have the custody of all documents belonging to the Club.

10.4 Honorary Treasurer

The Treasurer shall:

- (a) keep a comprehensive record of all moneys received and expended on behalf of the Club and shall prepare and present to each Annual General Meeting an audited statement of receipts and expenditure and balance sheet.
- (b) present a financial report to each committee meeting.
- (c) keep a complete register of all members of the Club. Such register to include the financial status of each member.
- (d) inform each unfinancial member of his position.
- (e) present to each Annual General Meeting a budget for the ensuring year.

10.5 Honorary Assistant Secretary

The Honorary Assistant Secretary shall assist the Honorary Secretary as required.

10.6 Honorary Assistant Treasurer

The Honorary Assistant Treasurer shall assist the Honorary Treasurer as required.

11 Honorary auditor

The Honorary Auditor shall be elected at each Annual General Meeting. The Auditor shall at all reasonable times have access to the Club's accounts and records and may examine the same and report thereon so as to exhibit a true and correct view of the Club's finances at every Annual General Meeting.

12 Management committee

The management of the affairs of the Club shall be vested in a Management Committee which shall consist of:

- (a) The President; Vice-presidents (3); immediate past President; Honorary Secretary; Honorary Assistant Secretary; Honorary Treasurer; Honorary Assistant Treasurer.
- (b) Such other members as are invited from time to time by Management Committee to attend their meetings.

13 Powers and duties of management committee

13.1 Appointments

The Management Committee shall appoint the following from time to time as they see fit:

- (a) Club Coaches and Assistant Club Coaches
- (b) Team coaches
- (c) Team managers
- (d) Equipment Officer
- (e) Facilities Manager

13.2 Subject to investigation, confirmation or otherwise by any general meeting of the Club, duly convened, the Management Committee in addition to the powers and duties in these Rules specifically conferred upon it, shall have:

- (a) Control of the finances of the Club.
- (b) Power to appoint sub-committees or individuals to conduct any specific activities of the Club.
- (c) Power to specify a Club uniform
- (d) Power to do all things necessary for the proper conduct of the Club.

14 Removal from office

The Club may remove from office, any person for misconduct or for any act or acts not calculated to be in the best interests of the Club. Action under this Rule may only be taken at a Special General Meeting called for the purpose, and a 75% majority of the members present and voting shall be necessary to give effect to any such resolution.

15 Management Committee meetings

15.1 Committee Meetings

- (1) The committee must meet at least monthly during the playing season on the dates and at the times and places determined by the committee.
- (2) Special committee meetings may be convened by the President or any 2 committee members.

15.2 Notice of committee meetings

- (1) Notice of each committee meeting must be given to each committee member at least 48 hours 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) 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.

15.3 Procedure and order of business

- (1) The President or, in the President's absence, a Vice President must preside as chairperson of each committee meeting.
- (2) If the President and the Vice Presidents are absent or are unwilling to act as chairperson of a meeting, the committee members at the meeting must choose one of them to act as chairperson of the meeting.
- (3) The procedure to be followed at a committee meeting must be determined from time to time by the committee.
- (4) The order of business at a committee meeting may be determined by the committee members at the meeting.
- (5) A member or other person who is not a committee member may attend a committee meeting if invited to do so by the committee.
- (6) A person invited under sub rule (5) to attend a 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.

15.4 Use of technology to be present at committee meetings

- (1) The presence of a committee member at a committee meeting need not be by attendance in person but may be by that committee member and each other committee member at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.
- (2) A member who participates in a 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

15.5 Quorum for committee meetings

- (1) A quorum for Management Committee meetings will be 50% plus 1 of the Management Committee members
- (2) No business is to be conducted at a committee meeting unless a quorum is present.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of a committee meeting –
 - (a) in the case of a special meeting – the meeting lapses; or
 - (b) otherwise, the meeting is adjourned to the same time, day and place in the following week.
- (4) If –
 - (a) a quorum is not present within 30 minutes after the commencement time of a committee meeting held under sub rule (3)(b); and
 - (b) at least 2 committee members are present at the meeting,those members present are taken to constitute a quorum.

15.6 Voting at committee meetings

- (1) Each committee member present at a committee meeting has one vote on any question arising at the meeting.
- (2) A motion is carried if a majority of the committee members present at the committee meeting vote in favour of the motion.
- (3) If the votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.
- (4) A vote may take place by the committee members present indicating their agreement or disagreement or by a show of hands, unless the committee decides that a secret ballot is needed to determine a particular question.
- (5) If a secret ballot is needed, the Chairperson of the meeting must decide how the ballot is to be conducted.

15.7 Minutes of committee meetings

- (1) The committee must ensure that minutes are taken and kept of each committee meeting.
- (2) The minutes must record the following —
 - (a) the names of the committee members present at the meeting;
 - (b) the name of any person attending the meeting under rule 15.3(5)
 - (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.
- (3) The minutes of a committee meeting must be stored and distributed to the Management Committee members within 7 days after the meeting is held.
- (4) The President must ensure that the minutes of a committee meeting are reviewed and passed as a true and correct record by vote and approved by the committee at the next committee meeting.
- (5) When the minutes of a committee meeting have been approved by the committee, 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.

16 Social committee

A social committee of at least five members shall be elected at a General Meeting and such committee shall be subject to the overall jurisdiction of the Management Committee.

17 Captains and vice-captains

The Management Committee shall appoint captains and vice-captains of all teams.

18 Selection committee

The Management Committee shall appoint selection committees for senior, Veteran and junior teams as they from time to time deem fit. The Selection Committee all meet independently of the Management Committee.

19 Annual General Meeting (AGM)

19.1 The Annual General Meeting of the Club shall be held before the end of October of each year, as the Management Committee may determine, seven days' notice thereof having been given by written notice to each member.

Written notice to each Member shall be deemed to be given as required by this rule:

- (a) By publishing the notice on the Club website; and
- (b) May also be given by sending the notice by email to the Member's last known email address.

19.2 The business of the Annual General Meeting shall be:

- (a) Reception of the Annual Report and Financial Statements
- (b) The election of the Patron and Vice-patrons
- (c) Election of officers and auditor
- (d) The transaction of any other business, within the scope of these Rules that may be brought forward.

19.3 If a quorum be not present within one hour of the notified starting time, the meeting shall stand adjourned or until the requisite number of members shall be present.

20 Special General Meeting (SGM)

A Special General Meeting shall be called by the Secretary whenever directed by the President or Committee or upon receiving the written request for a Special General Meeting 5% of members with voting rights of the Club; such request to set out fully the purpose of the proposed Special General Meeting. On receiving such written request the Secretary shall within one month from the date of the receipt of the said request call such meeting. At any such meeting no business other than that specified in the notice convening the meeting shall be dealt with.

21 Notice of general meeting

Except where otherwise provided in these rules, at least seven days written notice of a general meeting shall be given to each member.

22 Quorum

At the Annual General Meeting, Special General Meetings and all general meetings being at least 5% of the Members entitled to vote shall constitute a quorum.

23 Voting

The Chairman of any meeting shall have both a deliberative and a casting vote.

Any club member, aged sixteen years or more shall, unless specifically barred from voting by the Management Committee, be entitled to vote.

24 Subscriptions

The annual subscription for each class of member and the method of payment shall be fixed and determined by the Management Committee before 1 February of each year.

25 Resignations

Any member desirous of transferring from the Club shall tender his resignation to the Honorary Secretary. Upon the payment of all fees owing to the Club and the return of all Club equipment, a clearance shall be granted.

26 Expulsion

The Committee on receiving a complaint in writing against any Member from 5% of members with voting rights, shall cause a Special General Meeting to be called, at which the expulsion of the said member shall be balloted for, a 75% majority of those present and voting being necessary to give effect to any expulsion.

Seven days written notice of such meeting, requesting the said member to attend and setting out the nature of the complaint, shall be given to the member against whom the complaint is made.

27 Dispute Resolution

- (1) In this rule –
 - grievance procedure** means the procedures set out in this rule;
 - party to a dispute** includes a person –
 - i. who is a party to the dispute; and
 - ii. who ceases to be a member within 6 months before the dispute has come to the attention of each party to the dispute.
- (2) The procedure set out in this rule applies to disputes –
 - (a) between members; or
 - (b) between one or more members and the Club.
- (3) 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.
- (4) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 27(3), any party to the dispute may start the grievance procedure by giving written notice to the secretary of –
 - (a) the parties to the dispute; and
 - (b) the matters that are the subject of the dispute.
- (5) Within 28 days after the secretary is given the notice, a committee meeting must be convened to consider and determine the dispute.
 - (1) The secretary must give each party to the dispute written notice of the committee meeting at which the dispute is to be considered and determined at least 7 days before the meeting is held.
 - (2) The notice given to each party to the dispute must state –
 - (a) when and where the committee meeting is to be held; and
 - (b) that the party, or the party's representative, may attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the dispute.
 - (3) At the committee meeting at which a dispute is to be considered and determined the committee must –
 - (a) give each party to the dispute, or the party's representative, a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the dispute; and
 - (b) give due consideration to any submissions so made; and
 - (c) determine the dispute.

The committee must give each party to the dispute written notice of the committee's determination, and the reasons for the determination, within 7 days after the committee meeting at which the determination is made.

28 Club Year

The Club year shall be from the 1st day of October until the 30th day of September the following year.

The Club's financial year shall be from 1st day of July until the 30th June the following year.

29 Funds and banking system

All moneys belonging to the Club shall be paid, in the name of the Club, into such bank as may be approved by the Management Committee. Such bank account to be operated by any two or three officers designated by the Management Committee.

The maximum amount payable from petty cash is to be determined from time to time by the Management Committee.

30 Interpretation

In case of any question arising not provided for by these Rules, or as to the interpretation of any part hereof, the opinion of the Management Committee shall be taken and acted upon.

31 Dissolution

- 31.1 The Club may be dissolved by a resolution passed at a Special General Meeting called for the purpose, by a 75% majority of those members present and voting.
- 31.2 If upon the dissolution or winding up of the Club there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to, transferred or distributed amongst the members of the Club. It shall be given to some other incorporated association, having objectives similar wholly or in part to the objectives of the Club, provided that the association, shall prohibit the distribution of its income and property among its members, or it shall be paid to or transferred to some licensed charitable organisation, which association, or organisation shall be determined by the members of the Club at or before the time of dissolution or winding up. In default of any such resolution such payment, transfer or distribution shall be determined by a Judge of the District Court.

32 Inspection of records and documents

- (1) Sub rule (2) applies to a member who wants to inspect:
 - (a) the register of members or
 - (b) the record of the names and addresses of committee members, and other persons authorised to act on behalf of the club, or
 - (c) any other record or document of the club.
- (2) The member must contact the Secretary to make the necessary arrangements for the inspection.
- (3) The inspection must be free of charge.
- (4) If the member wants to inspect a document that records the minutes of a committee meeting, the right to inspect that document is subject to any decision the committee has made about minutes of committee meetings generally, or the minutes of a specific committee meeting, being available for inspection by members.

- (5) The member may make a copy of or take an extract from a record or document referred to in sub rule (1)(c) but does not have a right to remove the record or document for that purpose.
- (6) The member must not use or disclose information in a record or document referred to in sub rule (1)(c) except for a purpose:
 - (a) that is directly connected with the affairs of the club; or
 - (b) that is related to complying with a requirement of the Act

33 Alterations of rules

No alterations of or additions to these rules shall be made except by 66% majority of those present and voting at a Special General Meeting called for that purpose.