

Constitution of the Marist Hockey Club Inc.

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Marist Hockey Club Inc. Constitution

The Constitution of the Association of MARIST HOCKEY CLUB INC

Name of Club

The name of The Club shall be Marist Hockey Club Inc.

Objects

- (a) The principal objects are to establish, maintain and conduct a hockey club of a sporting, social and non-political nature with the purpose of promoting and fostering the sport of hockey.
- (b) To invest and deal with the moneys of the Club in such a manner as may from time to time be determined in accordance with these rules.
- (c) To incorporate the Club under the provisions of the Associations Incorporation Act.

Definitions

In reading this Constitution, unless the context or such otherwise indicates or requires:

- (a) "The Club" means Marist Hockey Club Inc.
- (b) "The Committee" means the Management Committee for The Club, duly elected for the time being in accordance with these Rules.
- (c) "Annual Meeting" means an Annual General Meeting.
- (d) "Special General Meeting" means a General Meeting as defined below, called in accordance with Section 6.3 hereunder, at which only business that has been described in the notice may be transacted.
- (e) "General Meeting" means a General meeting of The Club whether Annual or Special.
- (f) "Month" means a calendar month.
- (g) "Financial year" means from the first of November each year, until the following 31st of October.
- (h) "The Act" means the Associations Incorporation Act 2015, its amendments and any other legislation that may come into force to replace or supplement this Act, and shall form part of these Rules.
- (i) "The By-Laws" means the codes of rules made and adopted by The Club
- (j) "Books of the Club" means: The Members Register; the Record of Office Holders; and the Club Constitution.
- (k) "Commissioner" means: the person for the time being designated as the Commissioner under section 153 of the Associations Incorporation Act.
- (l) "Voting rights" means: the ability for a financial member to propose or second an application for membership; move or second a motion or special motion; speak at all general meetings; nominate for a position on the Management Committee; vote at all general meetings; and petition for a special general meeting.

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Membership

4.1 Membership of The Club shall consist of the following:

- (a) Senior Member;
- (b) Junior Member;
- (c) Life Member;
- (d) Social Member; and
- (e) Special Member.

4.2 Senior Members

- (a) All Senior Members must register their intentions to play in the forthcoming season prior to the first fixtured game, by:
 - i. Completing the official club registration form at the Clubs Annual Registration Day, registering online via the Clubs Website or Posting the official club registration form to the Secretary at the designated club postal address; and
 - ii. Pay an annual subscription as determined under clause 5.1.
- (b) A Senior Member has voting rights at all general meetings of the Club.

4.3 Junior Members

- (a) Person under the age of 17 years on the first day of January for that year shall be entitled to become a Junior Member of the Club, subject to such restrictions and conditions as the committee may from time to time impose.
- (b) All Junior Members must register their intentions to play in the forthcoming season prior to the first fixtured game by:
 - i. Completing the official club registration form at the Clubs Annual Registration Day, registering online via the Clubs Website or Posting the official club registration form to the Secretary at the designated club postal address; and
 - ii. Pay an annual subscription as determined under clause 5.1.
- (c) One parent shall become a member of the Club for one child under the age of 17 to hold voting rights at the general meetings of the Club. Where more than one child is a Junior Member of the Club, both parents will become members and have a maximum of one vote each. If there is only one parent for more than one Junior Member, the parent can only have a maximum of one vote.
- (d) Where a parent is considered a member under section 4.3(b) and they are also a Senior Member under section 4.3(a) they will only have a maximum of one vote.

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4.4 Life Members

- (a) Life Members endorsed by the Management Committee shall benefit from the same rights as a Senior Financial Member.
- (b) A member may propose another member for Life Membership to the Management Committee in writing giving reasons that Life Membership should be granted. Such a proposal shall be considered in accordance with the bylaw's or any other criteria adopted by the management committee.

4.5 Social Member

- (a) A Social Member shall be entitled to all social privileges of the Club. Social members may register at any time during the year.
- (b) All Social Members must register their intentions to become social members for the forthcoming season by; -
 - i. Attending the Clubs Annual Registration Day;
 - ii. Register online via the Clubs Website; or
 - iii. Posting the official club registration form to the Secretary at the designated club postal/ email address for consideration.
- (c) A Social Member does not have voting rights at any general meeting of the Club.

4.6 Special Member

A Special Member may be appointed by the Management Committee for some gain by the Club. They shall enjoy all the privileges of Senior Membership without payment of any fee and deemed to be a financial member. Membership to be reviewed by the Management Committee at any time.

4.7 Expulsion

The Club shall have the power at a Special General Meeting called for the purpose, to pass a resolution to remove the name of any member from the Register of members, if, in the opinion of two-thirds of those voting (which shall be a secret ballot), such member shall have forfeited his right to remain a member or have been guilty of unbecoming conduct detrimental to the interest of the club provided that, at such meeting members entitled to vote shall form a quorum.

4.8 Resignation

A member may at any time by giving notice to the Secretary in writing, resign their membership of the club.

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4.9 Liability of Members

- (a) Every person ceasing to be a member of the Club whether by resignation or expulsion, shall not be deemed to be relieved of any indebtedness to the Club shall remain liable for any subscription and any other amounts due and unpaid at the date of his ceasing to be a member.
- (b) Any un financial member who has ceased to be a member of the Club shall not be granted a clearance until all dues are paid.

4.10 Probation of Members

A person who has not been a financial member for a least three months is deemed to be a probationary member. During the probationary period the club reserves the right to expel with full refund of club fees any probationary member who, in the opinion of the majority of the Committee of Management is considered unsatisfactory.

Finance

5.1 Subscriptions

- (a) The annual Subscription shall be that determined by the Management Committee by the 31 March.
- (b) The Annual Subscription becomes due and payable thereafter.

5.2 Un-financial Players

- (a) Un-financial players are not entitled to vote at any annual general meeting or special general meeting of the club.
- (b) If the members subscription shall remain unpaid after the 30 June, or if the member shall at any time fail to pay any fees within a period of one month after being requested in writing from the Treasurer to pay same, the Management committee may upon giving fourteen (14) days' notice in writing to such member, of their intentions so to do, strike his name off the Register of Members and he shall thereupon cease to be a member of the club.

Meetings

6.1 Management Committee Meeting

- (a) The Committee shall meet as and when necessary. Any three of the Committee shall have the power to instruct the Secretary to call a meeting of the Management meeting.
- (b) Four (4) Committee members will constitute a quorum.
- (c) Committee Meetings may take place:
 - i. Where the Committee Members are physically present together; or
 - ii. Where the Committee Members are able to communicate by using any technology that reasonably allows the Committee Member to participate

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fully in discussions as they happen in the Committee Meeting and in making decisions, provided that the participation of the Committee Member in the Committee Meeting must be made known to all other Members.

6.2 Annual General Meeting

- (a) The Annual General Meeting of members shall be held every calendar year within eight (8) weeks after the end of The Club's financial year, with the Committee to determine the date, time and place.
- (b) All Notices of Motion for consideration at the Annual Meeting must be handed to the Secretary in writing no less than fourteen (14) days prior to the date set for said meeting.
- (c) Members who have provided an email address will be emailed a copy of the notice of the meeting, agenda items and any Notices of Motion.
- (d) Ten (10) financial and/or special members shall constitute a quorum at an Annual Meeting.
- (e) In the case of insufficient members to form a quorum being present after 30 minutes following the advertised start time for an Annual Meeting, said meeting will be automatically adjourned to re-convene at the same time seven days later and shall proceed with or without a quorum.
- (f) The Chairperson of the meeting shall be the Club President or if not available a person nominated and elected by the members present.
- (g) Only members with voting rights, as per the constitution will be permitted to vote on matters at the Annual Meeting.
- (h) The Chairperson shall have the casting vote only and shall decide all questions of order unless otherwise provided by these rules.
- (i) The order of business at the Annual Meeting shall be as follows:
 - i. Open of the Meeting.
 - ii. Apologies.
 - iii. Reading minutes of the last Annual Meeting and any other General Meeting not yet confirmed and confirming or amending same.
 - iv. Reading President's Report, discussion and adoption or otherwise.
 - v. Reading Vice President's Report, discussion and adoption or otherwise.
 - vi. Reading Treasurer's Report, discussion and adoption or otherwise.
 - vii. Reading Coaches Report, discussion and adoption or otherwise.
 - viii. Election of Management Committee members for the number of positions vacant for that year.
 - ix. Vacating and filling each position of the Management Committee with the elected members.
 - x. Election of Club Auditor.

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- xi. Special Business of which Notice of Motion has been given.
- xii. Other General Business.

6.3 Special General Meeting

- (a) The Management Committee may at any time call a Special General Meeting.
- (b) A Special General Meeting shall also be called by the Committee on a requisition signed by no less than six (6) of members with voting rights, stating in detail the purpose of the meeting.
- (c) Notice of the meeting (including date, time and location) and agenda items, including wording of Notices of Motion or proposed resolutions, must be circulated twenty-one (21) days before the date of the meeting for all members to read. If the resolution is intended to be proposed as a special resolution this will also be stated in the notice with the wording of the proposed special resolution.
- (d) Members who have provided an email address will also be emailed a copy of the notice of the meeting, agenda items and any Notices of Motion.
- (e) Only business of which notice shall have been given as above, or in accordance with these rules, shall be transacted at a Special General Meeting.
- (f) Ten (10) shall form a quorum.
- (g) In the case of insufficient members to form a quorum being present after 30 minutes following the advertised start time for a Special General Meeting, the meeting is deemed to be at an end and the motion denied.
- (h) Only members with voting rights, as per the constitution will be permitted to vote on matters at the Special General Meeting.
- (i) The Chairperson shall have the casting vote only and shall decide all questions of order unless otherwise provided by these rules.

Management Committee

7.1 Election of Office Bearers

- (a) The management of The Club shall be vested in a Management Committee consisting of up to seven (7) committee persons elected for a period as determined by the by-laws.
- (b) All nominations for the Committee shall be proposed and seconded by members, in writing with the nominee's consent and must be in the hands of the Secretary seven (7) days prior to the Annual Meeting. All members are to be advised of accepted nominations at least three (3) days before the Annual Meeting.
- (c) Vacation and election of all positions of the Committee outlined in section 7.2. Where there is more than one nomination received in accordance with section 7.1(b) for the same position, a vote shall be held by those eligible members present at the meeting.
- (d) Where only one nomination has been received for a position that nomination shall be declared elected

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- (e) If there shall be insufficient nominations to fill the whole of the vacancies of the list of officers, those nominated shall be declared elected and shall have power to fill the vacancies and any casual vacancies that may occur.

7.2 The Management Committee and Conditions

- (a) The positions on the Committee shall be:
 - i. President.
 - ii. Vice President.
 - iii. Secretary
 - iv. Treasurer
 - v. Development Officer
 - vi. Committee Member
 - vii. Committee Member.
- (b) A Committee Member who participates in a meeting as set out:
 - viii. is deemed to be present at the Committee Meeting; and
 - ix. continues to be present at the meeting for the purposes of establishing a quorum, until the Committee Member notifies the other Committee Members that he or she is no longer taking part in the Committee Meeting.
- (c) Special meetings may be called by the President or on the request of three members of the Committee.
- (d) The Committee is able to determine the distribution of Committee Meetings minutes.
- (e) All Members, or other guests, may attend Committee Meetings if invited by the Committee but the person shall not have any right to comment without invitation, or vote on any matter, or to be provided with copies of any agenda, minutes of meetings, or documents presented to such meetings.
- (f) No member of the Committee shall be held to have resigned his/her seat until his/her resignation, in writing, has been accepted by the Committee.
- (g) Committee Vacancies:
 - i. Any vacancy occurring in the Committee may be filled at a meeting of the Committee when a member may be elected to fill such a vacancy until the next election provided the member elected at such Committee meeting shall hold office in the place of, and upon the same terms and conditions as their predecessor, had the latter continued in the office.
 - ii. In the vacancy of the President then the Vice President shall become President.
 - iii. A casual vacancy of [Vice President] shall be filled by the Committee from a Member of the Management Committee.
- (h) The President shall preside at all meetings of the Committee of The Club and, in his or her absence the Vice President.

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- (i) Should neither be present, the meeting shall elect a Chairperson.
- (j) All resolutions of the Committee shall be decided by a majority vote of all those present.
- (l) In the case of equality of votes, the President will have the casting vote.

7.3 Ceasing to be a member of the Management Committee

- (a) A casual vacancy occurs in the office of a Committee Member and that office becomes vacant if the Committee Member:
 - i. dies;
 - ii. ceases to be a Member;
 - iii. becomes disqualified from holding a position as a result of bankruptcy or conviction of a relevant criminal offence;
 - iv. becomes permanently incapacitated by mental or physical ill-health;
 - v. resigns from office;
 - vi. is absent from more than:
 - 1. three consecutive Committee Meetings without a good reason; or
 - 2. three Committee Meetings in the same Financial Year without tendering an apology to the person presiding at each of those Committee Meetings.
 - vii. Is removed from office by resolution at a General Meeting of The Club if a majority of the Members present and with voting rights at the meeting vote in favour of the removal;
 - viii. The Committee Member who faces removal from the Committee must be given a full and fair opportunity at the General Meeting to speak against to motion to remove;
 - ix. If all Committee Members are removed by resolution at a General Meeting, the Members must, at the same General Meeting, elect an interim Committee; or
 - x. The interim Committee must, within two months, convene a General Meeting of the Club for the purpose of electing a new Committee.

7.4 Duties of Office Bearers

- (a) Club President shall:
 - i. Preside at all General and Committee Meetings only. Represent the Club at meetings arranged by governing bodies or alternatively appoint a representative from the Management Committee to attend.
 - ii. Present an Annual Report at the Annual Meeting.
 - iii. Undertake any other duties outlined in the Club's By-Laws or as resolved by the Management Committee.
 - iv. Report to the Management Committee on such duties.

- (b) Vice President shall:

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- i. Assist the club president as required.
- ii. Undertake any other duties outlined in the Club's By-Laws or as resolved by the Management Committee.
- iii. Report to the Management Committee on such duties.

(c) Secretary shall:

- i. Conduct the correspondence of the Club and shall keep full and correct minutes of all proceedings and also attend to such matters as the Committee shall direct, or as may be specifically provided for, in this constitution.
- ii. Undertake any other duties outlined in the Club's By-Laws or as resolved by the Management Committee.
- iii. Report to the Management Committee on such duties.

(d) Treasurer shall:

- i. Receive all club monies and pay the same into any bank, from time to time appointed by the Management Committee, to an account entitled the Marist Hockey Club Account.
- ii. Keep a correct record of the income and expenditure, submit a financial statement at every management meeting and see to the payment of all accounts when passed by the Management Committee.
- iii. Make all payments and Electronic Transfers from the bank account with authorisation by any two of the following four (4): President, Vice President, Treasurer and/or Secretary.

(e) Development Officer shall:

- i. Prepare and implement the relevant development programs endorsed by the Management Committee.
- ii. Undertake any other duties outlined in the Club's By-Laws or as resolved by the Management Committee.
- iii. Report to the Management Committee on such duties.

(f) Committee Members:

- i. roles for committee members shall be determined at the first Management Meeting after the General Meeting as set out in the By-Laws.

(g) Committee Members:

- i. roles for committee members shall be determined at the first Management Meeting after the General Meeting as set out in the By-Laws

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Auditor

- (a) There shall be an Auditor, not a member of the Committee, who shall be appointed annually by the Committee
- (b) Such Auditor shall audit the accounts and have power at any time to call for all books, papers, accounts, etc. relating to the affairs of The Club.
- (c) The Auditor shall be entitled to receive such remuneration as the Committee may determine from time to time.

Amendments

- (a) The Rules of the Club shall not be altered, added to or rescinded except at the Annual Meeting called for the purpose at which at least a fifteen (15) Member quorum entitled to vote shall be present, or a Special Meeting called for the purpose, at which at least twenty (20) Member quorum entitled to vote shall be present, and except by a majority vote of two thirds of the Members present and voting at such a meeting, provided that full particulars of the proposed alterations or additions to the Rules be set forth in the Notice convening the Meeting.
- (b) Within fourteen days after the making of any amendment or alterations to the Constitution and Rules of the Club, the Committee shall send or deliver to the relevant government department, a certified copy of the amendment or alteration.

Rescission of Resolutions

A resolution passed by the Committee shall not be rescinded or altered unless notice in writing of intention to move such Motion or rescission or alteration has been tendered to the Secretary at least ten days before holding the meeting at which it is proposed to rescind or alter such resolution.

Bylaws

The Committee shall have the power to make such By-Laws as they may deem necessary for the carrying out of the objects of the Club and to vary or rescind such By-Laws from time to time, provided that they do not interfere with the Clauses of the Club Constitution

Interpretation of the Rules

The Committee is the sole authority for the interpretation of these rules and of the by-laws made hereunder, and the decision of the Committee thereon shall be final and binding for all members.

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Club Uniform

The Club Uniform as determined by the Committee as Club Uniform shall be the only uniform to be worn during competition and any other Club endorsed activity where the Club Uniform is required.

Common Seal

- (a) The Club shall have a Common Seal, which shall be kept in the custody of the Secretary and shall not be affixed to any document except by the authority of the Committee and in the presence of one member of the Committee.
- (b) Any document to which the Common Seal is affixed shall be countersigned by the Secretary or an officer appointed by the Committee for that purpose.
- (c) The Club may execute a document without using a Common Seal if the document is signed by:
 - i. any two Committee Members; or
 - ii. one Committee Member and a person authorised by the Committee.

Dissolution of the Club

- (a) The Club may cease its activities and have its incorporation cancelled in accordance with the Act if the Members resolve by Special Resolution that The Club will:
- (b) In disposing of the property of the Club, all properties, after resolution of all debts. Incurred by the Club, shall be held in trust by Bunbury Hockey, pending the reformation of a responsible Club, a responsible Club being determined by Bunbury Hockey. If, after a period of two years a responsible Club is not reformed, all property held in trust will be distributed.

Preferences in distribution shall, provided that the Rules status and Constitutions binding the respective Clubs and Authorities hereunder named contain a provision that upon dissolution it shall not be lawful for division amongst Members of the organisation, be given to the following order:

- i. Bunbury Hockey
- ii. Hockey WA