

## Cross Reference Guide to Schedule 1 Requirements

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## **Part I – Preliminary**

### **1. Name**

The name of the association shall be the Sutherland District Hockey Club Incorporated (referred to in these rules as "the Club").

### **2. Objects**

The objects of the Club shall be to foster the interest and control of the game of hockey in the Sutherland Shire; and to give an opportunity to amateur junior and senior players in the above mentioned Shire to participate in the game of hockey.

## **Part II - Membership**

### **3. Admission to Membership**

(a) A person is qualified to be a member of the Club if, but only if -

(i) the person was a member of the Sutherland District Hockey Club immediately prior to incorporation and has not ceased to be a member of the Club at any time since incorporation;  
or

(ii) the person

(a) applies for membership of the Club as provided by clause (b); and

(b) has been approved for membership of the Club by the Committee.

(b) An application for membership of the Club

(i) shall be made in the form set out in Appendix 1 to these rules; and

(ii) shall be lodged with the Secretary of the Club;

and as soon as practicable after receiving an application for membership, the Secretary shall refer the nomination to the Committee which shall determine whether to approve or reject the application.

### **4. Membership Classification**

(a) Membership of the Club shall be restricted to

(i) senior playing members;

(ii) junior playing members;

- (iii) life members;
  - (iv) social members; and
  - (v) honorary members.
  - (vi) associate members
- (b) Senior playing members shall be 17 years or older at 1 January of the current year.
- (c) Junior playing members shall be under the age of 17 at 1 January of the current year.
- (d) Life members may be appointed from amongst club members who have rendered special service to the Club. Nominations for life membership shall be submitted with supporting evidence to the Committee for ratification after which the nomination shall be presented to the Annual General Meeting.
- (e) Honorary membership may be conferred by the Committee upon any person if it is considered that such action is in the interests of the Club. Honorary members may be called upon to perform any active or official duties. Such membership shall expire at the conclusion of the Annual General meeting following the appointment, or at an earlier date as determined by the Committee.
- (f) Associate members shall be registered members of Sutherland-St George Veterans Association.

## **5. Membership Entitlements**

- (a) Members entitled to vote at general meetings, subject to rule 20, clause (d) shall be either –
- (i) senior playing members;
  - (ii) life members; or
  - (iii) social members.
- (b) Members entitled to play in a team representing the Club shall be either -
- (i) senior playing members;
  - (ii) junior playing members; or
  - (iii) life members.

## **6. Cessation of Membership**

- (a) Membership shall cease upon –

- (i) death;
  - (ii) resignation provided all amounts payable by the member to the Club have been paid;
  - (iii) by decision of the Committee for non-payment of fees if more than thirty (30) days overdue;  
or
  - (iv) expulsion from the Club.
- (b) Where a member ceases to hold membership the secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## **7. Fees**

- (a) The membership fees shall be set at a general meeting by the Club members and shall not be varied except at a general meeting.
- (b) All membership fees shall fall due for payment on 1st April in each calendar year, except as provided by clause (c).
- (c) A person becoming a member on or after 1st May in a calendar year, shall have a period of thirty (30) days to pay all membership fees.
- (d) A person who has not paid all membership fees by 1st June, subject to clause (c), shall not be eligible for selection in any team representing the Club.

## **8. Members Liability**

The liability of a member of the club to contribute towards the payment of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership of the Club as required by rule 7.

## **9. Disciplining of Members**

- (a) Where the Committee is of the opinion that a member of the Club -
  - (i) has persistently refused or neglected to comply with a provision or provisions of these rules; or
  - (ii) has persistently and wilfully acted in a manner prejudicial to the interests of the Club,  
the Committee may, by resolution –
  - (iii) expel the member from the Club; or
  - (iv) suspend the member from membership of the Club for a specified period.
- (b) A resolution of the Committee under clause (a) is of no effect unless the Committee, at a meeting

- held not earlier than 14 days and not later than 28 days after service on the member of a notice under clause (c), confirms the resolution.
- (c) Where the Committee passes a resolution under clause (a), the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member -
- (i) setting out the resolution of the Committee and the grounds on which it is based;
  - (ii) stating that the member may address the Committee at a meeting to be held not earlier than 14 and not later than 28 days after the service of the notice;
  - (iii) stating the date, place and time of that meeting; and
  - (iv) informing the member that the member may do either of both of the following –
    - (a) attend and speak at the meeting;
    - (b) submit to the Committee at or prior to the date of that meeting written representations relating to the resolution.
- (d) At a meeting of the Committee held as referred to in clause (c), the Committee shall –
- (i) give the member an opportunity to make oral representations;
  - (ii) give due consideration to any written representations submitted to the Committee by the member at or prior to the meeting; and
  - (iii) by resolution determine whether to confirm or revoke the resolution.
- (e) A resolution of the Committee confirmed under clause (d) shall be regarded as final and the member shall have no right of appeal.

### **Part III - The Committee**

#### **10. Powers**

The Club shall have its affairs controlled and managed by the office-bearers known as the Committee.

#### **11. Constitution and Membership**

- (a) The Committee shall consist of the office bearers of the Club each of whom shall be elected at the Annual General Meeting of the Club.
- (b) The office bearers shall be
  - (i) the President;

- (ii) the Deputy President;
  - (iii) the Secretary;
  - iv) the Treasurer;
  - (v) the Assistant Secretary/Treasurer;
  - (vi) the Club Captain;
  - (vii) the Junior Boys Convenor;
  - (viii) the Women's Convenor;
  - (ix) the Publicity Officer;
  - (x) the Records Officer;
  - (xi) the Ground Convenor;
  - (xii) the Canteen Supervisor;
  - (xiii) the Social Convenor;
  - (xiv) the Development Officer.
  - (xv) the Equipment Officer; and
  - (xvi) the Building Officer;
  - (xvii) The Junior Girls Convenor
- (c) Each member of the Committee shall, subject to these rules, hold office from the date of their election or appointment until the conclusion of the Annual General Meeting following their election of appointment.
- (d) Any casual vacancy in the Committee may be filled by a member appointed by the Committee and that member shall hold office as determined by clause (c).

## **12. Meetings and Quorum**

- (a) Five (5) members of the Committee shall form a quorum. At least two (2) of the President, Deputy President, Secretary or Treasurer must be present.
- (b) If within half an hour of the time appointed for a Committee meeting a quorum is not present the meeting shall be dissolved.
- (c) Questions arising at a meeting of the Committee or any sub-committee appointed by the Committee shall be determined by a majority of the votes of the members of the Committee or sub-committee present at the meeting. In case of an equality of votes the person appointed to chair the meeting

shall have a second or casting vote.

- (d) The Committee shall meet at least six (6) times between each successive Annual General Meeting of the Club at such place and time as the Committee may determine.
- e) Additional meetings of the Committee may be convened by the President or Secretary.
- (f) Notice of Committee meetings shall be given at the previous Committee meeting or by such other means as the Committee may decide upon.

### **13. Delegation to sub-committee**

- a) The Committee may, by instrument in writing, delegate to one or more sub- committees (consisting of such member or members of the Club as the Committee) thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument , other than -
  - (i) this power of delegation; and
  - (iii) a function which is a duty imposed on the Committee by the Associations and Incorporation Act 1984 or by any other law.
- (b) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (c) A delegation under this section may be made subject to such conditions or limitations as to exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.
- (d) Notwithstanding any delegation under this rule, the Committee may continue to exercise any function delegated.
- (e) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the Committee.
- (f) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (g) A sub-committee may meet and adjourn as it thinks proper.

### **14. Election**

- (a) Nominations of candidates for election as office bearers of the Club
  - (i) shall be made in writing, signed by two (2) members of the Club and accompanied by written consent of the candidate; and

- (ii) shall be lodged with the Secretary not less than seven (7) days before the date fixed for the holding of the Annual General Meeting at which the election is to take place.
- (b) Where one nomination only is received in writing by the prescribed date for an office, those so nominated shall be declared elected unopposed.
- (c) Where the number of nominations received in writing by the prescribed date for an office is in excess of one (1), a ballot of those so nominated shall be held at the Annual General Meeting.
- (d) Where no nominations for an office be received in writing by the prescribed date, nominations shall be called for at the Annual General Meeting. Where exactly one (1) nomination for an office be received, those so nominated shall be declared elected unopposed. Where more than one (1) nomination is received, a ballot shall be held at the Annual General Meeting
- (e) Any positions on the Committee remaining unfilled at the conclusion of the Annual General Meeting shall be deemed to be casual vacancies.

#### **15. Casual Vacancies**

- (a) A casual vacancy in an office of a member of the Committee shall occur if the member
  - (i) resigns office by notice in writing given to the Secretary;
  - (ii) is expelled from membership of the Club;
  - (iii) is absent from three (3) consecutive meetings without approval from the Committee;
  - (iv) is removed from office by resolution of the Club at a general meeting provided notice of the proposed resolution appeared on the notice convening the meeting; or
  - (v) (v) death.

#### **16. Duties of Office-bearers**

- (a) The President or, in the President's absence, the Deputy President, shall act as chairperson at each general meeting and Committee meeting of the Club.
- (b) If the President and Deputy President are absent from a meeting or unwilling to act, the members present at the meeting shall elect one of their number to act as chairperson.
- (c) The Secretary shall keep -
  - (i) a register of members of the Club specifying the name and address of each member of the Club together with the date on which the person became a member;



- (ii) a record of all appointments of office-bearers;
  - (iii) a record of all members present at a general meeting;
  - (iv) a record of all Committee members present at Committee meetings;
  - (v) minutes of all proceedings at Committee meetings and general meetings;
  - (vi) a file of Club correspondence;
- and these records shall be available for inspection by any member of the Club.

(d) The Treasurer shall -

- (i) ensure that all monies received by the Club are paid into an account in the Club's name and all payments authorised by the Club are made;
- (ii) keep an account of all receipts and expenditure connected with the activities of the Club in a proper format which shall be available for inspection by the Committee members at any time, and the inspection of members at a general meeting;
- (iii) prepare a financial report for presentation at the Annual General Meeting complying with rule 20, clause (b), section (iv); and
- (iv) submit the financial report prepared under section (iii) for audit to the auditor appointed by the Club.

## **Part IV - General Meetings**

### **17. General Meetings - notice**

- (a) Written notice of all general meetings shall be given to members eligible to vote either personally, or by email or by post to the member's address shown in the register of members.
- (b) Where a document is sent to a person by properly addressing an email or by preparing and posting to the person a letter containing the document, the document shall be deemed for the purpose of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of email delivery or post.
- (c) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, notice of the place, date and time of the meeting, and the nature of the business proposed to be transacted at the meeting shall be circulated as required by clause (a) at least fourteen (14) days before the meeting.

- d) In the case of a general meeting where a special resolution is to be proposed, notice of the meeting shall be circulated in the manner prescribed under clause (a) at least twenty-one (21) days before the meeting specifying, in addition to the matters required under clause (b), the intention to propose the resolution as a special resolution.

### **18. General Meetings - procedure**

- (a) All votes shall be given personally and there shall be no voting by proxy.
- (b) In the case of an equality of votes the person appointed to chair the general meeting shall have a second or casting vote.
- (c) No item of business shall be transacted at a general meeting unless a quorum of members eligible under these rules to vote is present during the time the meeting is considered that item.
- (d) Thirty (30) members eligible under these rules to votes shall form a quorum.
- (e) If thirty (30) minutes after the time fixed for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case the members present eligible under these rules to vote shall constitute a quorum.
- (f) Voting at a general meeting shall be by a show of hands unless a secret ballot is demanded by the majority. Decisions shall be made by a simple majority vote except for those matters which must be decided by a special resolution where a three-quarters majority is required.

### **19. Annual General Meetings - holding of**

- (a) With the exception of the first Annual General Meeting of the Club, the Club shall, at least once in each calendar year and within the period of six (6) months after the expiration of each financial year of the Club, convene an Annual General Meeting of its members.
- (b) The Club shall hold its first Annual General Meeting within the period of eighteen (18) months after its incorporation under the Associations Incorporation Act 1984; and
  - (i) within the period of eighteen (18) months after its incorporation under the Associations Incorporation Act 1984; and
  - (ii) within the period of two (2) months after the expiration of the first financial year of the Club.

### **20. Annual General Meetings – calling of and business at**

- (a) The Annual General Meeting of the Club shall, subject to rule 19, be convened on such a date and at such a place and time as the Committee determines.
- (b) In addition to any other business, which may be transacted at an Annual General Meeting, the business of an Annual General Meeting shall be –

- (i) to confirm the minutes of the last preceding Annual General Meeting and any special general meeting(s) held since that meeting;
- ii) to receive from the Committee reports upon the activities of the Club during the last preceding financial year;
- (iii) to elect office-bearers of the Club;
- (iv) receipt and consider a statement from the Committee which is not misleading and gives a true and fair view for the last financial year of the Club's:
  - receipts and expenditure;
  - assets and liabilities;
  - mortgages, charges and other liabilities;
  - trust properties.
- (c) The Annual General Meeting shall be specified as such in the notice convening it.
- (d) Any person owing monies to the Club at the time of the Annual General Meeting shall not be eligible to vote or stand for election at that Annual General Meeting.

## **21. Special General Meetings - calling of**

- (a) The Committee may, whenever it deems necessary, convene a special general meeting of the Club.
- (b) The Committee shall, within three (3) months of the receipt of a written request of not less than fifteen (15) members eligible under these rules to vote, convene a special general meeting of the Club.
- (c) A requisition from members for a special general meeting shall –
  - (i) state the purpose or purposes of the meeting;
  - (ii) be signed by the members making the requisition;
  - (iii) be lodged with the secretary; and
  - (iv) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

## **22. Special Resolutions**

- (a) A special resolution must be passed by a general meeting of the Club to effect the following changes -
  - (i) a change of the Club's name;
  - (ii) a change of the Club's rules;

- (iii) a change of the Club's objects;
  - (iv) an amalgamation with another incorporated association;
  - (v) to voluntarily wind up the Club and distribute its property; or
  - (vi) to apply for registration as a company or co-operative
- (b) In situations where it is not possible or practicable for a special resolution to be passed as described elsewhere in these rules, a request may be made to the Corporate Affairs Commission for permission to pass the resolution in some other way.

## Part V - Miscellaneous

### 23. Public Officer

- (a) The Committee shall be responsible for the appointment of the Public Officer.
- (b) The Public Officer shall be eighteen (18) years of age or older and a resident of New South Wales. The Public Officer may be an office bearer, Committee member or any other person regarded as suitable for the position by the Committee.
- (c) The Public Officer shall be deemed to have vacated their position in the following circumstances-
  - (i) death;
  - (ii) resignation;
  - (iii) removal by the Committee or members at a general meeting;
  - (iv) bankruptcy of financial insolvency;
  - (v) mental illness; or
  - (vi) residence outside New South Wales.
- (d) The Public Officer is required to notify the Corporate Affairs Commission by the prescribed form in the following circumstances -
  - (i) appointment within 14 days;
  - (ii) a change of residential address - within 14 days;
  - (iii) a change in the Club's objects or rules - within one month;

- (iv) a change in membership of the Committee - within 14 days;
  - (v) of the Club's financial affairs - within one month after the Annual General Meeting; or
  - (vi) a change in the Club's name - within one month
- (e) When a vacancy occurs in the position of Public Office the Committee shall within 14 days notify the Corporate Affairs Commission by the prescribed form and appoint a new Public Officer.

#### **24. Funds - source**

- (a) Funds shall be derived from annual subscriptions of members, social activities, donations, sponsorship and, subject to any resolution passed by the Club in general meeting, such other sources as the Committee determines.
- (b) The Club shall, as soon as practicable after receiving any money issue an appropriate receipt.

#### **25. Funds Management**

- (a) The Committee shall have full power and authority to apply the funds of the Club toward the aims and objectives of the Club.
- (b) The Club general account signatories shall be President, Vice President, Secretary, Treasurer and Assistant Treasurer/Secretary.
- (c) All cheques or orders of payment shall be signed by any two of the Club general account signatories and be authorised by the Committee.

#### **26. Insurance**

The Club shall effect and maintain insurance as is required under the Associations Incorporation Act 1984 together with any other insurance which may be required by law or regarded as necessary by the Club.

#### **27. Common Seal**

The common seal of the Club shall be kept in the custody of the Secretary and shall only be affixed to a document with the approval of the Committee. The stamping of the Common Seal shall be witnessed by the signatures of two of the office bearers of the Club.

#### **28. Surplus Property**

The Club may at any time pass a special resolution determining how any surplus property is to be distributed in the event that the Club should be wound up. The distribution of surplus property shall be in accordance with section 53 of the Associations Incorporation Act 1984.