

**ASSOCIATIONS INCORPORATION ACT 1985**

**RULES FOR**

**FLINDERS UNIVERSITY**

**HOCKEY CLUB**

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## **1. NAME**

The name of the (incorporated) association is “The Flinders University Hockey Club”.

## **2. DEFINITIONS**

In these rules, and in all rules made hereunder, the following terms shall mean

“University” means “The Flinders University of South Australia”

“committee” means the committee of management of the association

“association” means the (incorporated) association known as the “Flinders University Hockey Club”

“the act” means the Associations Incorporation Act 1985

“member” means a member of the association

“special resolution” means a special resolution defined in the Act

“general meeting” means a general meeting of members of the association convened in accordance with these rules

“month” shall mean a calendar month

## **3. OBJECTS**

The objects of the Association shall be –

- a. To promote, develop and control hockey within the University.
- b. To co-operate with any other organisation or organisations whose objects are similar to those of the Association, and whose affiliation is ratified by Flinders Campus Community Services.

## **4. POWERS OF THE ASSOCIATION**

The association shall have all the powers conferred by section 25 of the Act.

## **5. MEMBERSHIP**

### **5. TYPES OF MEMBERSHIP**

#### **5.1.1. GENERAL MEMBER**

All members of the public shall be eligible to apply for general membership of the Association.

The committee will review all applicants and reserves the right to reject and application for membership for any reason.

Any person eligible for membership on making written or verbal application to the Secretary of the Association, being accepted by the committee and on paying the annual subscription shall thereby become a financial General Member of the Association.

#### **5.1.2. LIFE MEMBER**

Members who have been financial members at the club for more than 10 years and who have participated as a member of the committee are eligible to be considered for life membership.

The committee will review all eligible members at the end of each year and decide if the applicant should receive life membership.

#### **5.1.3. HONORARY LIFE MEMBER**

People who have been associated with the club for over ten years may be considered for honorary life membership.

The committee will review all eligible members at the end of each year and decide if the applicant should receive honorary life membership.

## **5.2. SUBSCRIPTIONS**

- 5.2.1. The subscription fees for membership shall be such sum, (if any) as the committee shall determine from time to time.
- 5.2.2. The subscriptions fees shall be payable annually at such a time as the committee shall determine.
- 5.2.3. Any member whose subscription is outstanding for more than 6 months after the due date for payment shall cease to be a member of the association, provided always that the committee may reinstate such a person's membership on such terms as it thinks fit.

## **5.3. RESIGNATIONS**

A member may resign from membership of the association by given written notice thereof to the secretary or public officer of the association. Any member so resigning shall be liable for any outstanding subscriptions or outstanding fines which may be recovered as a debt due to the association.

## **5.4. EXPULSION OF A MEMBER**

- 5.4.1. Subject to giving a member an opportunity to be heard or to make a written submission, the committee may resolve to expel a member upon a charge of misconduct detrimental to the interests of the association.
- 5.4.2. Particulars of the charge shall be communicated to the member at least one month before the meeting of the committee at which the matter will be determined.
- 5.4.3. The determination of the committee shall be communicated to the member, and in the event of an adverse determination the member shall, (subject to 5.4.4 below), cease to be a member 14 days after the committee has communicated its determination to the member.
- 5.4.4. It shall be open to a member to appeal to the association in a general meeting against the expulsion. The intention to appeal shall be communicated to the secretary or public officer of the association within 14 days after the determination of the committee has been communicated to the member.
- 5.4.5. In the event of an appeal under 5.4.4 above, the appellant's membership of the association shall not be terminated unless the determination of the committee to expel the member is upheld by the members of the association in general meeting after the appellant has been heard by the members of the association, and in such event membership will be terminated at the date of the general meeting at which the determination of the committee is upheld.

## **5.5. REGISTRATION OF MEMBERS**

A register of members must be kept and contain:

- 5.1.1. The name and address of each member;
- 5.1.2. The date on which each member was admitted to the association; and
- 5.1.3. if applicable, the date of, and reason(s) for, termination of membership.

## **6. THE COMMITTEE**

### **6.1. POWERS AND DUTIES**

- 6.1.1. The affairs of the association shall be managed and controlled by a committee which in addition to any power and authorities conferred by these rules may exercise all such powers and do all such things as are within the objects of the association, and are not by the Act or by these rules required to be done by the association in general meeting.
- 6.1.2. The committee has the management and control of the funds and other property of the association.
- 6.1.3. The committee shall have authority to interpret the meaning of these rules and any other matter relating to the affairs of the association on which these rules are silent.
- 6.1.4. The committee shall appoint a public officer as required by the Act.

### **6.2. APPOINTMENT**

- 6.2.1. The office bearers of the Association shall be elected at the Annual General Meeting and shall include:
  - President – (President and Secretary may be combined into one position only if Treasurer and Secretary are not combined.)
  - Vice Presidents
  - Honorary Secretary
  - Honorary Treasurer – (Treasurer and Secretary may be combined into one position only if President and Secretary are not combined.).
  - Committee members – not more than seven (7).
- 5.1.2. A committee member shall be a natural person.
- 5.1.3. No office bearer from the association shall receive any remuneration for their services.

- 5.1.4. Office bearers shall hold office until the following elections at which they shall not be disqualified as candidates by reason only of previous office.
- 5.1.5. The committee may appoint a person to fill a casual vacancy, and as such a committee member shall hold office until the next annual general meeting of the association and shall be eligible for election to the committee without nomination.

### **6.3. *PROCEEDINGS OF COMMITTEE***

- 6.3.1. The committee shall meet together for the dispatch of business as often as required with a minimum of three meetings a year.
- 6.3.2. Questions arising at any meeting of the committee shall be decided by a majority of votes, and in the event of equality of votes the chairperson shall have a casting vote in addition to a deliberative vote.
- 6.3.3. A quorum for a meeting of the committee shall be one half of the members of the committee. A member of the committee having a direct or indirect pecuniary interest in a contract or proposed contract, with the association must disclose the nature and extent of that interest to the committee as required by the Act, and shall not vote with respect to that contract or proposed contract. The member of the committee must disclose the nature and extent of his or her interest in the contract at the next annual general meeting of the association.

### **6.4. *DISQUALIFICATION OF COMMITTEE MEMBERS***

- 6.4.1. The office of a committee member shall become vacant if a committee member is:
- Disqualified from being a committee member by the Act;
  - Expelled as a member under these rules
  - Permanently incapacitated by ill health;
  - Absent without apology from more than four meetings in a financial year;
  - No longer the duly appointed representative of a corporate member.

## **7. GENERAL MEETINGS**

### **7.1. *ANNUAL GENERAL MEETING***

- 7.1.1. The committee shall convene an Annual General Meeting of all members once in every calendar year to be held as early as practicable in the new calendar year, at such time and place as may be determined by the Committee.
- 7.1.2. The order of business at the meeting shall be:



- The confirmation of the minutes of the previous annual general meeting and of any special general meeting held since that meeting.
- The consideration of the accounts and reports of the committee and the auditor's report (if the auditor's report is required).
- The election of the committee members.
- Any other business requiring consideration by the association in general meeting.

## **7.2. SPECIAL GENERAL MEETING**

- 7.2.1. The committee may whenever it thinks fit convene a Special General Meeting
- 7.2.2. The committee shall on receipt of a request in writing stating the objects of the meeting proposed to be called and signed by not less than six (6) members convene a Special General Meeting within twenty-one (21) days of the date of receipt of such requisition by the Honorary Secretary.

## **7.3. NOTICE OF GENERAL MEETINGS**

- 7.3.1. Notice of the Annual and of every General Meeting shall be given at least seven (7) days before such meeting on an official notice board and shall include a statement of the items of business to be brought before such meeting.

## **7.4. PROCEEDINGS AT GENERAL MEETINGS**

- 7.4.1. Ten members, present personally or by proxy shall constitute a quorum for the transaction of business at any general meeting.
- 7.4.2. If within 30 minutes after the time appointed for the meeting a quorum of members is not present, a meeting convened upon the requisition of members shall lapse. In any other case, the meeting shall stand adjourned to the same day in the next week, at the same time and place and if at such adjourned meeting a quorum is not present within 30 minutes of the time appointed for the meeting the members present shall form a quorum.
- 7.4.3. The business of an Annual General Meeting shall be to receive and consider the Annual report and Financial Statement, to elect the office bearers and to transact any other business of which due notice under these rules shall have been given.
- 7.4.4. The President shall be entitled to take the Chair at all General Meetings of the Association. In their absence or unwillingness to act, the members present shall choose a Chair from among their own number.

- 7.4.5. No person shall be competent to vote at any General Meeting unless they are a financial member of the Association.
- 7.4.6. Every resolution passed at any General Meeting shall be binding on all members of the Association.

## **7.5. VOTING AT GENERAL MEETINGS**

- 7.5.1. Subject to these rules, every member of the association has only one vote at a meeting of the association.
- 7.5.2. Subject to there rules, a question for decision at a general meeting, other than a special resolution, must be determined by a majority of members who vote in person, or where proxies are allowed, by proxy, at that meeting.
- 7.5.3. Unless a poll is demanded by at least five members, a questions for decision at a general meeting must be determined by a show of hands.

## **7.6. POLL AT GENERAL MEETINGS**

- 7.6.1. If a poll is demanded by at least five members, it must be conducted in a manner specified by the person presiding and the result of the poll is the resolution of the meeting on that question.
- 7.6.2. A poll demanded for the election of a person presiding on a question of adjournment must be taken immediately, but any other poll may be conducted at any time before the close of the meeting.

## **7.7. SPECIAL AND ORDINARY RESOLUTIONS**

- 7.7.1. A special resolution is a special resolution as defined in the Act.
- 7.7.2. An ordinary resolution, is a resolution passed by a simple majority at a general meeting.

## **7.8. PROXIES**

- 7.8.1. A member shall be entitled to appoint in writing a natural person who is also a member of the association to be their proxy, and attend and vote and any general meeting of the association.

## **8. THE SEAL**

The association shall have a common seal upon which its corporate name shall appear in legible characters.

The seal shall not be used without the express authorisation of the committee, and every use of the seal shall be recorded in the minute book of the Association. The affixing of the seal shall be witnessed by any two of the following the President, Secretary or Treasurer.

## **9. MINUTES**

- 9.1.1. Proper minutes of all proceedings of general meetings of the association and of meetings of the committee, shall be entered within one month after the relevant meeting in minute books kept for the purpose
- 9.1.2. The minutes pursuant to this rule must be confirmed by the members of the association or the members of the committee (as relevant) at a subsequent meeting.
- 9.1.3. The minutes kept pursuant to this rule shall be signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the next succeeding meeting at which the minutes are confirmed.
- 9.1.4. Where minutes are entered and signed they shall, until the contrary is proved, be evidence that the meeting was convened and duly held, that all proceedings held at the meeting shall be deemed to have been duly held, and that all appointments made at a meeting shall be deemed to be valid.

## **10. FINANCIAL REPORTING**

### ***10.1. FINANCIAL YEAR***

- 10.1.1. The first financial year of the Association commences (on Incorporation) 1 January and ends on 31 December 2011.
- 10.1.2. Each subsequent financial year of the Association commences on 1 January and ends on 31 December.

## **10.2. ACCOUNTS TO BE KEPT**

The association shall keep and retain such accounting records as are necessary to correctly record and explain the financial transactions and financial position of the association in accordance with the Act.

## **10.3. ACCOUNTS AND REPORTS TO BE LAID BEFORE MEMBERS**

- 10.3.1. The accounts, the committee's statement and the committee's report, shall be laid before members at the annual general meeting.
- 10.3.2. As required, the accounts and reports as stated in 10.3.1 shall be submitted to Flinders Campus Community Services

## **11. PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS**

The income and capital of the association shall be applied exclusively to the promotion of its objects, and no portion shall be paid or distributed directly or indirectly to members or their associates except as bona fide remuneration of a member for services rendered or expenses incurred on behalf of the association.

## **12. WINDING UP**

The association may be wound up in the manner provided for in the Act.

## **13. APPLICATION OF SURPLUS ASSETS**

If on winding up or dissolution of the Association, there remain after the satisfaction of all its debts and liabilities any monies or properties whatsoever, the same shall not be paid to or distributed among members of the Association, but, shall be paid to or transferred to Flinders Campus Community Services to be used within the University as deemed fit by Flinders Campus Community Services and within the terms of Clause 11 of this Constitution.

## 14. RULES

- 14.1.1. These rules may be altered (including an alteration to the association's name) by special resolution of the members of the association. This includes rescission or replacement by substitute rules.
- 14.1.2. Where applicable, the alteration shall be registered with the Office of Consumer and Business Affairs, Corporate Affairs and Compliance Branch, as required by the Act.
- 14.1.3. The registered rules shall bind the association and every member to the same extent as if they have respectively signed and sealed them, and agreed to be bound by all of the provisions thereof.

Adopted at the Meeting of the Flinders University Hockey Club

Held on

\_\_\_\_\_

Signed

\_\_\_\_\_ President