



RULES of the OTAGO HOCKEY ASSOCIATION (1990) INCORPORATED

1. CONSTITUTION

- a) The Association shall be called the **“Otago Hockey Association (1990) Incorporated”**.
- b) The Registrar of Societies incorporated the Association on 17 September 1990.
- c) These Rules were adopted by way of amendment on 27 March 2013.

2. INTERPRETATION

- a) **“The Association”** refers to the Otago Hockey Association (1990) Incorporated.
- b) **“The Federation”** refers to the New Zealand Hockey Federation Incorporated.
- c) **“The Council”** refers to the Council of the Association.
- d) **“The Board”** refers to the Executive Committee of the Association.

3. REGISTERED OFFICE

- a) The Registered Office of the Association shall be at the McMillan Hockey Centre, 65 Harbour Terrace, Dunedin or such other place as the Board may determine.

4. OBJECTS

The objects of the Association are:

- a) To control, foster and regulate the playing and umpiring of the game of hockey in the Otago district as defined by the Federation, and to contribute towards the advancement of the game throughout New Zealand.
- b) To settle questions or disputes on any matter relating to hockey that may be submitted to the Association for its adjudication.
- c) To purchase, lease, hire or by any other means acquire any real or personal estate necessary or convenient for the purposes of the Association.
- d) To sell, lease, exchange, mortgage, improve, manage, develop, or otherwise deal with all or any part of the real and/or personal estate of the Association or in which the Association has or hereafter have any beneficial interest.
- e) To construct, maintain or alter any buildings or works of, as required by the Association, and to furnish and equip the same.
- f) To hire and employ all classes of persons whose services may be deemed necessary for the purposes of the Association and to pay to them salaries, wages or gratuities.
- g) To invest the monies of the Association in such a manner as the Trustees of the said monies may see fit, but only after the Board has given its consent thereto.
- h) To borrow or raise by mortgage or otherwise and on such security and in such manner as the Association shall think fit, subject however to the condition that the power to do so shall not be exercised except by a resolution of a Special General Meeting convened by the Board for that

purpose.

- i) The objects of the Association are exclusively charitable in nature and the Association's funds may not be used for the private pecuniary gain of anyone associated with the Association. Any income, benefit or advance must be used to advance the charitable objects of the Association.

5. MEMBERSHIP

- a) This Association is an association of the members of all hockey clubs and incorporated sub-associations which are now affiliated to the Association, or which may hereafter be affiliated to the Association.
- b) The membership of the Association shall consist of the Officers of the Association, Life Members and all members of every club or sub-association within the Otago district now or hereafter affiliated to this Association in accordance with these Rules.
- c) Any club or sub-association may withdraw from the Association by giving three months notice (in writing) to the Administrator, who shall report such resignation to the next meeting of the Board, which may accept the resignation on such terms and conditions as it thinks fit.

6. AFFILIATION

- a) Any club desiring affiliation with this Association must be proposed and seconded by two already affiliated clubs or sub-associations, and shall be voted on at a General Meeting.
- b) However, the Board may provisionally affiliate any club pending a vote at a General Meeting. Such a provisionally affiliated club shall have all rights and privileges of a fully affiliated club until the matter of affiliation can be dealt with at a General Meeting.
- c) Clubs affiliating with this Association shall submit their uniform to the Board for registration, and the exclusive right to play in such colours shall be decided by priority of registration.
- d) Any hockey association may be affiliated to this Association as a sub-association in the same manner as provided for the affiliation of clubs above, and upon such affiliation being effected, the following regulations shall apply in respect of such a sub-association:
 - i) Immediately upon affiliation being granted, the sub-association shall be entitled to be represented by delegates to the Council as provided in **Rule 8(a)(ii)**.
 - ii) The rules of such sub-association, and any later proposed alterations are to be submitted to the Board of this Association for consideration and approval.
 - iii) Such sub-association shall be self-governing but shall have the right to refer any matter to the Board of this Association for decision, and such a decision is to be final.
 - iv) Such sub-association shall submit its colours to this Association for approval and registration.
 - v) Such sub-association shall forward to the Administrator of this Association before the date of the Annual General Meeting of this

Association in each year, a list of the clubs affiliated to the sub-association, and shall from time to time notify the Administrator of this Association of additions to or alterations to that list.

- vi) This Association shall be entitled to include members of such sub-associations in Otago representative teams.
 - vii) Sub-associations shall be subject to these Rules of the Association.
 - viii) In case of the infringement by a sub-association of any of these Rules, this Association may exercise the same powers of suspension and all other powers as are conferred on this Association by these Rules in respect of affiliated clubs.
- e) No club or sub-association shall be affiliated unless playing under the rules authorised by the Federation.
 - f) No team, club or sub-association affiliated to this Association shall be allowed to play matches with non-affiliated clubs except by special permission of the Board.
 - g) No player shall be allowed to play in any representative team unless they are an active and financial member of an affiliated club or sub-association, or a guest player in accordance with Federation rules.
 - h) No affiliated club shall be permitted to take gate money for any match in which it is engaged unless it has the permission of the Board.
 - i) No new club will be accepted into this Association unless they have at least six new players not previously registered with this Association.

7. MANAGEMENT OF THE ASSOCIATION

The affairs of the Association shall be managed by the Council, and Board, and such sub-committees as either of the foregoing may appoint.

8. THE COUNCIL OF THE ASSOCIATION

a) Composition

The council shall be composed of the Officers of the Association, Life Members and Delegates as listed below: -

- i) **Clubs** – One registered team one delegate;
Two or three teams, two delegates;
Four or more teams three delegates.
- ii) **Sub-associations** – Two delegates each.
- iii) **Umpires** – Two delegates.
- iv) **Primary and Secondary Schools collectively** – Two delegates for the first fifteen teams, three for a larger number of teams.

b) Meetings of the Council

Shall be the Annual General Meeting of the Association and such special General Meetings as may be called as detailed in **Rule 11** below.

c) Delegates

Prior to the Annual General Meeting, the Secretary of each body entitled to have Delegates as listed in **Rule 8(a)** shall notify the Administrator of the Association of the names of its Delegates. These Delegates shall remain in office until the next Annual General Meeting of the Association, or until the body they represented replaces them.

9. THE BOARD OF THE ASSOCIATION

a) Composition

The Board shall be composed of the President, the Treasurer and the six Elected Members of the Officers, from whom one will be elected Chairperson.

b) Powers

The Board shall have the power to:

- i.** Arrange, control and manage all matches played under the jurisdiction of this Association, and the umpiring of such matches.
- ii.** Control the expenditure of the funds of the Association and to incur such liabilities on behalf of the Association, as it may deem necessary.
- iii.** Classify clubs, teams and players.
- iv.** Enquire (whether formal protest has been lodged or not) into the conduct of any player, member, team, club, or sub-association, and if in the opinion of the Board such conduct is contrary to these Rules or the By-laws of the Association, or prejudicial to the interests of Hockey, to impose such penalty or to take such other action as the Board thinks fit.
- v.** Summon witnesses to appear and give evidence at any enquiry held by the Board or any person nor persons appointed by it, and in the event of refusal or failure to attend, to impose such penalty as the Board may consider necessary.
- vi.** Make or amend any By-law necessary to provide for circumstances not provided for in the existing By-laws of the Association, in accordance with **Rule 20(b)**.
- vii.** Appoint selectors, coaches and managers for Otago representative teams.
- viii.** The Board may elect or appoint sub-committees to exercise and carry out any or all of its duties or powers, and in appointing such sub-committees the Board shall not be restricted to appointing from the Delegates to this Association, provided however, that any such persons not being members of the Board shall not, by reason of their appointment to any such sub-committee, be entitled to vote at any meeting of the Board.
- ix.** To adjust fines and penalties as required.
- x.** Settle any question which may arise and which is not especially provided for in these Rules or in the By-laws of the Association and generally to carry out the aims, objects and rules of the Association.

c) Absence

Any member who is absent without leave for three Board Meetings consecutively shall be deemed to have resigned from the Board.

d) Replacement

The Board shall have the right to co-opt any person to replace a member, who has, for any cause or reason, vacated his/her place on that body.

10. OFFICERS

- a)** The Officers of the Association shall be:
 - i.** Patron
 - ii.** President
 - iii.** Treasurer
 - iv.** Six Elected Board Members
- b)** The office bearers shall hold office from date of election until the Annual General Meeting of the Association in the next year.
 - i)** Any office bearer may be removed from office on the grounds of misconduct by a two-thirds majority vote of a Special General Meeting called for that reason.
 - ii)** A retiring office bearer shall retain office until the conclusion of the meeting at which his successor is appointed, or its adjournment to another day.
- c)** An employee of the Association acting as secretary at meetings of the Council or Board shall have full speaking rights, but no voting rights.
- d)** Nominations for the positions of Patron, President, Treasurer and Elected Members shall be received at the Annual General Meeting.

11. MEETINGS

- a) Annual General Meeting**

The Annual General Meeting (AGM) of the Association shall be a meeting of the Council, held between 11 March and 31 March in each year (both dates inclusive).
- b)** Fourteen clear days notice of the AGM shall be given to the Life members, Officers of the Association, and to the Secretaries of all:
 - i.** Affiliated clubs,
 - ii.** Sub-associations,
 - iii.** Other bodies entitled to send delegates to meetings of the Council.
- c)** Such notice shall be accompanied by copies of any motions of which notice has been given, the Annual report, and of the Financial Statement to be presented to the meeting.
- d)** The Agenda must include:
 - i.** Welcome
 - ii.** Apologies
 - iii.** Roll call and proxies
 - iv.** Confirmation of Minutes of last General Meeting
 - v.** Annual Report
 - vi.** Financial Statement
 - vii.** Election of Officers and Auditor
 - viii.** Consideration of Motions of which notice has been given
 - ix.** Consideration of any new, or amendments to any existing, By-laws made by the Board since the last General Meeting
 - x.** General Business

e) Special General Meetings

A Special General Meeting (SGM) of the Association shall be a meeting of the Council. It may be convened by:

- i. The Board at any time, or
 - ii. The Administrator, who shall within seven days of receipt of a requisition signed by at least three affiliated clubs, sub-associations or other bodies entitled to send delegates to the Council, requiring a SGM to be called and setting out the objects of the proposed meeting.
- f)** A SGM shall be convened in the same manner as an AGM except that three days notice shall be sufficient.
- g)** The business of a SGM shall be restricted to:
- i. A brief resume of matters considered by the Board since the last general meeting.
 - ii. The objects of the Meeting as specified above.
 - iii. Consideration of any other matters shall be at the discretion of the Chair.

h) Board Meetings

The Board shall meet at such regular intervals, as it deems necessary and/or expedient.

12. CONDUCT OF MEETINGS

- a)** At all meetings of the Council or Board, the business shall be conducted in accordance with the accepted "Parliamentary Rules of Debate".
- b)** The President shall take the Chair; failing the President, then by the Treasurer; failing both of these, then the meeting shall elect its own chairperson.
- c) Voting**
- i. Those entitled to vote at meetings of the Council shall be the Officers and Delegates as specified in **Rule 8(a)** above.
 - ii. Those entitled to vote at meetings of the Board shall be those persons specified in **Rule 9(a)** as being members of that body.
 - iii. A body entitled to send Delegates to meetings of the Council shall be entitled to the same number of votes as the number of delegates it is entitled to.
 - iv. Should a body send fewer Delegates than it is entitled to, then its Delegates who are present may exercise all the votes that body is entitled to (provided all votes are cast in the same direction).
- d) Method of voting**
- Voting shall be on the voice, or by show of hands, except that a ballot shall be taken if
- i. Requested by two or more delegates
 - ii. Decided by the Chair, or
 - iii. In the event of there being more persons nominated for any office(s) than there are vacancies to be filled.
- e) Casting vote**
- As well as a deliberate vote (if so entitled) the Chair shall have a casting vote.

f) Result

The declaration by the Chair that a vote has been carried or lost shall be final, provided that, when a ballot has been taken, then the declaration of such ballot only shall be final.

- g)** Interested parties may attend meetings of the Council as observers without voting or speaking rights, but may be invited to speak at the discretion of the Chair.

13. PROXIES

- a)** Any person entitled to attend a meeting of the Council, or of the Board, but unable to do so, may appoint another to represent him by proxy, provided that
- i.** Notice to this effect, signed by the absent member, be given to the Administrator before the start of the meeting,
 - ii.** The body he represents has not appointed a substitute,
 - iii.** No person may represent more than one body, but may represent both a body and an Officer/Life Member.

14. QUORUM

- a)** At any meeting of the Council, officers and delegates present personally or by proxy, representing 60% (sixty percent) of the aggregate of votes of all officers and delegates shall constitute a quorum.
- b)** At a meeting of the Board, five (5) Board members shall constitute a quorum.

15. FINANCIAL

- a)** The financial year of the Association shall end on the 31st day of December in each year.
- b)** All monies shall be received by the Treasurer and paid to the credit of the Association at such Bank or Banks, as the Board shall determine.
- c)** All accounts, after being passed for payment by the Board, shall be paid by cheque or bank authorization signed or authorised by any two (2) of a minimum of four (4) signatories authorised by the Board.
- d)** Any funds not immediately required for carrying out the objects of the Association may be invested if approved by the Board.
- e)** An auditor appointed at the Annual General Meeting shall review the accounts of the Association; the Auditor shall not hold any other office in the Association. Should he be unable to carry out the requirements of the office, then the Board may appoint another in his place who shall not be a member of the Board.
- f) Pecuniary Gain**
- No member of the Association or any person associated with a member shall participate in or materially influence any decision made by the Association in respect of the payment to or on behalf of that member or associated person of any income, benefit, or advantage whatsoever.
- i.** Any such income paid shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market

value).

- ii. The provisions and effect of this clause shall not be removed from this document, and shall be included and implied into any document replacing this document.

16. EXECUTION OF DOCUMENTS

- a) The Common Seal of the Association shall consist of the words "Otago Hockey Association (1990) Inc." in the form of a circle, with words "Common Seal" in the centre.
- b) It shall be in the custody of the Administrator.
- c) Whenever the Common Seal of the Association is required to be affixed to any instrument, this shall be done pursuant to a resolution of the Board and in the presence of the President and one other nominated representative of the Board.
- d) Where a document is not required by statute to be executed under Common Seal, the President or Treasurer and one other nominated representative of the Board may execute the document.
- e) Where a document is part of the day-to-day management of the Association, an employee authorised by the Board to execute documents may do so.

17. VIOLATION OF CONSTITUTION OR BY-LAWS

- a) Except where specifically provided otherwise, every sub-association or club affiliated with the Association, and all of their members, undertake to comply with these Rules and any refusal or neglect to do so shall render such sub-association or club and the members thereof liable to expulsion by a resolution carried by not less than two-thirds of those present at a meeting of the Council.

18. PENALTIES AND DISQUALIFICATION

- a) The Association shall have power to inquire into the conduct of any player, member, team, club or sub-association, and if in its opinion such conduct is contrary to the Rules of the Association or prejudicial to the interest of Hockey, may impose penalties on or suspend any individual player, member, team, club or sub-association.
- b) If such a penalty is by fine it shall not exceed such amount as had been determined by the Council as appropriate for the offence.
- c) Any member, player, team, club or sub-association may be called upon to attend before the Association to show why they should not be dealt with according to these rules.
- d) All fines imposed by the Association shall be paid to the Treasurer forthwith.
- e) If not paid within seven days from the imposition of the fine, such player, member, team, club, or sub-association shall be deemed to be suspended until payment be made, and shall be liable to disqualification at the discretion of the Board.
- f) Any penalty or disqualification shall be suspended pending an appeal to the Federation.

19. HONOURS

- a) Initial consideration of the qualifications of candidates for any award shall be made by the Honours Committee, either on its own initiative or following representations made to it (in complete confidence) on behalf of any candidates.
- b) **Merit Award**
This may be given for noteworthy service to Hockey. The award shall be conferred by resolution of the Board upon recommendation from the Honours Committee.
- c) **Honorary Life Membership**
This distinction may be conferred for outstanding service to Hockey, extending over a considerable period. The award shall be conferred by resolution of the Council at a General Meeting, upon recommendation from the Board. The distinction shall carry with it the right to attend and speak at all meetings of the Council, and at all Board meetings.
- d) In no case shall any honour be granted for any pecuniary consideration.

20. ALTERATIONS HERETO

- a) **To the Rules**
Alterations to these Rules shall be made only at a General Meeting of the Council. The proposed alteration shall be the subject of a Notice of Motion in the agenda for the meeting.
- b) **To the By-Laws**
Alterations to the By-Laws may be made by the Board, and shall stand unless repealed at the next Council meeting.
- c) No addition to or alteration or recession of these Rules shall be approved if it affects:
 - i. The charitable objects of the Association,
 - ii. The amateur sport objects of the Association,
 - iii. The prohibition on pecuniary gain, or
 - iv. The 'Alterations Hereto' clause.

21. WINDING UP

- a) The Association may be wound up at any time by a resolution at a Special General Meeting called for that purpose at which a motion is passed by a majority of the Council that the Association be wound up.
- b) The Association shall be wound up in accordance with section 24 of the Incorporated Societies Act 1908 or the applicable provision in any subsequent legislation.
- c) In the event of the winding up of the Association, the property and assets of the Association remaining after payment and discharge of all debts and liabilities of the Association and the expense of winding up shall be transferred to another charitable organisation as the Association may determine at a Special General Meeting in order to further a charitable purpose as defined in section 5(1) of the Charities Act 2005.