

CONSTITUTION
OF THE
BAY OF PLENTY
HOCKEY ASSOCIATION
INCORPORATED

2010

as adopted Xxxxxxx YY, 2010

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CONSTITUTION

OF THE

BAY OF PLENTY HOCKEY ASSOCIATION

INCORPORATED

2010

1. NAME

The name of the Association shall be “**THE BAY OF PLENTY HOCKEY ASSOCIATION INCORPORATED**” (hereinafter referred to as “the **Association**”).

2. INTERPRETATION

In these Rules, unless the context otherwise requires -

Bay of Plenty (BoP) means the Bay of Plenty region as defined by Hockey New Zealand.

~~**Club** means any group of players with a minimum of 15 registered open grade players with a management committee and a set of rules that is located in the BoP.~~

Member means ~~the groupings of Clubs and Schools located in the centres of Rotorua, Taupo or Whakatane or in localities served by these centres.~~any sub-association from Rotorua, Taupo Whakatane or other locality that serves hockey within Bay of Plenty

Recognised Delegate means any person that is authorised by resolution passed at a properly constituted meeting of any **Member** to represent that **Member** at any special meeting or annual meeting of the **Association** provided that there ~~should~~ not be more than two (2) Recognised Delegates of any Member.

~~**School** means a school registered with the Ministry of Education.~~

3. OBJECTS

The objects of the **Association** are:

- (1) To benefit the community by fostering and encouraging the development of hockey for all persons throughout the Bay of Plenty region.

- (2) To foster representative teams for all age groups.
- (3) To support the local competitions, umpires and disciplinary procedures provided by Members.
- (4) To collect and forward the annual affiliation returns ~~to be forwarded~~ and the annual affiliation payments ~~payable~~ to HNZ.
- (5) To represent the Members in all matters arising from HNZ and the Midlands Hockey **Association**

4. AFFILIATION TO HOCKEY NEW ZEALAND

The **Association**, being affiliated to the New Zealand Hockey Federation (hereinafter referred to as "HNZ") will adopt their rules and all alterations and amendments ~~to the rules as~~ the HNZ shall make.

5. MANAGEMENT COMMITTEE

- (1) Management Committee – There shall be a Management Committee which shall be responsible for governing the affairs of the **Association** that shall consist of ~~2-seven recognised delegatespersons-pe for each memberople~~ appointed in accordance with these rules.
- (3) Management Committee Appointments – Each ~~BoP Member~~ shall, ~~from time to time and wherever possible coinciding with the financial year of the Association~~ appoint two (2) persons to the ~~MG~~Management Committee. In making such appointments each ~~BoP Member~~ shall have regard to the requirements of the position and the capabilities of the appointees.
- (4) ~~Independent Chair – Each BoP Member shall, at the same time as the MC is appointed, nominate a third (3rd) person to be an independent chair of the MC.~~ The ~~members of the~~ ~~MG~~Management Committee shall at their first meeting following the AGM of the ~~Association~~**Association**, appoint (from the nominees forwarded by the ~~BoP Members~~) a person to be the Chair of the Association.
- (5) The ~~members of the~~ Management Committee shall be the Officers of the ~~Association~~**Association**.

6. POWERS AND DUTIES OF THE MANAGEMENT COMMITTEE

- (1) Manage the Affairs of the **Association** – The Management Committee shall manage the affairs and shall control all finances of the **Association**.
- (2) Appoint Staff – The Management Committee may appoint such staff as may be needed for the effective and efficient despatch of **Association** business and

shall determine the duties and terms of remuneration of the role.

- (3) ~~Removal Termination of Management Committee tenure Members –~~
(a) The ~~appointed members of the~~ Management Committee shall be removable as a body by a majority vote at a Special General Meeting of ~~the Association~~ called for ~~that~~ purpose. ~~The Special General Meeting shall have the power to fill the resultant vacancies. Those appointed are to hold office until the next Annual General Meeting.~~
- (b) ~~Management Committee~~ **Appointed** members can be removed by special resolution of the ~~respective~~ appointing **Member** for actions that bring disrepute to the appointing **Member** of the **Association** or if they are unable to fulfil their obligations in the running of the Management Committee. ~~No resolution of a under this clause shall be used to require the Association to remove the member.~~
- (4) Temporary Vacancies – Any vacancies occurring in the membership of the Management Committee may be temporarily filled by the Management Committee ~~until such time as a replacement appointment has been made by the respective Member.~~
- (5) Sub-committees
(a) The Management Committee shall have the power to appoint Sub-Committees with the power to act provided that one member of each Sub-Committee is a Management Committee member. All matters dealt with by Sub-Committees must be reported, in writing, to the **Association** for submission to the Management Committee.
- (b) Sub-Committees should disband after completing the task for which they have been set up.
- (c) Sub-Committee members who are not members of the Management Committee may not vote at Management Committee meetings.
- (6) Representative Coaches, Managers, Selectors –
(a) The Management Committee shall appoint all representative team Managers, Coaches and Selectors from applications or nominations. A Girls' or Women's team must be accompanied by at least one female Coach or Manager.
- (b) The Managers, Coaches and Selectors shall be provided with and comply with the **Association's** Guidelines as to their role and duties.
- (8) Representative Fixtures – The Management Committee shall arrange, regulate and control all representative matches for which purpose it shall have power to make, alter and amend all by-laws and regulations relating to these matches.
- (10) The Management Committee shall arrange representation at any meeting or conference of hockey authorities.

7. POWERS OF THE ASSOCIATION

(1) Subject to the provisions of the Incorporated Societies Act 1908, the **Association** by and through its Management Committee, will have all such powers as may be reasonably necessary to enable it to carry out its Objects including the power to accept donations, gifts and legacies and to engage in promotional activities for the raising of funds for its Objects.

(2) Management Committee's Discretion –

The Management Committee may at its absolute discretion be entitled at any time or from time to time to invest such parts of the capital or the income of the **Association** in such manner as the Management Committee sees fit.

(3) Additional Powers –

The **Association** by and through Management Committee will have the following additional powers:

- (a) to lend, borrow, raise or secure the payment of money in such manner as the **Association** thinks fit;
- (b) subject to these rules, to raise in such manner as the **Association** thinks fit funds by subscriptions, levies, donations and other means;
- (c) to effect insurance, including insurance over property, employees and players;
- (d) to acquire by purchase, lease or grants any property or property rights and to manage, let, sell, exchange or otherwise deal with property of the **Association**;
- (e) to delegate to another suitable body the collection of affiliation fees (in respect of Members and players);
- (f) to determine at which bank or banks the **Association** shall hold accounts;
- (g) to determine the signatories of such bank accounts provided that at least two signatories shall be required for any cheque, withdrawal or transfer of funds from an account;
- (h) to do all such other things as are incidental or conducive to the attainment of the Objects.

8. AFFILIATION OF PLAYERS

(1) Players Affiliated – Before any player can take part in ~~any the selection of a~~ representative team ~~of Bay of Plenty~~ under the auspices of the **Association** ~~s/he theythey~~ must be affiliated (i.e. registered as a player and having paid all

fees that are due) with a School or Club **affiliated to any Member of the Association** or otherwise recognised at the discretion of the Management Committee as a “guest” player ~~within BoP~~.

- (2) Affiliation Fees – Affiliation fees for players shall be
 - (a) the annual ~~registration~~ **affiliation** fee payable to HNZ; payable by 30 April each year **which if not collected from any Member of the Association shall be collectable by the Management Committee from any player**.
 - (b) a levy set in respect of the administration costs of the **Association** and agreed to by the **Members**.
 - (c) such other levy or levies as agreed by the members.

9. HEADQUARTERS & REGISTERED OFFICE

The Headquarters and registered office of the **Association** shall be the Hockey Pavilion, Smallbone Park, Devon St West, Rotorua, or at such other place as shall be agreed to at an Annual or Special General Meeting.

10. AUDITOR

- (1) Appointment –

The accounts of the **Association** will be audited by a chartered accountant, not being an Officer of the **Association**, and who will be appointed at each Annual General Meeting. The Management Committee will have power to fill any temporary vacancy in the office of auditor.
- (2) Fees –

The auditor will be paid such fees as may be fixed from time to time by the Management Committee.
- (3) Powers –

The auditor will have the power to call for the production of all books, papers and documents relating to the affairs of **the Association**. The annual financial statements will be audited by the auditor and, if correct, certified in writing under his/her hand before they are submitted to the Annual General Meeting.

11. THE COMMON SEAL

The **Association** shall have a common seal which shall be held for the **Association** by the ~~Executive Officer, if any, or the secretary~~ **Chair** and where required and authorised by resolution of the Management Committee to be affixed to any

document **which** shall **then** be witnessed by any two members of the Management Committee ~~or a member of the Management Committee and the Executive Officer.~~

12. MANAGEMENT COMMITTEE MEETINGS

- (1) All meetings shall be controlled by the Chair or, if necessary, by another member of the Management Committee elected for that meeting.
- (2) Management Committee meetings shall be held as required.
- (3) Notice of each meeting and agenda must be given to all members of the Management Committee.
- (4) A majority of the **Management Committeemembers** shall form a quorum. Failure to form a quorum shall result in any decisions being placed on the Agenda of the next meeting for ratification.
- (5) Voting shall be by a show of hands unless a majority of **the Management Committeemembers** present request otherwise.
- (6) ~~No~~ **None of member of** the Management Committee shall be absent from three or more consecutive meetings of the Management Committee without the permission of the Committee. Any **Management Committee** member failing to obtain such permission shall cease to be ~~on a member of~~ the Management Committee.
- (7) No member of the Management Committee shall take part in the discussion or voting on any matter in which she or he has a personal or pecuniary interest and shall declare such an interest to be recorded in the minutes at the beginning of the meeting or where the item concerned is raised in the meeting. A member of the Management Committee shall not have a personal interest in any matter where her or his interest is no different to any member or participant in the activity of hockey in the Bay of Plenty region.

13. ANNUAL GENERAL MEETINGS

- (1) Annual Meeting – The Annual General Meeting shall be held no later than 3 months following the end of the financial year of the **Association**
- (2) Chair – The Annual General Meeting shall be chaired by the **Association** Chair or ~~in her or his absence or with her or his agreement~~ by any other person agreed by the Members' representatives at the meeting
- (3) Matters to be Considered – Matters to be considered shall include
 - (i) Consideration and adoption of the Annual Report of the Management Committee and the duly audited Balance Sheet and Income and Expenditure Account for the past year.
 - (ii) Appointment of the Management Committee for the following year

- (iii) Election of Life Members.
 - (iv) Appointment of the Auditor.
 - (v) Election of Patron.
 - (vi) Affiliation ~~and Registration [what are these?]~~ Fees.
 - (vii) Consideration of any other stated business notified in accordance with these rules.
- (4) Notice of Meeting – At least twenty-eight (21) days clear notice shall be given by circular, per medium of post and public notice in the local newspapers, to all Officers, and Members. Relevant newspapers shall be determined by the Management Committee.
- (5) Appointees – The names of the persons appointed and (in the case of the independent member) nominated by each ~~BoP~~ Member for the year in question shall be forwarded to the **Association** at least fourteen (14) days before the date of the Annual General Meeting.
- (6) Notice of Other Business – Fourteen (14) days clear notice shall be given to the **Association**, in writing, of all remits, and any other business to be considered at the Annual General Meeting.
- (7) Notice to **Members** – Notification of all business to be dealt with at the Annual General Meeting shall be forwarded to all **Officers** and **Members** by circular, by medium of the post, ~~– or email if agreed to by the Member~~ sent at least seven (7) days prior to the date of the meeting.
- (8) Information – A copy of the Annual Report and Balance Sheet shall be available at the Annual General Meeting.
- (9) Quorum – One (1) Recognised Delegates of each Member shall form a quorum for the Annual General Meeting.
- (10) Attendance – Any person that is registered with a Club or School in BoP shall be entitled to attend the Annual General Meeting of the **Association** and to speak on any matter.
- (11) Voting – Only Recognised Delegates ~~of Members~~ shall be entitled to vote on any matter that is put to vote at the Annual General Meeting.
- (12) Failure to form a quorum at an Annual General Meeting will result in the meeting being adjourned. Fourteen (14) days notice of a further meeting shall be given in the manner set out in rule **14(1) (b)**.
- (13) The mode of voting on any other business at an Annual General Meeting of the **Association** shall be by open voting or by ballot as a simple majority of the Recognised Delegates at the meeting may direct.
- (k) No Recognised Delegate shall be entitled to vote at any meeting of the **Association** if the Member they represent is in arrears with fees or fines.
- (l) There shall be no proxy votes cast nor any votes cast under powers of attorney.

14. SPECIAL GENERAL MEETINGS

- (1) The **Association** shall, at any time, pursuant to a resolution passed by two thirds (2/3) of the Management Committee, or on the written request of not less than a ~~majority of the members total of fifteen (15) of the clubs or schools, stating their objects,~~ call a Special General Meeting of the **Association**.
- (2) Such meeting is to be held not later than 14 days after receipt of such requisition.
- (3) Not less than seven (7) days notice, together with the notification of the business to be dealt with, shall be given to the Officers and the **Members** by circular per medium of the post ~~or if agreed to by the Members by email.~~
- (5) One (1) Recognised Delegates of each Member shall form a quorum.
- (6) Rule **13(11)** shall apply to the entitlement to vote and the mode of voting at a Special General Meeting.
- ~~(6)~~ (7) A Special General Meeting shall not be adjourned for any reason.

15. PECUNIARY GAIN

No **Member or Recognised Delegate** ~~recognised delegate~~ shall derive any pecuniary gain, except as a salaried officer or by way of an independent contract for services or an honorarium, from any property or operation of the **Association**. Pecuniary gain does not include the winning of trophies or prizes, nor does it include the prize money when such money is paid to ~~an Affiliated~~ Member. All such salary payments, contracts for services, honoraria or prizes shall be declared in notes to the annual accounts of the **Association**.

16. MISCONDUCT

- (1) Individual Misconduct

The **Association** shall promulgate from time to time a Code of Conduct that applies to individual players, coaches, managers, officials, and umpires participating in any fixture within the BoP.

The Code of Conduct as promulgated shall apply to all events under the control of the **Association** from the date it is issued in final form.

Any alleged breaches of the Code of Conduct for the time being in force shall be dealt with in accordance with the Code of Conduct.

- (2) Drugs Policy

Without limiting these Rules the **Association** will adopt regulations

governing the control of drug abuse by players, which will be consistent with the guidelines set by the New Zealand Olympic Committee Inc, the International Olympic Committee, the FIH, the Hillary Commission for Recreation Leisure the Fitness, the NZ Sports Drug Agency (NZSDA) or such other organisations that replace the previously mentioned organisations, and the **Association** and Members will be responsible for the education and implementation of such regulations.

17. REPRESENTATIVE UNIFORM

- (1) The representative colours of the **Association** shall be blue and gold.
- (2) All new representative uniforms must be approved by the Management Committee prior to purchase.

18. AWARDS OF LIFE MEMBERSHIP

- (1) Life Membership may be conferred upon a person for services rendered to the **Association** and may be elected at an Annual General Meeting or Special General Meeting upon the three-quarter majority vote of the total number of ~~members~~**Recognised Delegates** and ~~then sanctioned by the Management Committee—Officers present.~~—Such nomination shall be accompanied by a citation.
- (2) No Life Member shall be entitled, on that account only, to vote at any meeting. The list of Life Members is to be presented at each Annual General Meeting.

19. ALTERATION OF RULES

- (1) No alteration of these rules shall be made except by consent of the two thirds majority of Recognised Delegates present and voting at a General Meeting.
- (2) No addition to or alteration of the rules to enable members to take any personal benefit shall be approved and no addition to or alteration or rescission shall be made that would have the effect of removing the **Association's** eligibility as a charitable organisation.

20. GENERAL

- (1) In any case where a difference of opinion arises as to the meaning of these Rules, such differences shall be decided by the Management Committee, or, if it occurs at a General Meeting, by the Chairman thereof.
- (2) If any case occurs which, in the opinion of the Management Committee, is not

provided for in these Rules, it shall be determined by the Management Committee in such a manner as it shall think just and put on the Agenda for the next General Meeting.

- (3) The Rules of any Member should be in line with the intent of those listed in this Constitution and that of the HNZ.
- (4) These Rules should be reviewed at least every 3 years.

21. WINDING UP

- (1) Upon winding up of the **Association**, any property remaining after debts and liabilities have been settled must be given to another organisation that has similar purposes to the **Association** and that has charitable purposes.
- (2) A Resolution in favour of winding up must be passed by a majority of members at a General Meeting.
- (3) The Resolution to be confirmed at a subsequent General Meeting **held** no earlier than 30 days after the date on which the Resolution so to be confirmed was passed.

22. COMMENCEMENT

These rules shall come into effect upon registration by the Registrar of Incorporated Societies.

24. TRANSITIONAL PROVISIONS

If, upon the commencement of these rules, there are more Officers than are provided for under these rules then as many of the Officers as are required to reduce the number to comply with these rules shall resign as Officers. The Officers to resign shall be those that have had the lowest number of votes cast in their favour in the preceding electoral ballot.