

**Rules of**  
**Wellington Hockey Association Incorporated**

**(Revised on 4 April 2017)**



## Table of Contents

1. Name.....	3
2. Registered Office .....	3
3. Colours .....	3
4. Objects .....	3
5. Membership.....	4
6. President .....	4
7. Service Awards .....	5
8. Delegates .....	5
9. Management.....	5
10. Appointments Panel .....	8
11. Appointments Panel Procedure.....	9
12. Election of Board Members by Postal Ballot .....	9
13. Order of Retirement of Board Members .....	10
14. Duties and Powers of Chief Executive Officer .....	10
15. Advisory Councils .....	10
16. Judicial Panel.....	11
17. Meetings .....	13
18. Voting.....	13
19. Financial and Winding up.....	15
20. Common Seal.....	15
21. Affiliation .....	16
22. Suspension .....	18
23. Defaulters .....	19
24. Handbook.....	19
25. Alteration of the Rules.....	19
26. Appeals .....	19
27. Affiliation with Hockey New Zealand Hockey New Zealand.....	18

## 1. Name

The name of the Association shall be  
“**The Wellington Hockey Association (Incorporated)**” hereinafter referred to as “the Association”.

## 2. Registered Office

The Office of the Association shall be situated in the City of Wellington.

## 3. Colours

The Representative playing uniform shall consist of the following:

Men/Boys	Shirt	Black with Gold
	Shorts	Black
	Socks	Black with Gold Trim
Women/Girls	Top	Black with Gold
	Skirt	Black
	Socks	Black with Gold Trim

Or such alternative uniform as agreed between the Association and Hockey New Zealand.

## 4. Objects

The objects of the Association are:

- 4.1 To manage, develop, foster and regulate the game of hockey, both field and indoor in the Wellington District as hereinafter defined, and to contribute towards the advancement of the game throughout New Zealand.
- 4.2 To settle questions or disputes on any matter relating to hockey.
- 4.3 To purchase, lease, hire or by any other means acquire any real or personal property necessary or convenient for the purposes of the Association.
- 4.4 To sell, lease, exchange, mortgage, improve, manage, develop, or otherwise deal with all or any part of the real and/or personal property of the Association or in which the Association has or may hereafter have any beneficial interest.
- 4.5 To lay-out, construct and maintain grounds for hockey or other athletic sports or pastimes and to join with other bodies or associations in so doing.
- 4.6 To construct, maintain and alter any buildings or works of or required by the Association and to furnish and equip the same.
- 4.7 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, gratuities and pensions.
- 4.8 To invest the monies of the Association not immediately required for any of its objects in such manner as the Board of the Association sees fit.
- 4.9 To borrow or raise money by mortgage or otherwise and on such security and in such manner as the Board of the Association shall think fit, subject however, to the provision of Rule 18.4.

- 4.10 To promote, hold, and manage inter-club, inter-provincial and all other hockey matches including teams from overseas, subject to the authority in every case, where such exists, of Hockey New Zealand.
- 4.11 To do all such other lawful things as are incidental or conducive to the attainment of the objects of the Association or any of them.

## **5. Membership**

- 5.1 The Association is an association of the members of all hockey clubs and sub-associations which now are, or may hereafter be, affiliated to the Association.
- 5.2 The membership of the Association shall consist of the Officers of the Association, Life Members elected at a general meeting of the Association, Vice Presidents, and all members of every club within the Wellington District now or hereafter affiliated to the Association in accordance with these Rules.
- 5.3 The Wellington District consists, for the purposes of these Rules, of those areas under the administration of the following local bodies:
- Wellington City Council, Hutt City Council, Upper Hutt City Council, Porirua City Council & Kapiti Coast District Council**
- 5.4 Every member of an affiliated club or sub-association shall cease to be a member of the Association when such club or sub-association shall cease to be affiliated to the Association and any member of the Association may resign his or her membership thereof by giving notice in writing to the Chief Executive Officer of the Association (in these Rules called the CEO) or the secretary of the sub-association or the secretary of the affiliated club to which such member belongs.
- 5.5 For the purposes of these Rules and the regulations made hereunder every club affiliated to a sub-association which is affiliated to the Association shall be deemed to be directly affiliated to the Association.
- 5.6 Any past or present member of the Association may be elected a Life Member of the Association but such person shall be proposed by an affiliated member, have the unanimous approval of the Board and be elected at a general meeting of the Association. The election shall be by ballot at which the nominee must receive at least seventy-five (75) per cent of the votes cast. Life membership shall only be considered for special services rendered to the Association and shall not be for any monetary consideration.
- 5.7 All participants who take part in any capacity in the playing, coaching, refereeing, governance or administration of hockey within the Wellington District or in hockey activities under the auspices of the Association are deemed to be bound by this constitution and by the regulations, rules, code of conduct and policies of the Association.
- 5.8 Members of the Association will adopt Constitutions that require them to be bound by this Constitution and applicable Association and HNZ regulations, rules and codes of conduct and which are not inconsistent with it.

## **6. President**

- 6.1 The President shall be elected at the Annual General Meeting.

- 6.2 The President shall hold office for a term of up to two (2) years and shall be eligible for re-election for one further term of up to two (2) years. The President may serve further terms after having been retired for two (2) years.
- 6.3 The President shall be entitled to attend all meetings of the Board of the Association but shall have no voting powers at such meetings.
- 6.4 The President shall hold office until the close of the next appropriate Annual General Meeting provided that the President may at any time be removed and a new President be appointed at a general meeting of the Association.

## **7. Service Awards**

- 7.1 Any past or present member of the Association may be honoured with a Service Award. Such person shall be nominated by an affiliated member, have the approval of least seventy-five (75) per cent of the Board members and receive at least seventy-five (75) per cent of the votes cast at a general meeting of the Association. Service Awards shall be considered for outstanding contributions made to the Association or the game of hockey in any capacity and shall not be for any monetary consideration. The Association shall provide a certificate to each person honoured with a Service Award. Those honoured with a Service Award are not precluded from receiving any other honour of the Association such as life membership.

## **8. Delegates**

- 8.1 Each club and sub-association affiliated to the Association shall be entitled to elect from its members two (2) delegates to represent such club or sub-association at a general meeting of the Association.
- 8.2 All delegates shall be elected by their respective club or sub-association and must be members of such club or sub-association, provided also that no delegate shall be entitled to represent more than one club or sub-association at a general meeting of the Association.
- 8.3 Each club and sub-association shall forward to the CEO no later than seven (7) days before the date of a general meeting of the Association the names and addresses of its secretary, and each club's or sub-association's delegate or delegates.
- 8.4 In the event of a delegate being unable to attend a general meeting of the Association, the committee of the club or sub-association shall be empowered to send a substitute. Such substitute must be a member of the club or sub-association and must hand to the Chairperson of the meeting an authority signed by the secretary of such club or sub-association.
- 8.5 No member of any affiliated club or sub-association shall approach the Board or any committee or sub-committee of the Board or the Association except through the secretary of such member's club or sub-association.
- 8.6 The Foundation for the National Hockey Stadium shall be entitled to one (1) delegate at a general meeting of the Association.

## **9. Governance and Management**

- 9.1 The Affairs of the Association shall be governed by the Board, constituted in accordance with this constitution and managed by the CEO reporting to that Board.

## 9.2

- a) The Board shall consist of up to seven (7) members; of whom at least two (2) must be male and two (2) must be female.
- b) Two (2) members of the Board shall be duly nominated by affiliated clubs and if more than two nominations are received elected a ballot must be held by 1 November in accordance with Rule 12.
- c) At least three (3) and not more than five (5) members of the Board shall be appointed by the Appointments Panel in accordance with these Rules.

## 9.3

- a) Appointed Board members shall hold office for a term of up to two (2) years and shall be eligible for re-appointment for two further terms of up to two (2) years. Appointed Board members may serve further terms after having been retired from the Board for two (2) years.
- b) The two elected Board members shall hold office for a term of two years but may be re-nominated and re-elected for further terms for up to a maximum of six (6) consecutive years. They may serve further terms after having been retired from the Board for one (1) year.

9.4 A Chairperson and Deputy Chairperson shall be elected by the Board from the members of the Board. The election shall take place each year at the first Board meeting held following the Annual General Meeting. If the Chairperson, or Deputy Chairperson in the former's absence, be unable to attend any subsequent meeting of the Board, the members present at the meeting shall then proceed to elect one of their number to act as Chairperson for that meeting and the member so elected shall be entitled to exercise all the powers of the Chairperson at that meeting.

9.5 The powers and duties of the Board shall be to:

- a) Meet at least six (6) times annually and keep a written record of each meeting. A special meeting of the Board may be convened by the Chairperson of the Board or on the requisition of four (4) Board members.
- b) Govern the CEO the affairs of the Association in accordance with these Rules and the objects of the Association.
- c) Establish policies of the Association for implementation by the CEO.
- d) Employ, supervise, suspend or remove a CEO and determine the management responsibilities, duties and salary for that position.
- e) Delegate to the CEO management responsibilities and duties, including management and control of the finances of the Association, on such terms and conditions as the Board may deem necessary.
- f) Delegate to the CEO the power to employ, supervise, suspend or remove other paid staff.
- g) Admit bodies for affiliation to the Association. Likewise, suspend or expel any body or member of the Association.
- h) Constitute a Court of Appeal to hear appeals from the Judicial Sub-committee pursuant to Rule 21.10.
- i) Make any additional regulations necessary to provide for circumstances not provided for in the existing Handbook or Handbooks of the Association, providing that any such additional regulations shall remain in force only until the next general meeting of the Association.

- j) Appoint from its own members or otherwise such sub-committees as it may deem necessary to assist it to exercise and carry out all or any of its powers or duties. Any sub-committee members 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. All recommendations made by a sub-committee must be reported in writing to the Board.
  - k) Receive recommendations from the Advisory Councils through the CEO and act on those recommendations in such manner as the Board sees fit.
  - l) As long as the Foundation for the National Hockey Stadium continues to exist, receive and consider the annual report and statement of the financial affairs of the Foundation and appoint persons to the management committee of the Foundation.
  - m) Appoint the Association's delegates to Hockey New Zealand.
  - n) In addition to the powers and authorities expressly conferred on it by these Rules, exercise all such powers and do all such acts and things as may be exercised and done by the Association, except those things that may be exercised or done by the Association only in a general meeting of the Association.
- 9.6 A member of the Board or of any sub-committee appointed by it shall lose their seat if the member:
- a) becomes bankrupt; or
  - b) is convicted of any offence punishable by imprisonment for a term of two (2) years or more; or
  - c) is convicted of any offence punishable by imprisonment for a term of less than two (2) years and is sentenced to imprisonment for that offence; or
  - d) becomes the subject of a compulsory treatment order within the meaning of the Mental Health (Compulsory Assessment and Treatment) Act 1992; or
  - e) becomes the subject of an order within the meaning of the Protection of Personal and Property Rights Act 1988; or
  - f) resigns his or her office by notice in writing to the CEO; or
  - g) fails to attend three (3) consecutive meetings of the Board or sub-committee without leave of absence; or
  - h) is removed from office by a resolution of the Board passed by a majority of seventy-five (75) per cent of the members of the Board present at a meeting of the Board convened for that purpose; or
  - i) dies.
- 9.7 No member of the Board shall have more than one vote in their own right, provided however, that the Chairperson for the time being of the Board shall in addition to their own vote be entitled to exercise a casting vote where the voting on any motion is even.
- 9.8 Four (4) members of the Board shall constitute a quorum.
- 9.9 Up to two (2) vacancies in the Board occurring between successive Annual General Meetings may be filled by the Board. Any Board member so appointed shall retire at the next Annual General Meeting following appointment but shall be eligible for reappointment by the Appointments Panel, provided the nomination procedure outlined in this Rule is followed. A third or subsequent vacancy in the Board

occurring between successive Annual General Meetings may be filled by a member being appointed by the Appointments Panel. Such appointment shall hold good until the next Annual General Meeting.

- 9.10 A minimum of seven (7) days' notice of each meeting shall be given to all Board members provided that the proceedings of any meeting called without due notice may be validated at the next properly convened meeting.
- 9.11 The Board will be bound by this constitution and the relevant policies, regulations and rules of the Association. The Board will adopt a charter that provides, amongst other things, that they will be bound by the Association's code of conduct as updated by the board from time to time.
- 9.12 The duties of Board Members will be to:
- (a) act in good faith and in the best interests of the Association and use the powers for a proper purpose;
  - (b) to comply with the incorporated Societies Act 1908 and any amendments to or replacement provisions in this Constitution;
  - (c) to exercise the degree of care and diligence that a reasonable person with the same responsibilities within the Association would exercise in the circumstances applying at the time;
  - (d) to not allow the activities of the Association to be carried on recklessly or in a manner that is likely to create a substantial risk of serious loss to Association creditors; and
  - (e) to not allow the Association to incur obligations that the Board Member does not reasonably believe will be fulfilled.

## **10. Appointments Panel**

- 10.1 There shall be an Appointments Panel established to appoint at least three (3) and not more than five (5) members to the Board.
- 10.2 The Appointments Panel shall consist of three (3) persons comprising:
- a) The Chairperson of the Board or his or her nominee
  - b) The Chief Executive Officer of the Wellington City Council or his or her nominee
  - c) The Chairperson of Hockey New Zealand or his or her nominee.
  - d) an independent person who is experienced in governance and preferably sports governance
- 10.3 The Appointments Panel shall be established by the Board no later than 1 November each year.



- 10.4 A Chairperson shall be elected by the Appointments Panel from the members of the panel.
- 10.5 The Appointments Panel will use a skills and competencies matrix, as updated by the Appointments Panel from time to time in exercising its responsibilities under this Constitution and will liaise with the Board in determining any skills gaps that should be given weighting in any appointments.

## **11. Appointments Panel Procedure**

- 11.1 Nominations for the three (3) to five (5) Board members who are to be appointed by the Appointments Panel shall be forwarded to the CEO in writing to be received not later than forty-two (42) days prior to the date of the Annual General Meeting. Each nomination shall be in writing in the form prescribed by the Board and shall be accompanied by the curriculum vitae of the nominee.
- 11.2 The Appointments Panel shall assess nominees for the Board. Having completed its assessment, the Appointments Panel shall appoint the Board members and the appointments shall be notified at the Annual General Meeting.
- 11.3 Not less than fourteen (14) days prior to the Annual General Meeting the CEO shall circulate to affiliated clubs and sub-associations:
  - a) A list of those Board members appointed under Rule 11.2.
  - b) A summary of the curriculum vitae of each appointee.

## **12. Election of Board Members by Ballot**

- 12.1 Nominations for the two (2) members of the Board who are to be elected by clubs each year in place of those members retiring in accordance with Rules 9.2.b) and 9.3.b) shall be forwarded to the CEO to be received no later than the first Monday in October each year. Each nomination shall be in writing in the form prescribed by the Board and shall be accompanied by the curriculum vitae of the nominee.
- 12.2 If only two (2) nominations are received they shall be declared elected to the Board at the next Annual General Meeting.
- 12.3 If more than two (2) nominations are received, a ballot to elect the two (2) members shall be conducted before 1 November. The ballot will be administered in a form prescribed by the Board using electronic mail if so required.
- 12.4 Details of how the ballot is to be conducted, together with the curriculum vitae of each nominee, shall be sent electronically or posted to the President, Life Members and secretaries of all affiliated clubs and sub-associations by the second Monday in October. Duly completed ballot forms must be returned to be received by the CEO no later than 5pm on the fourth Monday in October.
- 12.5 Voting entitlement will be in accordance with Rule 17.2. To be a valid election, at least 2/3rds of the eligible votes must be cast. In the event of an invalid ballot or two (2) or more nominees receive the same number of votes, a new election shall be held at an Special General Meeting to be convened before 1 December.
- 12.6 The Board shall appoint two persons not participating in the ballot to act as independent scrutineers. They shall count the postal vote cast and advise the Board of the election result within forty eight hours of the ballot closing. The two highest polling nominees shall be declared elected. Ballot papers shall be

destroyed by the scrutineers on 30 November unless directed to retain them further by the Board.

12.7 Not less than fourteen (14) days prior to the Annual General Meeting the CEO shall circulate to affiliated clubs and sub associations:

- a) A list of those Board members elected under this Rule.
- b) A summary of the curriculum vitae of each elected Board member.

### **13. Order of Retirement of Appointed Board Members**

13.1 At each Annual General Meeting two (2) Board members shall retire from office. A retiring Board member shall hold office until the dissolution of the meeting at which his or her successor is appointed. The Board members to retire at each Annual General Meeting under this Rule shall be selected as follows:

- a) First, any member who wishes to retire and does not wish to stand for re-election or reappointment.
- b) Second, those members who have been longest in office since their last election having regard to the provisions of Rule 9.9. For Board members who were last elected on the same day those to retire shall be determined by lot.

13.2 Subject to Rule 9.3 a retiring member shall be eligible for reappointment by the Appointments Panel, provided the nomination procedure outlined in Rule 11 is followed.

13.3 At each Annual General Meeting Board members shall be elected or appointed to replace members retiring pursuant to this Rule and to replace any vacancy on the Board not filled by the Board pursuant to this Rule or Rule 12. They shall assume office on the dissolution of the Annual General Meeting.

### **14. Duties and Powers of Chief Executive Officer**

14.1 The CEO shall be responsible to the Board and shall be appointed under Rule 9.5(d). The powers of the CEO shall be determined from time to time by the Board as the Board sees fit.

14.2 The CEO shall, if required by the Board, hand over all books, papers, documents, including those stored electronically, in their possession which are the property of the Association to the Chairperson immediately upon receiving notice in writing.

14.3 The CEO shall not be required to undertake any direction or instruction contrary to any provision contained in any Act, Statute or Regulation.

### **15. Advisory Councils**

15.1 The CEO shall appoint the following Advisory Councils to advise the CEO on matters relating to the carrying out of the respective objects of the Association and may fix and limit the power and authorities of those Advisory Councils as he or she considers necessary.

- a) An Open Grades Advisory Council, in respect of matters relating to open inter-club hockey as directed by the CEO.
- b) A Youth Advisory Council, in respect of matters relating to primary, intermediate and secondary school hockey as directed by the CEO.

- c) An Umpires Advisory Council, in respect of matters relating to umpiring of hockey as directed by the CEO.
  - d) A Masters Advisory Council, in respect of matters relating to Masters hockey as directed by the CEO.
  - e) A Coaching, Development and High Performance Advisory Council, in respect of coaching and development activities, including representative teams and high performance training and conditioning as directed by the CEO.
  - f) A Facilities Advisory Council, to advise on and manage facilities owned or operated by the Association.
- 15.2 The CEO may appoint such other Advisory Councils as he or she sees fit to advise the CEO on matters related to the carrying out of the objects of the Association as directed by the CEO.
- 15.3 An Advisory Council may comprise one or more persons.

## **16. Judicial Panel**

- 16.1 The Association shall maintain a panel of persons who are authorised to act on behalf of the Association in determining any complaint or allegation or other matter amounting to on or off-field misconduct under the Association's code of conduct, as updated from time to time by the Board, for such term as the Board determines (the Panel).
- 16.2 The members of the Panel established under clause 16.1 will be independent of the Association and cannot be office holders (other than Life Members) board members, employees of or contractors to the Association.
- 16.3 The Board will appoint one of the panel to be the Chairperson who will hold office for such term as the Board determine.
- 16.4 Panel members can be added to or removed at the discretion of the Board, or it's nominee, at any time.
- 16.5 The Panel will regulate its own procedure subject to the terms of the relevant code of conduct but must observe the principles of natural justice at all times.
- 16.6 The Panel will generally sit as a panel of 3 but may at the discretion of the Chairperson sit as a panel of 2 or a Judicial Officer sitting alone in exceptional circumstances as determined by the Chairperson.
- 16.7 The Panel will have the jurisdiction to impose such penalties as it considers reasonable and proportionate in all the circumstances taking into account any relevant regulations, rules or any applicable code of conduct.
- 16.8 The Panel will also have jurisdiction to consider and determine disputes between Members and the Association and/or other Members.

## **17. Meetings**

## 17.1 Annual General Meeting

- 17.1.1 The Association shall hold its Annual General Meeting not later than 31 March each year and it shall be chaired by the Chairperson of the Board or his/her nominee.
- 17.1.2 Written notice of the Annual General Meeting shall be sent through the post to the President, Vice Presidents, Life Members and secretaries of all affiliated clubs and sub-associations at least twenty-one (21) days before the date set down for the meeting.
- 17.1.3 Notices of recommendation, remits and items of general business must be in the hands of the CEO not later than fourteen (14) days before the date set down for the meeting.
- 17.1.4 Delegates as set out in Rule 8.
- 17.1.5 An agenda shall clearly set out the business to be transacted at such meetings and shall be sent through the post to the President, Vice Presidents, Life Members, and secretaries of all affiliated clubs and sub-associations, at least seven (7) days before the date set down for the meeting accompanied by a copy of the Annual Report and duly audited financial statements to be submitted to the Annual General Meeting, together with all remits, notices of recommendation, general business and nominations.
- 17.1.6 The business of the Annual General Meeting shall be:
- a) To receive the Annual Report and duly audited financial statements
  - b) To elect a Patron
  - c) To elect a President
  - d) To receive the election to the Board of the two members elected by ballot
  - e) To receive the Board appointments to the Board made by the Appointment Panel.
  - f) To appoint an auditor, who must not hold any other office in the Association, to audit and report on the accounts of the Association for the ensuing year. In the event that the appointed auditor is unable or unwilling to act the Board shall appoint another auditor.
  - g) To consider notices of recommendations, remits and any general business which have been lodged with the CEO, and, by unanimous consent, and without notice having been given, deal with further business not involving an alteration to these Rules provided a quorum is still in attendance at all times during the meeting.
- 17.1.7 At each Annual General Meeting, the attendance of the delegates holding two-thirds of the votes (or proxies) shall constitute a quorum.

## 17.2 Special General Meeting

- 17.2.1 A Special General Meeting may be convened by the Board at any time, and shall be convened by the CEO within seven (7) days of receipt of a requisition by not less than five (5) affiliated clubs or sub-associations

requiring a Special General Meeting to be called, and setting out the objects of the proposed meeting. A Special General Meeting shall be convened and conducted in the same manner as an Annual General Meeting except that seven (7) days notice in writing shall be sufficient.

- 17.2.2 At each Special General Meeting of the Association, the attendance of the delegates holding two-thirds of the votes (or proxies) shall constitute a quorum.
- 17.2.3 Any Special General Meeting of the Association may be adjourned from time to time at the discretion of the meeting.

## **18. Voting**

- 18.1 The mode of voting at a general meeting of the Association or at any meeting of the Board shall be open voting, or ballot if the Chairperson of the meeting directs or if desired by any delegate or Board member present at the meeting and entitled to vote.
- 18.2 Voting for the election of President shall be by ballot.
- 18.3 At a general meeting of the Association the following shall be entitled to vote:
- a) President and Life Members - 1 vote each
  - b) Each financial club. To be determined as follows:
    - 1-5 open grade teams - 2 votes
    - 6-10 open grade teams - 3 votes
    - 11-15 open grade teams - 4 votes
    - More than 15 open grade teams - 5 votes maximum

In addition each club which enters three (3) or more Primary School teams shall be entitled to one additional vote. However, the maximum number of votes shall be five (5) per club.

- c) Foundation for the National Hockey Stadium (as long as it continues to exist) - 1 vote
- d) Hutt Valley Sub-Association - 1 vote

## **19. Financial and Winding up**

- 19.1 The financial year of the Association shall close on 31 December each year.
- 19.2 All monies received shall be paid to the credit of the Association at a registered bank to be appointed by the Board, and all accounts shall be passed and payments shall be made in such manner as determined by the Board from time to time.
- 19.3 The Board shall have power to levy upon each affiliated club or sub-association and its members, such annual sum towards the funds of the Association as shall be provided in the Handbook or Handbooks, and towards payment of any levies imposed from time to time by the Council of Hockey New Zealand in accordance with the rules of the Association.

- 19.4 The Board has power to borrow money up to the limit of \$100,000. For borrowings that aggregate in excess of \$100,000 then a Special General Meeting must be called for that purpose.
- 19.5 The affairs of the Association may be wound-up upon a resolution of seventy-five (75) per cent of votes recorded at a Special General Meeting called for the purpose, provided that a second Special General Meeting is held at least 30 days and not more than 90 days after the first meeting to pass a resolution of seventy-five (75) per cent of votes recorded confirming the earlier decision to wind up the Association.
- 19.6 In the event of the winding-up of the Association, the property and funds of the Association shall be realised and the proceeds divided amongst all the clubs and sub-associations remaining affiliated at the date of such winding-up in direct proportion and ratio to the average annual fees for the preceding three years, paid by such clubs and sub-associations to the Association or otherwise disposed of as shall be determined by a Special General Meeting of the Association of which at least fourteen (14) clear days written notice stating the object of the meeting shall have to be given to the secretaries of such clubs and sub-associations. No individual, whether associated with an affiliated club or sub-association or not, may participate in any surplus arising on the disbandment or winding-up of the Association.
- 19.7 (i) No current or former member of the Board has any liability to the Association or the Members for any act or omission in their capacity as a member of the Board or Board Appointments Panel except in the case of their own fraud, dishonesty, breach of fiduciary duty or the commission of any act known by them to be a breach for duties owed by them at law.
- (ii) Each current or former member of the Board is indemnified by and out of the assets of the Association against:
- (a) any liability arising out of any act or omission in their capacity as a member of the Board or the Board Appointments Panel excluding criminal liability arising out of their fraud, dishonesty, breach of fiduciary duty or the commission of any act known by them to be a breach of duties owed by them at law; and
  - (b) costs incurred by them in any proceeding relating to such liability.
- (iii) This Clause is intended to be enforceable by each current or former member of the Board.
- (iv) The Board may obtain insurance for the benefit of the Board members in relation to any liabilities covered by the indemnification provided under this Clause 19 and meet the cost of such insurance out of the Association funds.

## **20. Common Seal**

20.1 The Association shall have a Common Seal which shall be held for the Association by the CEO. The Common Seal shall not be affixed to any instrument except in the presence of the CEO and one member of the Board. The CEO and the member shall sign every instrument to which the Common Seal is so affixed in their presence. In the absence of the CEO, a second member of the Board shall be a valid signatory to the Common Seal.

## **21. Affiliation**

21.1 Each club or sub-association desiring affiliation with the Association must be proposed and seconded by two clubs or sub-associations already affiliated, and shall be voted for at a general meeting of the Association, a majority of votes to elect, provided however, that the Board may provisionally affiliate any club or sub-association which shall have all the rights and privileges of a duly affiliated club or sub-association until such time as the provisional affiliation be dealt with in a general meeting of the Association.

21.2 a) Each club shall pay an entrance fee of fifteen (15) per cent of an open grade team fee. No such fees shall be payable in respect of clubs already affiliated with the Association, but in the event of any club ceasing to be affiliated for more than one year the entrance fee shall be payable in the same way as if the club had never been affiliated. Each sub-association shall, upon affiliation with the Association pay an entrance fee as set by the Board. Such fee shall be payable only in respect of each sub-association, except in the case of the sub-association, to be affiliated for more than one year, the entrance fee shall be payable in the same way as if that sub-association had never been affiliated. Each sub-association shall in addition to the above mentioned entrance fee, pay to the Association an annual affiliation fee as set by the Board, payable on or before the first of July each year.

b) Each affiliated club shall pay to the Association in each year a fee to be set annually by the Board for each open grade team, secondary school team and primary school team in respect of affiliation fees, ground upkeep, dressing room rental and capitation fees except as elsewhere may be provided in the regulations set forth in the Handbook or Handbooks of the Association. Such fees to be paid by 15 June in each year, otherwise a ten (10) per cent late fee shall be imposed and, at the discretion of the Board, suspension of the teams concerned until the outstanding sum is paid in full.

c) A player may choose to register with the club of his or her choice irrespective of where he or she resides.

d) No player shall be eligible to play in any contest of the Association while an affiliated member of another Association without a written clearance from that other Association and the prior approval of the Association.

21.3 Clubs or sub-associations affiliating with the Association shall submit their uniform to the CEO for registration, and the exclusive right to play in such colours shall be decided by priority registration.

21.4 Any Hockey Association may be affiliated to the Association as a sub-association in the same manner as provided in these Rules for the affiliation of clubs, and upon

such affiliation being effected, the following regulations shall apply in respect of each sub-association.

- a) The rules of such sub-association, and any alteration therein hereafter proposed to be made, shall be submitted to the Board for consideration and approval.
  - b) Such sub-association shall be self-governing but shall have the right to refer any matter to the Board for decision, and such decision shall be final.
  - c) Such sub-association shall forward to the CEO before the date of the Annual General Meeting in each year, a list of the clubs affiliated to such sub-association, and shall from time to time notify the CEO of additions to or alterations in such list.
  - d) The Association shall be entitled to include members of such sub-associations in Wellington representative teams.
  - e) Such sub-association shall be subject to the Rules of the Association so far as the rules of the sub-association are not inconsistent with the provisions of the Rules of the Association, in which case the Rules of the Association shall apply, and the decision of the Board as to the inconsistency or inapplicability of any such rule shall be final.
  - f) In case of the infringement by such sub-association of any of the said Rules or of this Rule, the Association may exercise the same powers of suspension and all other powers as are conferred on the Association by these Rules in respect of affiliated clubs.
- 21.5 No club or sub-association shall be affiliated unless playing under the Rules authorised by Hockey New Zealand.
- 21.6 No team, club or sub-association affiliated to the Association shall be allowed to play matches with non-affiliated clubs except by permission of the CEO.
- 21.7 No player shall be allowed to play in any representative team unless that player is an active and financial member of an affiliated club or sub-association.
- 21.8 No affiliated club shall be permitted to take gate money for any match in which it is engaged except by permission of the CEO.
- 21.9 A club or sub-association may elect to cease to be affiliated to the Association by giving written notice to that effect at any time to the CEO.
- 21.10 Each club and sub-association shall be furnished on affiliation or on request with a copy of the Rules and Handbook of the Association and shall, with its members, be deemed to know all such Rules and regulations set forth in the Handbook or Handbooks and shall with its members be bound thereby.
- 21.11 Each club and sub-association shall forward to the CEO a copy of their Annual Report and Annual Statement of Account.

## **22. Suspension**

- 22.1 The Board may suspend any club or sub-association whose liability to the Association shall be unpaid as at 30 June in any year until such liability is paid and during such suspension the delegates or delegate of such suspended club or sub-association shall cease to be entitled to vote at a general meeting of the Association.



- 22.2 In the case of wilful infringement of the Rules or of any of them by any member, team, club, or sub-association, the Board may suspend such member, or such team, club or sub-association and all members thereof respectively for such period it may think fit, and may award against such team, club, or sub-association any match, or matches in respect of or in relation to which any such infringement may have occurred. In addition the Board may refer the matter to a Special General Meeting of the Association which shall have the power to expel the member of the team, club or sub-association so offending, and all or any of its members respectively from the Association on the votes of two-thirds of the delegates personally present at such Special General Meeting.
- 22.3 The Board may suspend any members, team, club or sub-association so offending until such time as a Special General Meeting of the Association can be held. Such Special General Meeting (if any) shall be held not later than seven (7) clear days after such infringement shall have been reported to the CEO.
- 22.4 Where any team, club or sub-association is suspended under any Rule or By-Law of the Association, any championship or other matches which such team, club or sub-association would, but for the suspension, have been engaged in, may be deemed to be forfeited by such suspended team, club or sub-association respectively and may count as a win or wins to the opposing team or teams at the discretion of the Board.
- 22.5 The Board shall have power on enquiry to suspend for such period it may think fit any player who has been reported for rough or unfair play, for using profane or threatening language, for betting on the result of a match, for disputing the decision of an umpire, or for any other misconduct.
- 22.6 The Board shall have power on enquiry to suspend for such period it may think fit and to warn off the grounds controlled by the Association any member of the Association for using profane or threatening language, or for any other misconduct on any ground controlled by the Association.
- 22.7 Upon any breach of any of the Rules or By-Laws of the Association where no penalty is otherwise provided the Board shall have power to suspend for such period it may think fit any player, team, club or sub-association or to declare any match forfeited and to award any such match to the other team engaged in such match.
- 22.8 No person suspended for misconduct by any reciprocating body shall be allowed to play in any match or on any ground under the control of the Association so long as the suspension remains in force; provided that such suspension shall have been first officially notified by the suspending body to the Association.
- 22.9 No club or sub-association affiliated to the Association shall after receiving notification of the suspension of any of its members or players under these Rules play any such suspended player or member during the term of his or her suspension. The penalty for breach of this rule shall be the forfeiture to the opposing side of the match in which such suspended member or player takes part.
- 22.10 a) Any player ordered from the field by an umpire for a breach of these Rules or the handbook of the Association or of Hockey New Zealand for the remainder of the game, and not for temporary suspension, shall attend a meeting of the Judicial Sub-committee of the Association established under Rule 9.5(h) and (j) to be held as soon as practicable after the occurrence of such incident. The player's club secretary shall be notified at least twenty-four (24) hours in

advance by the CEO of the time, place and date of the Judicial Sub-committee meeting.

- b) Failing such attendance such player shall remain suspended until the player does appear before the Judicial Sub-committee to be dealt with. The umpire shall also attend each meeting if so requested by the CEO.
  - c) The player concerned may appeal to the next regular meeting of the Board against the decision of the Judicial Sub-committee at which the umpire concerned in the incident shall attend if directed by the CEO. Any appeal is to be lodged with the CEO in writing within forty-eight (48) hours of receipt of the decision of the Judicial Sub-committee.
- 22.11 No member, team, club or sub-association shall, by reason of any such suspension or expulsion as aforesaid, be discharged from any liability to the Association incurred by the player or if prior to the date of such suspension or expulsion.
- 22.12 While the CEO if so directed shall call upon any player who has been temporarily suspended to appear before the Judicial Sub-committee, it is mandatory that any player who receives three temporary suspensions in any 12 month period shall, upon being advised by the CEO, attend a meeting of the Judicial Sub-committee convened, as far as the player only is concerned in accordance with Rule 21.10. Should the player concerned not attend then that player shall be automatically suspended until such time as the player attends a Judicial Sub-committee meeting.
- 22.13 The CEO shall forward to the secretary of any reciprocating sporting organisation that may desire to avail itself of this provision, the name of any person suspended for misconduct by the Judicial Sub-committee.

## **23. Defaulters**

- 23.1 The secretary of each affiliated club shall forward to the CEO not later than 30 April in each year a list of players who are in default in payment of their subscriptions or other dues to such club during the previous year and have ceased or intend ceasing to be members of such club. Such list shall give the full names and addresses of the defaulting players and the amount of indebtedness of each.
- 23.2 The CEO will thereupon communicate, in generally acceptable form, to all affiliated clubs a complete list of such defaulters and thereafter any payment on account of their indebtedness must be made to the CEO who shall remit the payment to the relevant club.
- 23.3 No such defaulter shall play in any match until the player has been given a clean receipt by the CEO. Every match in which a defaulter plays shall be treated as a loss to the team which plays them.
- 23.4 Before any protests by a player posted as a defaulter are considered, the amount alleged to be owing by the player posted shall be deposited with the CEO.
- 23.5 The Board shall have power to demand from any club or sub-association the production of the club's or sub-association's account books, list of players, and other books and documents.
- 23.6 The CEO shall forward to the secretary of any reciprocating amateur athletic body that may desire to avail itself of this provision the names of all members of clubs (or sub-association) posted as defaulters by the club secretaries, and the CEO on

receipt of similar lists from reciprocating bodies shall debar members included in such lists from playing with any affiliated club or sub-association or upon any ground under the control of the Association until the amount for which the player has been posted has been paid.

## **24. Handbook**

24.1 The club and other competitions played under the jurisdiction of the Association shall be subject to the regulations set out in the Handbook or Handbooks of the Association. Such regulations shall be approved by a general meeting of the Association, and shall not be repealed, added to, amended or otherwise altered without the concurrence of a majority of votes of the Officers and delegates present at a general meeting of the Association, subject, however, to the provisions of Rule 9.5(i).

## **25. Alteration of the Rules**

25.1 These Rules shall not be repealed or altered nor shall any new Rules be added without the concurrence of a majority of votes of the delegates present at the Annual General Meeting or a Special General Meeting of the Association.

25.2 Notice of any proposed repeal or alteration shall be given in writing to the CEO at least twenty-one (21) clear days before the Annual General Meeting or a Special General Meeting of the Association and the CEO shall give notice thereof to the President, Vice Presidents, Life Members and secretaries and delegates of all affiliated clubs and sub-associations at least fourteen (14) clear days before the date of such general meeting.

## **26. Appeals**

26.1 There shall be a right of appeal to the Management Board of Hockey New Zealand by any affiliated club or sub-association against any direction, decision or judgement given by the Board not only as it concerns any point of law but also any matter for dispute.

26.2 The appeal must be made in writing within seven (7) days of the receipt of direction, decision or judgement complained of and must be forwarded to Hockey New Zealand through the Association. The appeal shall be accompanied by any deposit as set out in the Rules and By-Laws of Hockey New Zealand. Any such deposit may be forfeited should the final Court of Appeal so decide.

26.3 The Board may comment on the appeal and shall forward it together with the deposit and such comments as it considers necessary within seven (7) days of receipt of same.

26.4 Pending decision of any appeal all directions, decisions, judgements, or disqualifications shall remain operative.

## **27. Affiliation with Hockey New Zealand**

27.1 The Association's membership of Hockey New Zealand as an Affiliated Association shall operate as a binding agreement to abide by and apply the Rules and regulations of the Federation and to take all necessary steps to ensure the Association's Rules comply with the Rules and Regulations of the Federation.