

ASSOCIATIONS INCORPORATION ACT 1981

***DONCASTER HOCKEY CLUB, INC***  
RULES

**PRELIMINARY**

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**Name**

1. The name of the Incorporated Association is **DONCASTER HOCKEY CLUB, INC** (in these Rules called "the Club").

**Interpretation**

2. In these Rules, unless the contrary intention appears -

"**Act**" means the *Associations Incorporation Act 1981* as amended from time to time.

"**Board**" means the Board of Directors of the Club.

"**Fee Paying Member**" means those Members who are not at the relevant time a Life Member or an Honorary Member of the Club.

"**Financial Year**" means the year ending on 30th September.

"**General Meeting**" means a general meeting of Members convened in accordance with Rule 19.

"**Levy**" means a financial contribution to the Club payable by a Fee Paying Member generally or any class of Fee Paying Members generally other than an annual subscription or payment for goods or services rendered or particular facilities provided.

"**Liquor Act**" means the *Liquor Control Reform Act 1998* (Victoria) as amended from time to time, including the *Liquor Control Reform (Amendment) Act 2001* (Victoria).

"**Member**" means a Member of the Club.

"**Playing Member**" means a Junior Member or Senior Member of the Club who registers to play competition hockey in a team fielded by the Club and who agrees to comply with the provisions of Clause 50 hereof.

"**Register**" means the Register of Members.

"**Regulations**" means Regulations under the Act.

"**relevant documents**" has the same meaning as in the Act.

"**Seal**" means the common seal of the Club (if any).

"**Secretary**" means the person who holds office under these Rules as Secretary of the Club and, where there is no person appointed to that office, to the Public Officer of the Club.

**"Voting Member"** means those Members who are not at the relevant time a Social Club Member or a Junior Member of the Club.

## **MEMBERSHIP**

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### **Number And Classes Of Members**

3. (1) There shall be no limit on the number of persons who may be admitted as Members of the Club.
- (2) There shall be five (5) classes of Membership: Senior Members, Social Club Members, Junior Members, Life Members and Honorary Members.

### **Status of existing Members on change of structure**

4. A person who was a Member of the Club upon the adoption of these Rules:-
  - (1) shall be assigned to the most relevant class of Membership by the Board;
  - (2) shall not be required to re-apply for Membership of the Club upon its migration from a company limited by guarantee to an incorporated association.

### **Application For Membership**

5. (1) A person who applies and is approved for Membership as provided in these Rules is eligible to be a Member of the Club on payment of the subscription payable under these Rules.
- (2) A person who is not a Member of the Club at the time of the adoption of these Rules (or who was a Member at that time but has ceased to be a Member) must not be admitted to Membership unless:-
  - (a) he or she applies for Membership in accordance with Rule 5(3); and
  - (b) the admission as a Member is approved by the Board.
- (3) An application of a person for Membership of the Club must:-
  - (a) be made in writing in the form set out in Appendix 1; and
  - (b) be lodged with the Secretary of the Club.
- (4) As soon as practicable after the receipt of an application, the Secretary must refer the application to the Board.
- (5) The Board must determine whether to approve or to reject the application.
- (6) If the Board approves an application for Membership, the Secretary must, as soon as practicable, request payment of all sums payable by the applicant under these Rules.
- (7) The Secretary must, within twenty eight (28) days after receipt of the amounts referred to in Rule 5(6), enter the applicant's name in the Register of Members.

- (8) An applicant for Membership becomes a Member and is entitled to exercise the rights of Membership when his or her name is entered in the Register of Members.
- (9) If the Board rejects an application, the Board must, as soon as practicable, notify the applicant in writing that the application has been rejected.
- (10) A right, privilege or obligation of a person by reason of Membership of the Club:-
  - (a) is not capable of being transferred or transmitted to another person; and
  - (b) terminates upon the cessation of Membership whether by death or resignation or otherwise.
- (11) The entrance fee is the relevant amount set out in Appendix 4.
- (12) The annual subscription is the relevant amount set out in Appendix 4 and is payable in advance on or before the commencement of the Annual General Meeting in each year.

### **Senior Members**

6. (1) A Senior Member shall be a person who has attained the age of eighteen (18) years.
- (2) A Senior Member shall be required to pay an annual subscription applicable to that class of Membership and such other levies as the Board of the Club may determine subject to the provisions of these Rules.
- (3) Senior Membership shall confer the following rights, privileges and entitlements on the holder of that class of Membership as set out below:-
  - (a) to attend and vote at all general meetings of the Club;
  - (b) to propose and/or second persons who wish to apply for Membership of the Club;
  - (c) to be elected to the Board of the Club; and
  - (d) to use all facilities and the premises of the Club in accordance with the terms and conditions of these Rules and the By-laws (if any) of the Club.

### **Social Club Members**

7. (1) A Social Club Member shall be a person who:-
  - (a) at the time of the adoption of these Rules was a Member of the unincorporated association known as the Donvale Bowls Club and shall be a person who has attained the age of eighteen (18) years (an “ex-DBC Member”); or
  - (b) wishes to become a Social Club Member, and who has attained the age of eighteen (18) years.

- (2) A Social Club Member shall be required to pay an annual subscription applicable to that class of Membership and such other levies as the Board of the Club may determine subject to the provisions of these Rules.
- (3) Social Club Membership shall confer the following rights, privileges and entitlements on the holder of that class of Membership as set out below:-
  - (a) the right to attend but not to vote at any general meeting of the Club;
  - (b) no right to propose nor to second persons who wish to apply for Membership of the Club other than a person applying for Social Club Membership;
  - (c) no right to be elected to the Board of the Club;
  - (d) to use all facilities and the premises of the Club in accordance with the terms and conditions of these Rules and the By-laws (if any) of the Club.

### **Junior Members**

8. (1) A Junior Member shall be a person who has yet to attain the age of eighteen (18) years.
- (2) A Junior Member shall be required to pay an annual subscription applicable to that class of Membership and such other levies as the Board of the Club may determine subject to the provisions of these Rules.
- (3) Junior Membership shall confer the following rights, privileges and entitlements on the holder of that class of Membership as set out below:-
  - (a) the right to attend but not to vote at any general meeting of the Club;
  - (b) no right to propose nor to second persons who wish to apply for Membership of the Club other than a person applying for Junior Membership;
  - (c) no right to be elected to the Board of the Club;
  - (d) to use all facilities and the premises of the Club in accordance with the terms and conditions of these Rules and the By-laws (if any) of the Club.

### **Life Members**

9. (1) A Life Member shall be a person who has rendered exceptional service to the Club and in the opinion and on the recommendation of the Board is proposed for Life Membership and who is elected by a simple majority of the Members present and voting at a general meeting. Not more than two (2) persons shall be elected to life Membership in any one (1) year.
- (2) A Life Member shall not be required to pay any annual subscriptions nor any levies.
- (3) Life Membership shall confer the following rights, privileges and entitlements on the holder of that class of Membership as set out below:-
  - (a) the right to attend and vote at any general meeting of the Club;

- (b) to propose and/or second persons who wish to apply for Membership of the Club;
- (c) to be elected to the Board of the Club; and
- (d) to use all facilities and the premises of the Club in accordance with the terms and conditions of these Rules and the By-laws (if any) of the Club.

### **Honorary Members**

10. (1) An Honorary Member shall be a person who, in the opinion of the Board, has rendered, or is rendering, such service to the Club as to warrant being granted this class of Membership. The period of Membership under an Honorary Membership is limited to one (1) year and that period may then be extended for such period as the Board thinks fit.
- (2) An Honorary Member shall not be required to pay any annual subscriptions nor any levies.
- (3) Honorary Membership shall confer the following rights, privileges and entitlements on the holder of that class of Membership as set out below:-
- (a) the right to attend and vote at any general meeting of the Club;
  - (b) to propose and/or second persons who wish to apply for Membership of the Club;
  - (c) to be elected to the Board of the Club; and
  - (d) to use all facilities and the premises of the Club in accordance with the terms and conditions of these Rules and the By-laws (if any) of the Club.

### **Register Of Members**

11. (1) The Secretary must keep and maintain a Register of Members containing:-
- (a) the name and address of each Member; and
  - (b) the date on which each Member's name was entered in the Register and
  - (c) the class of Membership of each Member.
- (2) The Register is available for inspection free of charge by any Member upon request.
- (3) A Member may make a copy of entries in the Register at their own cost.

### **Subscriptions And Levies**

12. (1) All Fee Paying Members of the Club shall pay the annual subscription appropriate to their class of Membership to the Club. Such amount shall be fixed by the Board of the Club from time to time and shall become due and payable annually on or before the commencement of each Annual General Meeting.

- (2) The Board shall have power for any of the purposes of the Club to impose a levy payable by all Fee Paying Members of the Club provided that a levy shall not be imposed more than once in any year.
- (3) Subject to the provisions of the Liquor Act, the Board of the Club may, in its sole discretion, waive the requirement of a particular Fee Paying Member of his or her obligation to pay a subscription or levy for a particular year for any reason which the Board considers worthy.
- (4) If any Fee Paying Member fails to pay his or her subscription for any year by the due date, or any levy within the time determined by the Board therefore, such Fee Paying Member shall be ineligible to attend or vote at the Annual General Meeting of the Club.
- (5) If any Fee Paying Member fails to pay his or her subscription for any year one (1) month after the due date, such Fee Paying Member shall ipso facto cease to be a Member of the Club and the Club shall be under no obligation to notify such Member of that fact.
- (6) Any Fee Paying Member whose Membership has been terminated under Rule 12(5) or Rule 12(6) shall be eligible for re-admission as a Member provided the procedure contained in Rule 5 is observed and the unpaid subscription and/or levy which was the subject of the notice issued pursuant to Rule 12(5) or Rule 12(6) is paid to the Club.
- (7) Any Fee Paying Member who is required to pay an annual subscription or a levy pursuant to these Rules and who intends to reside outside a radius of one hundred (100) kilometres from the Club's premises for not less than six (6) months and who notified the Secretary to that effect in writing may have his name placed on an absent Members list.
- (8) No person who has forfeited his or her membership pursuant to Rule 12(5) or Rule 14 shall be permitted to enter the Club premises. Any Member knowingly permitting an unfinancial or expelled Member to enter the Club premises may be fined, suspended or expelled from the Club in accordance with Rule 14.

### **Ceasing Membership**

13. (1) A Member of the Club who has paid all moneys due and payable by a Member to the Club may resign from the Club by giving notice in writing to the Secretary of his or her intention to resign.
- (2) Upon receipt of the notice referred to in Rule 13(1):-
  - (a) the Member ceases to be a Member; and
  - (b) the Secretary must record in the register of Members the date on which the Member ceased to be a Member.

### **Discipline, Suspension And Expulsion Of Members**

14. (1) Subject to these Rules, if the Board is of the opinion that a Member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a Member or prejudicial to the interests of the Club, the Board may by resolution:-

- (a) fine that Member an amount of not less than \$20.00; or
  - (b) suspend that Member from Membership of the Club for a specified period; or
  - (c) expel that Member from the Club.
- (2) A resolution of the Board under Rule 14(1) does not take effect unless:-
- (a) at a meeting held in accordance with Rule 14(3), the Board confirms the resolution; and
  - (b) if the Member exercises a right of appeal to the Club under this Rule, the Club confirms the resolution in accordance with this Rule.
- (3) A meeting of the Board to confirm or revoke a resolution passed under Rule 14(1) must be held not earlier than fourteen (14) days, and not later than twenty eight (28) days, after notice has been given to the Member in accordance with Rule 14(4).
- (4) For the purposes of giving notice in accordance with Rule 14(3), the Secretary must, as soon as practicable, cause to be given to the Member a written notice:-
- (a) setting out the resolution of the Board and the grounds on which it is based; and
  - (b) stating that the Member, or his or her representative, may address the Board at a meeting to be held not earlier than fourteen (14) days and not later than twenty eight (28) days after the notice has been given to that Member; and;
  - (c) stating the date, place and time of that meeting;
  - (d) informing the Member that he or she may do one or both of the following:-
    - (i) attend that meeting;
    - (ii) give to the Board before the date of that meeting a written statement seeking the revocation of the resolution;
  - (e) informing the Member that, if at that meeting, the Board confirms the resolution, he or she may not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Club in general meeting against the resolution.
- (5) At a meeting of the Board to confirm or revoke a resolution passed under Rule 14(1), the Board must:-
- (a) give to the Member, or his or her representative, an opportunity to be heard; and
  - (b) give due consideration to any written statement submitted by the Member; and
  - (c) determine by resolution whether to confirm or to revoke the resolution.
- (6) If at the meeting of the Board, the Board confirms the resolution, the Member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Club in general meeting against the resolution.

- (7) If the Secretary receives a notice under Rule 14(6), he or she must notify the Board and the Board must convene a general meeting of the Club to be held within twenty one (21) days after the date on which the Secretary received notice.
- (8) At a general meeting of the Club convened under Rule 14(7) -
  - (a) no business other than the question of the appeal may be conducted; and;
  - (b) the Board may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
  - (c) the Member, or his or her representative, must be given an opportunity to be heard; and
  - (d) the Members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- (9) A resolution is confirmed if, at the general meeting not less than two-thirds of the Members vote in person, or by proxy, in favour of the resolution. In any other case, the resolution is revoked.

### **Disputes And Mediation**

15. (1) The grievance procedure set out in this Rule applies to disputes under these Rules between:-
  - (a) a Member and another Member; or
  - (b) a Member and the Club.
- (2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within fourteen (14) days after the dispute comes to the attention of all of the parties.
- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within ten (10) days, hold a meeting in the presence of a mediator.
- (4) The mediator must be:-
  - (a) a person chosen by agreement between the parties; or
  - (b) in the absence of agreement:-
    - (i) in the case of a dispute between a Member and another Member, a person appointed by the Board of the Club; or
    - (ii) in the case of a dispute between a Member and the Club, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- (5) A Member of the Club can be a mediator.
- (6) The mediator cannot be a Member who is a party to the dispute.



- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must:-
  - (a) give the parties to the mediation process every opportunity to be heard; and
  - (b) allow due consideration by all parties of any written statement submitted by any party; and
  - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at law.

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## **MEETINGS OF MEMBERS**

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### **Annual General Meetings**

16.
  - (1) The Board may determine the date, time and place of the Annual General Meeting of the Club provided such Annual General Meeting shall be held before 31st December in each calendar year.
  - (2) The notice convening the Annual General Meeting must specify that the meeting is an Annual General Meeting.
  - (3) The ordinary business of the Annual General Meeting shall be:-
    - (a) to confirm the minutes of the previous Annual General Meeting and of any general meeting held since that meeting; and
    - (b) to receive from the Board reports upon the transactions of the Club during the last preceding financial year; and
    - (c) to elect Officers of the Club to the Board; and
    - (d) to receive and consider the statement submitted by the Club in accordance with Section 30(3) of the Act.
  - (4) The Annual General Meeting may conduct any special business of which notice has been given in accordance with these Rules.

### **Special General Meetings**

17.
  - (1) In addition to the Annual General Meeting, any other general meeting may be held in the same year.
  - (2) All general meetings other than the Annual General Meeting are Special General Meetings.

- (3) The Board may, whenever it thinks fit, convene a Special General Meeting of the Club.
- (4) If, but for this Rule, more than fifteen (15) months would elapse between Annual General Meetings, the Board must convene a Special General Meeting before the expiration of that period.
- (5) The Board must, on the request in writing of Voting Members representing not less than five per cent (5%) of the total number of Voting Members, convene a Special General Meeting of the Club.
- (6) The request for a Special General Meeting must:-
  - (a) state the objects of the meeting; and
  - (b) be signed by the Members requesting the meeting; and
  - (c) be sent to the address of the Secretary.
- (7) If the Board does not cause a Special General Meeting to be held within one (1) month after the date on which the request is sent to the address of the Secretary, the Members making the request, or any of them, may convene a Special General Meeting to be held not later than three (3) months after that date.
- (8) If a Special General Meeting is convened by Members in accordance with these Rules, it must be convened by the Board. All reasonable expenses incurred in convening the Special General Meeting shall be refunded by the Club to the persons incurring the expenses only where a majority of the resolutions dealt with at that Special General Meeting were passed.

### **Special Business**

18. All business that is conducted at a Special General Meeting and all business that is conducted at the Annual General Meeting, except for business conducted under these Rules as ordinary business of the Annual General Meeting, is deemed to be special business.

### **Notice Of General Meetings**

19.
  - (1) The Secretary of the Club, at least twenty one (21) days before the date fixed for holding a general meeting of the Club, must cause to be sent to each Voting Member of the Club, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
  - (2) Notice may be delivered to Members in accordance with the provisions of Rule 44 herein.
  - (3) No business other than that set out in the notice convening the meeting may be conducted at the meeting.
  - (4) A Voting Member intending to bring any business before a meeting may notify in writing, or by electronic transmission, the Secretary of that business, who must include that business in the notice calling the next general meeting.

### **Quorum At General Meetings**

20. (1) No item of business may be conducted at a general meeting unless a quorum of Members entitled under these Rules to vote is present at the time when the meeting is considering that item.
- (2) Ten (10) Voting Members personally present (and being Members entitled under these Rules to vote at a general meeting) constitute a quorum for the conduct of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present:-
  - (a) in the case of a meeting convened upon the request of Members, the meeting must be dissolved; and
  - (b) in any other case, the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the Members personally present (being not less than three) shall be a quorum.

### **Presiding At General Meetings**

21. (1) The Chairperson shall preside as Chairperson at each General Meeting of the Club.
- (2) If the Chairperson is absent from a general meeting, or are unable to preside, the Officers present must elect one of their number to preside as Chairperson. In the absence of any Officer, the Members present must elect one (1) of their number to preside as Chairperson

### **Adjournment Of Meetings**

22. (1) The person presiding may, with the consent of a majority of Members present at the meeting, adjourn the meeting from time to time and place to place.
- (2) No business may be conducted at an adjourned meeting other than the unfinished business from the meeting which was adjourned.
- (3) If a meeting is adjourned for fourteen (14) days or more, notice of the adjourned meeting must be given in accordance with Rule 19.
- (4) Except as provided in Rule 22(3), it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

### **Voting At General Meetings**

23. (1) Upon any question arising at a general meeting of the Club, a Member has one (1) vote only.
- (2) All votes must be given personally or by proxy.

- (3) In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- (4) A Voting Member is not entitled to vote at a general meeting unless all moneys due and payable by the Member to the Club have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

### **Poll At General Meetings**

24. (1) If at a meeting a poll on any question is demanded by not less than five (5) Voting Members, it must be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- (2) A poll that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

### **Manner Of Determining Whether Resolution Carried**

25. If a question arising at a general meeting of the Club is determined on a show of hands:-

- (1) a declaration by the Chairperson that a resolution has been:-
  - (a) carried; or
  - (b) carried unanimously; or
  - (c) carried by a particular majority; or
  - (d) lost; and
- (2) an entry to that effect in the minute book of the Club

is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

### **Proxies**

26. (1) Each Voting Member is entitled to appoint another Voting Member or an immediate family Member as a proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (2) The notice appointing the proxy must be:-
  - (a) for a meeting of the Club convened under Rule 14(7), in the form set out in Appendix 2; or
  - (b) in any other case, set out in Appendix 3.

## **BOARD OF DIRECTORS**

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### **Powers and Function**

27. (1) The affairs of the Club shall be managed by the Board of Directors.
- (2) The Board –
- (a) shall control and manage the business and affairs of the Club; and
  - (b) may, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Club other than those powers and functions that are required by these Rules to be exercised by general meetings of the Members of the Club; and
  - (c) subject to these Rules, the Act and the Regulations, has power to perform all such acts and things as appear to the Board to be essential for the proper management of the business and affairs of the Club.
- (3) Subject to Section 23 of the Act, the Board shall consist of up to nine (9) Officers of the Club each of whom shall:-
- (a) either be elected at the Annual General Meeting of the Club in each year or appointed during a year to fill a casual vacancy; and
  - (b) shall hold office for a period expiring at the next Annual General Meeting after their election or appointment to the Board of the Club.

### **Officers**

28. (1) The Officers of the Club shall be elected to fill one (1) or more of the following offices:-
- (a) Executive Chairperson;
  - (b) Executive Secretary;
  - (c) Executive Treasurer;
  - (d) Chairperson Men's Section;
  - (e) Chairperson Women's Section;
  - (f) Chairperson Junior Section;
  - (g) Chairperson Social Committee;
  - (h) Chairperson Fundraising Committee.
- (2) Each Officer of the Club shall hold office until the Annual General Meeting next after the date of his or her election but is eligible for re-election.
- (3) In the event of a casual vacancy in any office referred to in Rule 28(1) the Board may appoint an Officer to the vacant office and the Officer appointed may continue in office up to and including the conclusion of the Annual General Meeting next following the date of the appointment.

## **Election Of Officers**

29. (1) Nominations of candidates for election of Officers of the Club must be:-
- (a) made in writing, signed by two (2) Voting Members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
  - (b) delivered to the Secretary of the Club not less than fourteen (14) days before the date fixed for the holding of the Annual General Meeting.
- (2) A candidate may be nominated for several offices.
- (3) If insufficient nominations are received to fill all vacancies on the Board, the candidates nominated shall be deemed to be elected and further nominations may be received at the Annual General Meeting.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (5) If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.
- (6) The ballot for the election of Officers to the Board must be conducted at the Annual General Meeting in such manner as the Board may direct.

## **Vacancies**

30. The office of an Officer of the Club becomes vacant if the Officer:-
- (1) ceases to be a Member of the Club;
  - (2) resigns from office by notice in writing given to the Secretary;
  - (3) becomes an insolvent under administration within the meaning of the *Corporations Act, 2001*;
  - (4) becomes mentally incompetent;
  - (5) is disqualified from acting as a director of a company pursuant to the *Corporations Act 2001*;
  - (6) dies.

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## **MEETINGS OF THE BOARD**

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### **Convening Board Meetings**

31. (1) The Board must meet at least six (6) times in each year at such place and such times as the Board may determine.
- (2) Special Meetings of the Board may be convened by the Chairperson or by any two (2)

Officers of the Club.

### **Notice Of Board Meetings**

32. (1) Written notice of each Board Meeting and of each Special Meeting of the Board must be given to each Officer at least two (2) business days before the date of the meeting.
- (2) Written notice must be given to each Officer of any Special Meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.
- (3) For the purposes of Rule 32(1), written notice of a Board Meeting may be delivered by handing the notice to the Officer, by post, by facsimile or by email, the method to be one approved by the Officer concerned.

### **Quorum For Board Meetings**

33. (1) A quorum for the conduct of the business of a meeting of the Board shall be constituted by at least one half of the Officers of the Club.
- (2) No business may be conducted unless a quorum is present.
- (3) If within half an hour of the time appointed for the meeting a quorum is not present:-
- (a) in the case of a special meeting, the meeting lapses;
- (b) in any other case, the meeting shall stand adjourned to the same place and the same time and day in the following week.
- (4) The Board may act notwithstanding any vacancy on the Board.

### **Presiding At Board Meetings**

34. At meetings of the Board –
- (1) the Chairperson shall preside; or
- (2) if the Chairperson is absent, or is unable to preside, the Officers present must elect one (1) of their number to preside.

### **Voting At Board Meetings**

35. (1) Questions arising at a meeting of the Board, or at a meeting or any sub-Committee appointed by the Board, shall be determined on a show of hands or, if an Officer requests, by a poll taken in such manner as the person presiding at that meeting may determine.
- (2) Each Officer present at a meeting of the Board, or at a meeting of any sub-Committee appointed by the Board (including the person presiding at the meeting) is entitled to one (1) vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

### **Removal Of Officer**

36. (1) The Club in general meeting may, by resolution, remove any Officer before the expiration of the Officer's term of office and appoint another Voting Member in his or her place to hold office until the expiration of the term of the first-mentioned Officer.
- (2) An Officer who is the subject of a proposed resolution referred to in Rule 36(1) may make representations in writing to the Secretary or Chairperson of the Club (not exceeding a reasonable length) and may request that the representations be provided to the Members of the Club.
- (3) The Secretary or the Chairperson may give a copy of the representations to each Member of the Club or, if they are not so given, the Officer may require that they be read out at the meeting.

### **Delegation Of Powers**

37. (1) The Officers of the Club may delegate any of their powers, save for the power to borrow, to a committee or committees consisting of such of their number as they think fit.
- (2) A committee to which any powers have been so delegated shall exercise the powers delegated in accordance with any directions of the Officers and a power so exercised shall be deemed to have been exercised by the Board.
- (3) The Members of such a committee may elect one of their number as Chairperson of their meetings.
- (4) Where such a meeting is held and:-
- (a) a Chairperson has not been elected as provided by Rule 37(3); or
- (b) the person so elected is not present within ten (10) minutes after the time appointed for the holding of the meeting or is unwilling to act for all or part of the meeting,
- the Members present shall elect one of their number to be Chairperson of the meeting or part of it.
- (5) The Board shall nominate certain committees as Standing Committees. The manner in which such Standing Committees conduct their business shall be set out in the By-Laws of the Club.
- (6) The Board shall nominate certain committees as Ad-hoc Committees. The manner in which such Ad-hoc Committees conduct their business shall be governed by Rules established at the time of the formation of the Ad-hoc Committee.



## **ADMINISTRATION**

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### **Minutes Of Meetings**

38. The Secretary of the Club must keep minutes of the resolutions and proceedings of each general meeting, and each Board meeting, together with a record of the names of persons present at Board Meetings.

### **Custody And Inspection Of Books And Records**

39. (1) Except as otherwise provided in these Rules, the Secretary must keep in his or her custody or under his or her control all books, documents and securities of the Club.
- (2) All accounts, books, and securities and any other relevant documents of the Club must be available for inspection free of charge by any Member upon request.
- (3) A Member may inspect any accounts, books, securities and any other relevant documents of the Club.

### **Seal**

40. (1) The Common Seal of the Club must be kept in the custody or control of the Secretary or a person appointed by the Secretary for the purpose of acting as custodian of the Seal.
- (2) The Common Seal must not be affixed to any instrument except by the authority of the Board and the affixing of the Common Seal must be attested by the signatures of two (2) Officers of the Club.

### **By Laws**

41. (1) Subject to the provisions of Rule 41(2) hereof, the Board has power to make By Laws concerning membership application and qualification for membership of the Club and any other matter which the Board believes suitable for including in such By Laws.
- (2) A Material Provision of the By-Laws shall not be capable of being amended, changed, varied or deleted by the Board alone unless and until the following process has been observed:-
- (a) Any proposal to amend, change, vary or delete (the "Variation") a material provision of the By-Laws of the Club shall be reduced to writing and affixed to the Club noticeboard in the Club's premises. Full particulars of the proposed Variation shall be provided together with such other supporting or explanatory material as the Board shall deem appropriate.
- (b) A meeting of Members (the "By-Laws Meeting") shall be held on a date which is not less than twenty eight (28) days after the notification of the proposal is affixed to the Club noticeboard.
- (c) Ten Voting Members personally present (and being Members entitled under these Rules to vote at a general meeting) constitute a quorum for the conduct of the business of a By-Laws Meeting.

- (d) If within half an hour after the appointed time for the commencement of a By-Laws Meeting, a quorum is not present, the Board shall proceed with the proposed Variation and shall have full power to determine all incidental matters relating to the proposed Variation. The Executive Secretary shall place an announcement on the noticeboard to notify Members of the Variation.
  - (e) If within half an hour after the appointed time for the commencement of a By-Laws Meeting, a quorum is present, the Members present shall be given the opportunity to discuss the proposed Variation. Voting on the proposed Variation shall be conducted in accordance with Rule 23 hereof. If a simple majority of the Voting Members vote in favour of the proposed Variation, such Variation to the By-Laws of the Company will become immediately effective and binding upon all Members.
42. The Board has power to make By Laws concerning membership application and qualification for membership of the Club and any other matter which the Board believes suitable for including in such By Laws.

### **Alteration Of Rules**

43. These Rules and the Statement of Purposes of the Club must not be altered except in accordance with the Act which, inter alia, require a special resolution to be passed by not less than seventy five per cent (75%) of Voting Members.

### **Notice To Members**

44. (1) Any notice that is required to be given to a Member, by or on behalf of the Club, under these Rules may be given by:-
- (a) delivering the notice to the Member personally; or
  - (b) sending it by prepaid post addressed to the Member at that Member's address shown in the register of Members; or
  - (c) facsimile transmission, if the Member has consented to that mode of delivery; or
  - (d) electronic transmission, if the Member has consented to that mode of delivery.
- (2) For the purposes of Rule 44(1)(c) and (d), a Member shall be deemed to have consented to a mode of delivery of notice where a Member supplies to the Club his or her facsimile number in the case of Rule 44(1)(c) or his or her email address in the case of Rule 44(1)(d).
- (3) A Member may change the mode of delivery of notices by providing to the Executive Secretary a notice in writing to advise the change in preference.

## **FINANCIAL MATTERS**

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### **Funds**

45. (1) The Treasurer of the Club must:-
- (a) collect and receive all moneys due to the Club and make all payments authorised by the Club; and
  - (b) keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club.
  - (c) At least on an annual basis and prior to the end of each financial year, the Treasurer shall be required to effect a cash transfer of an amount which is equivalent to the annual subscription payable by a Social Member from the bank account into which annual subscriptions received from each Senior Member of the Club are deposited to the bank account maintained by the Pavilion Operations Committee.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two (2) Officers of the Club or in accordance with such delegation as the Board determines.
- (3) The funds of the Club shall be derived from annual subscriptions, levies, donations and such other sources as the Board determines.

### **Accounts**

46. (1) The Officers will cause to be kept proper books of account in which will be kept true and complete accounts of the affairs and transactions of the Club. Proper books will not be deemed to be kept unless the books give a true and fair view of the state of the Club's affairs and explain its transactions.
- (2) Separate financial statements are to be maintained and reported for such committees or divisions of the Club as the Board shall determine. At the date of the adoption of these Rules, separate financial statements are to be produced for:-
- (a) the Pavilion Operations Committee;
  - (b) the Doncaster Regional Hockey Centre Division.

### **Audit**

47. (1) A registered company auditor must be appointed.
- (2) The remuneration of the auditor may be fixed and the auditor's duties regulated in accordance with the Law.
- (3) The person who acts as the auditor of the Club shall be ineligible to be appointed as an Officer of the Club.

## **LIQUOR LICENCE**

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### **Provisions under the Liquor Act**

48. Notwithstanding any other provision contained in these Rules, the following provisions apply during such periods of time when the Club holds a Club Licence pursuant to the Liquor Licence:-
- (1) The payment of any amount to an Officer or servant of the Club by way of commission or allowance from the receipts of the Club for the supply of liquor is precluded.
  - (2) A visitor to the Club's premises must not be supplied with liquor in the Club's premises unless the visitor is a guest in the Club of a Member of the Club who is admitted in accordance with the Rules and By Laws of the Club.
  - (3) A person cannot:-
    - (a) be admitted as an honorary or temporary Member of the Club (if the Club has these types of Membership); or
    - (b) be exempted from the obligation to pay the subscription applicable to Membership of the Club -

unless the person is of a class specified in the Rules and the admission or exemption is in accordance with the Rules.
  - (4) A person under the age of 18 years cannot be admitted to Membership of the Club unless that person is a Member of a sporting team of the Club.
  - (5) The Officers of the Club must be elected for a term of not less than 12 months by Members of a class of Members that constitutes not less than 60% of the total Membership of the Club, excluding temporary or honorary Members and persons who are Members by reason only of reciprocal arrangements with another Club or sporting club and persons whose rights as Members are limited to rights as social or neighbourhood Members.
  - (6) The facilities of the Club are provided and maintained from the joint funds of the Club.
  - (7) No person shall be entitled to receive a greater profit, benefit or advantage from the Club than that to which any Member is entitled.

## **MATTERS PERTAINING TO PLAYING**

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### **Club Colours**

49. The Club colours shall be green and gold.

### **Registration fees**

50. (1) Those members of the Club who wish to play in a Club team shall be required to pay registration fees to the Club.
- (2) The amount of the registration fee payable by a playing member shall be determined by the Board from time to time.
- (3) The registration fee is payable by a playing member prior to the commencement of the season. Where a playing member has failed to pay in full his or her registration fees by the commencement of Round 5 in a season without having made arrangements acceptable to the Treasurer, that playing member shall be prohibited from playing in any further games with the Club until payment in full is received.

### **Taking of Club Property**

51. A playing member may be granted permission to take possession of an item of property belonging to the Club. Permission may only be granted by an Officer of the Club or by the General Manager of the Club. The item of property so borrowed or taken by a playing member shall be returned when a request is made by an Officer of the Club or when the playing member ceases to be a member of the Club, whichever event first occurs.

## **WINDING UP**

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### **Disposal of assets**

52. In the event of the winding up or the cancellation of the incorporation of the Club, the assets of the Club must be disposed of in accordance with the provisions of the Act.

***DONCASTER HOCKEY CLUB, INC***

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**RULES**

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Prepared by

CASTLE CORPORATE SERVICES PTY LTD  
26 Ellingworth Parade  
BOX HILL VIC 3128

## Appendix 1

### DONCASTER HOCKEY CLUB, INC MEMBERSHIP APPLICATION or RENEWAL

This is my membership application                       This is my membership renewal

Application for membership is made for class shown below:-

<input type="checkbox"/> Senior Men or	<input type="checkbox"/> Veteran Men	<input type="checkbox"/> Senior Women	<input type="checkbox"/> Junior	<input type="checkbox"/> Social Club
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Surname:		Given names:	
Address:			
Telephone nos:	H:	B:	M:
Email		Facsimile:	
Date of birth:		Age:	

Adults only (optional)

Occupation/Industry	Wife's/Partner's name
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Juniors only

Parents' names:	
Parent's occupation(s):	
School attended:	

I hereby apply to become a Member of the **DONCASTER HOCKEY CLUB, INC.**

In the event of my admission as a Member, I agree to:-

- ★ to read and understand the Rules and By Laws of the Club;
- ★ to be bound by the Rules and By Laws of the Club in force from time to time;
- ★ to abide by the decisions of the Club and its elected officials;
- ★ uphold the Club's code of conduct as advised from time to time;
- ★ receive notices by email where an email address has been inserted above;
- ★ receive notices by facsimile where a facsimile number has been inserted above;
- ★ receive notice by post where neither an email address nor a facsimile number has been inserted above.

Members playing hockey should note that playing membership fees include a limited level of personal accident insurance against injury whilst playing hockey or engaging in Club related activities. This insurance is not available to members who are unfinancial.

*Signature of Applicant* \_\_\_\_\_ *Date*    /    /

For Junior applicants only:

*Signature of Parent* \_\_\_\_\_ *Date*    /    /

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## **PRIVACY STATEMENT**

The personal information provided by you on any application will be used to process the application only. Failure to provide all of the requested information may result in your application being rejected.

### **What do we use personal information for?**

Information is used for:

- \* Maintenance of the membership register as required by the Associations Incorporation Act.
- \* Communication with members
- \* Ensuring your safety through the use of emergency contacts
- \* Seeking members with appropriate skills to help with the running of the club.

### **Who do we disclose personal information to?**

The Doncaster Hockey Club, Inc does not disclose your personal information to any other organization or person unless there is a legal requirement to do so. Doncaster Hockey Club, Inc may disclose your information to third parties that provide services under contract to the Club. These contracts require the third party to keep your personal information confidential and secure.

Information as required is provided to members of the club for the purposes listed above.

### **How do Members notify us of any corrections to personal information?**

Members can use the membership application or renewal forms to advise of changes to their personal information, or can contact an officer of the Club. Members can access their information by contacting an Officer of the Club personally or via the Club's mailing, email or web site addresses.

You have the right to access and correct any of your personal information that Doncaster Hockey Club, Inc holds about you.



**Appendix 2**

**FORM OF APPOINTMENT OF PROXY  
FOR MEETING OF CLUB CONVENED UNDER RULE 14(7)**

I, .....  
*(Name)*

of .....  
*(Address)*

being a Member of DONCASTER HOCKEY CLUB, INC

appoint .....  
*(Name of proxy holder)*

of .....  
*(Address of proxy holder)*

being a Member of that Incorporated Club, as my proxy to vote for me on my behalf at the  
meeting of the Club convened under Rule 14(7), to be held on

..... 20 and at any adjournment of that meeting.  
*(Date of meeting)*

I authorised my proxy to vote on my behalf at their discretion in respect of the following  
resolution (insert details of resolution passed under Rule 14(1)).

*Signed* .....

Date .....

**Appendix 3**

**FORM OF APPOINTMENT OF PROXY**

I, .....  
*(Name)*

of .....  
*(Address)*

being a Member of DONCASTER HOCKEY CLUB, INC

appoint .....  
*(Name of proxy holder)*

of .....  
*(Address of proxy holder)*

being a Member of the Club, as my proxy to vote for me on my behalf at the Annual/Special\*  
General Meeting to be held on

..... 20 and at any adjournment of that meeting.  
*(Date of meeting)*

My proxy is authorised to vote in favour of/against\* the following resolution (insert details of  
resolution).

*Signed* .....

Date .....

\* Delete if not applicable

## Appendix 4

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<i>Fee</i>	<i>Amount</i>
Entrance fee	\$Nil
Maximum Annual subscription fee	
Senior Members	\$15 (min.\$10)
Social Club Members	\$15 (min.\$10)
Junior Members	\$Nil

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# RULES

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