

POVERTY BAY HOCKEY



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CONSTITUTION
OF THE
POVERTY BAY HOCKEY ASSOCIATION

Adopted: Special General Meeting, 30th April 2015

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1. TITLE

The Organisation shall be called Poverty Bay Hockey Association (hereinafter called PBHA).

2. BOUNDARIES & REGISTERED OFFICE

2.1 The Boundaries and Jurisdiction area of PBHA is:

- a) Gisborne City
- b) East Coast
- c) Wairoa

2.2 The headquarters and registered office of PBHA shall be at the Harry Barker Reserve, Gisborne or such other place in the city of Poverty Bay as the Board of Directors of Poverty Bay Hockey shall from time to time decide.

3. OBJECTIVES AND VALUES

3.1 To foster and control the sport of hockey within Poverty Bay as defined by the Rules and Regulations of the New Zealand Hockey Federation (hereinafter called NZHF).

3.2 To develop a strategic plan and vision with clear goals to take PBHA into the future.

3.2 To, at all times, display professionalism, respect, transparency, consistency and integrity in all our dealings with stakeholders, staff, sponsors and the public in general, and we will carry out our roles with passion and pride.

4. STRUCTURE

The structure of PBHA shall be as follows:

- a) A governing Board of Directors (hereinafter called the Board) holding portfolios.
- b) Sub Committees as required by the Board.
- c) Staff and Volunteers as required by the Board, to remove the Board from the day to day administration of PBHA.

5. THE BOARD OF DIRECTORS

5.1 Powers and Privileges

The Board is the body that is elected by PBHA members, and therefore has the powers and privileges given to it to govern, taking into account the wishes of its members. The Board shall govern the affairs of the Association and shall control its finances and shall have, in addition to all such administrative powers as may be necessary for properly carrying out the objects of the Association as hereinbefore set forth, the following particular powers and authorities:-

- 5.1.1** To employ such staff as the Board shall from time to time decide and on such terms and conditions as prescribed by the Board. The Board may delegate its powers under this clause to the Operations Manager.
- 5.1.2** To determine the processes to apply in respect of the appointment of Selectors, Coaches and Managers of PBHA's teams.
- 5.1.3** To appoint a deputy chairman who in the absence of the Chairman shall have all the powers of the Chairman.
- 5.1.4** To adopt an annual strategic plan and an annual operational plan and budget for financial performance and to monitor results against the annual plan and budget.
- 5.1.5** To make, repeal and amend all such by-laws and regulations (not inconsistent with the Constitution) as it thinks expedient for the management or well-being of PBHA or for the furtherance of its objects.
- 5.1.6** To make, repeal and amend rules for the regulation and control of inter-club competitions and any other matches subject to the jurisdiction of the Association.
- 5.1.7** To adopt clearly defined delegations of authority from the Board to the Administrator.
- 5.1.8** To regulate and control the conduct of all officials, members and players in matters relating to PBHA and to hockey.
- 5.1.9** To impose any penalty upon any affiliated member or members thereof found guilty of breaking any of the rules or by-laws or regulations made by the Board or PBHA or refusing to give effect to any resolution passed by the Board or any general meeting of PBHA.
- 5.1.10** To hold any inquiry and to decide on such penalty as it thinks fit in case of misconduct by any team, player or official, while under the direct control of PBHA.
- 5.1.11** To suspend or otherwise penalise any player or an affiliated member who may be reported by an umpire for any behaviour which would constitute a breach of any code, rule or regulation of the New Zealand Hockey Federation.
- 5.1.12** To determine all questions or disputes as to the construction and meaning of these rules, or any expressions therein or as to anything done or omitted by any affiliated member or members thereof.
- 5.1.13** To enter into any engagement at law in the name of and on behalf of PBHA.
- 5.1.14** To appoint Subcommittees from within its own number or otherwise and to delegate to them such powers and responsibilities as it shall determine. The Subcommittees shall report as directed by the Board. The Chairman of the Board or a Board Member nominated by him or her shall have the right to attend any meeting of any Subcommittee.
- 5.1.15** To operate in the name of PBHA such banking accounts as deemed necessary.

- 5.1.16** To fill any vacancy on the Board which may occur by death, resignation or otherwise of a Board Member.
- 5.1.17** To levy members for any moneys required to finance the Association and such levy shall be paid in such manner and at such time as shall be determined by the Board.
- 5.1.18** If any case should occur which is not, or which in the opinion of the Board is not, provided for by these rules, it shall be determined by the Board in such manner as it shall think fit, and it may (if it thinks fit so to do) report the case with its decision to a general meeting of PBHA for confirmation.
- 5.1.19** To enter into contracts with players as may from time to time be negotiated.
- 5.1.20** The Board or its nominee shall have the power to enquire into the conduct of any Member, Club, team or player affiliated to or under control of the Association and shall have the power to impose any penalty affecting their participation in the game of hockey including disqualification, which the Board or the nominee may consider fit whether or not any penalty shall have previously been imposed by any other authority. The Board or its nominee shall properly take in account the imposition of any penalty already imposed but in any event any penalty imposed by the Board or its nominee shall at the discretion of the Board be enforced and carried out by all Members, Clubs and teams which are members of or affiliated, to PBHA or under control of PBHA. An enquiry may be held under this clause on receipt of a written request from a Member.

5.2 Members of the Board

- 5.2.1** The Board shall consist of seven (7) members elected at the AGM.
- 5.2.2** The Chairman of the Board and his or her Deputy shall be appointed from within the Board.
- 5.2.3** Associated bodies; The Board shall have the power to recommend, on behalf of PBHA:
- a) Representative(s) from the Board with mandate to vote on the Board of Central Districts Hockey Incorporated.

5.3 Election

- 5.3.1**
- a) Each Board Member is elected for a term of three years.
 - b) Board positions will come up for re-election each year, two (2) Board Members in year 1, two (2) in year 2 and Three (3) in year three.
 - c) Outgoing Board Members can seek re-election
- 5.3.2** Vacancy
- a) Should a vacancy occur during the term of any Member, the Board shall fill the vacancy, until that particular position comes up for re-election at the next Annual General Meeting.
 - b) When a Member leaves office for whatever reason, their replacement will be appointed until the next AGM.
 - c) The member elected at that AGM would hold office only for the amount of time in order to maintain the cycle of elections.

5.4 Meetings

- 5.4.1** The Board is expected to meet monthly over the winter hockey season, and two monthly

during the 'off' season, but must have at least eight meetings over the course of the year (excluding special meetings). A quorum is four members.

5.4.2 Voting will be by a simple majority of votes. In the event of an equal vote, the Chairman has the casting vote. Proxy votes are not accepted.

5.4.3 Any member of the Board, who is absent from two consecutive meetings, or three at intervals per annum, shall, unless leave of absence has been granted, cease to be a member of the Board.

6. OFFICERS

6.1 Patron(s)

6.1.1 The Patron is an officer of PBHA. They may hold office for two years and stand for re-election after that. The Patron may attend the meetings of the Board of Directors but he/she does not have a voting right.

6.1.2 The Patron(s) will be put forward for election at the Annual General Meeting by the Board of Directors. There may not be more than two Patrons elected at one time.

6.2 Chairperson

The Chairperson is an officer of PBHA. They may hold office for two years, and stand for re-election after that. The Chairperson may attend the meetings of the Board of Directors but he/she does not have a voting right.

7. MEMBERSHIP OF PBHA

7.1 PBHA Members shall consist of:

- a) Life Members
- b) Playing Members
All members of all clubs in PBHA's district as defined by the NZHF, accepted by, and subscribing to PBHA. In this context a school is a club, though it does not have to present finances, nor a constitution.
- c) Non-playing members
Members who wish to support the objectives of hockey in Poverty Bay by coaching, umpiring, and or administration.

7.2 Life Members

7.2.1 Election
Life Members of PBHA shall be elected by a 75% majority vote at an Annual General Meeting, provided that the nomination for Life Membership shall have been agreed by 75% of the Board prior to the Annual General Meeting. To be considered for this honour, such a person shall have rendered special service to hockey in Poverty Bay.

7.2.2 Nomination

Any PBHA Member may nominate a candidate for Life Membership to the Board, for approval to be tabled at the Annual General Meeting.

7.2.3 Powers

Life Members of PBHA shall have the right to hold any office in PBHA, if elected, and have the right to attend and speak, and vote, at any General Meetings. A Life Member will also have free entry into any PBHA sanctioned event.

7.3 Playing Members

7.3.1 Election to Membership

- a) any club desiring to become affiliated to PBHA shall first be proposed and seconded by two delegates of such club, AND secondly be balloted for at a meeting of the Board (necessary only when more than one club is desiring to fill a vacancy in a grade) AND thirdly be elected by a majority vote at that meeting.
- b) every new application for affiliation to PBHA shall be in writing and shall be signed by a duly authorised member of the applicant club and shall be forwarded to PBHA, and shall contain the following information:

- 1) The name of the club
- 2) A copy of its Constitution or Rules
- 3) The name and postal address of its Secretary
- 4) The number of its teams
- 5) Its proposed colours in terms of Clause 12 below
- 6) Its budget, showing income and expenditure over the next twelve months
- 7) Any other data, which PBHA may deem necessary in order to make a decision.

7.3.2 Every club shall, as soon as it is successfully elected, be deemed to be affiliated, and entitled to all the rights and privileges of membership.

7.3.3 As soon as practicable after receiving notice from a club desiring to become affiliated as aforesaid, will be forwarded to the new club a copy of the Constitution and by-laws of PBHA, together with any amendments thereto.

7.3.4 Registration and Transfer of Players

The registration, and transfer of players between clubs and Associations, must conform with the guide-lines of NZHF, and the By-Laws of PBHA.

7.4 Non-Playing Members

Any individuals, who wish to be a Non-Playing Member of PBHA, should apply to the Board and indicate what contribution they wish to make. The Board may make the decision to accept or reject applications.

7.5 Resignations, and Expulsion

Any Member may voluntarily terminate their membership by written resignation to his club, or PBHA, provided he is financial (as defined in Clause 16 below), or he may be expelled or suspended from PBHA, if he has in the opinion of a majority of the Board, at a duly convened Board meeting, acted in a manner likely to bring discredit to the game of hockey, which includes being non-financial, or who has in the opinion of the Board acted detrimentally to the game of hockey.

8. LONG SERVICE AWARDS

NZHF Long Service awards are nominated by the Board

9. GENERAL MATTERS

9.1 Financial

PBHA shall raise income and pay all amounts owing, as approved by the Board. The Board may delegate this authority within guidelines set by the Board

9.2 Bank

9.2.1 All funds of PBHA shall be paid into bank accounts in the name of "Poverty Bay Hockey Association Inc" or otherwise stated by the Board.

9.2.2 PBHA's accounts shall, subject to the delegation of the Board, be operated by the Treasurer and Staff of PBHA, together with any other persons appointed by the Board. There are to be two authorised signatures on cheques, signatories are to be the chairman, treasurer and two delegates.

9.3 Reviewer

Each financial year's accounts shall be reviewed by a Reviewer. Such Reviewer should not hold any office in PBHA and the reviewers report shall be presented at the AGM.

9.4 Common Seal

The Common Seal of PBHA shall be held in the custody of the Administrator, and shall be affixed only when authorised by a resolution of the Board, and in the presence of one Director of the Board and the Administrator or another Director.

9.5 Winding Up

PBHA may be wound up in any manner provided by the Incorporated Societies Act 1908 and the regulations there under, or any Act passed or regulations made in substitution thereof.

Upon such winding up, any surplus assets remaining after the payment of all costs, debts and liabilities shall be applied as the Board may deem fit, subject to the objects and provisions agreed hereof.

"If upon winding up or dissolution of the organisation there remains after the satisfaction of all debts and liabilities any property whatsoever the same shall not be paid to or distributed amongst the members but shall be given or transferred to some other organisation or body having objects similar to the objects of the society, or to some other not for profit or charitable organisation or purpose within New Zealand".

9.6 Financial Year

The Financial Year of PBHA is from 1 January to 31 December, or such other period as determined by the Members at a General Meeting

9.7 Other Affiliations

PBHA shall be affiliated to and subscribe to The New Zealand Hockey Federation, and Central Districts Hockey (inc). Representation at the NZHF Annual General Meeting will be by at least one Member of The Board.

10. MISCONDUCT

The Board will conform to the guidelines for offences as laid down by the New Zealand Hockey Federation. The make-up of the Judiciary Committee and the process for conducting the hearing, and appeals, will be laid down in the Code of Conduct.

11. AFFILIATION & OTHER FEES

The annual affiliation fee, including that, if applicable, for Non-Playing Members, shall be proposed by the Board for acceptance by the Members at a General Meeting. Other fees will be set by the Board.

12. PAYMENT OF ACCOUNTS

All moneys owing to PBHA, must be paid by the due date. The Board may impose penalties as it deems fit for late payments.

13. COLOURS AND UNIFORMS

13.1 Representative Colours and Design

The Representative Colours of PBHA shall be red and white. The design will be approved by the Board.

13.2 Club Colours

Club colours and playing uniforms are to be registered with the Board, and may not be changed without the consent of PBHA. The Board may impose penalties as it sees fit for non-compliance.

14. GENERAL AS TO CLUBS

14.1 Membership

Clubs shall only allow financial (as defined in Clause 16 herein) members to play in any of its teams.

14.2 Financial Members

At the commencement of each season, each club shall forward to PBHA a detailed list of members who are not financial.

14.3 Registration

All clubs shall keep and maintain a full, classified register of all members, together with particulars of each player's date of election, resignation, expulsion and financial position (where appropriate in the context of Clause 18).

14.4 Failure to Comply

Failure by a club to comply with any of the matters contained in this Clause 15 to the satisfaction of the Management Committee in all respects may result in the Management Committee imposing fines and/or reducing competition points and/or suspending from competition and/or such other action, as it deems appropriate against an infringing club.

14.5 Club Reporting

A list of affiliated clubs and affiliated schools representatives to hold voting rights. Names are to be to the PBHA by 1st Feb each year, upon request. Club is to be financial from the previous year. Two delegates per team must be named.

14.6 Rules and Regulations

Each affiliated club or association shall be entitled once in each year to be supplied with a copy of the Rules and Regulations of PBHA, and those of the NZHF.

15. INDEMNITY

The Officers and members of the Board shall be indemnified by PBHA against all losses and expenses in or about the discharge of their duties, except such as happens to be their own wilful act neglect or default. No Officer or member of the Board shall be responsible for any officer or member of the Board, clerk or servant of PBHA, by the insufficiency or deficiency or value of, or title to, any property or security acquired or taken on behalf of PBHA, or by the bankruptcy or any tortious act of any customer or debtor of PBHA, or by anything done in the execution of his or her duties of his or her office, or in relation thereto or otherwise than his own wilful act neglect or default.

16. DEFINITION OF "FINANCIAL"

"Financial" as to Members and players means to have met all financial obligations including (but not by way of limitation) all subscriptions due, fines, costs, levies, or otherwise, imposed by one or more of NZHF or PBHA

17. BY-LAWS AND POLICIES

The Board may from time to time furnish and have jurisdiction over a set of By-laws or Policies, which although not forming part of this Constitution may be read in conjunction herewith AND changes to such By-laws or Policies shall require only a simple majority vote of the Board PROVIDED ALWAYS that any changes to the By-laws or Policies shall, unless expressed elsewhere to the contrary, be notified immediately to all PBHA Members.

18. ANNUAL GENERAL MEETINGS and SPECIAL GENERAL MEETINGS

18.1 (a) The Annual General Meeting shall be held not later than three(3) months after the end of the financial year (as defined herein) in each year, on a date and at a venue to be fixed by the Board.

b) Written notice of the Annual General Meeting shall be sent to Secretaries of clubs, schools, PBHA Officers and Life Members, fourteen days prior to the date of such a meeting.

c) The business to be considered at the Annual General Meeting shall be:

- 1) Roll Call, which includes verification of voting rights.
- 2) Apologies
- 3) Confirmation of minutes of previous Annual General Meeting
- 4) Presentation and adoption of Annual Report and Financial Reports
- 5) Notices of motion
- 6) Election of Officers and the Board of Directors
- 7) General

d) An officer of PBHA appointed by the Board shall, not less than seven days prior to the Annual General Meeting, forward to Secretaries of clubs, schools, Officers and Life Members, a copy of the agenda, Annual Report, and Financial Reports.

e) All PBHA Members shall be eligible to attend the Annual General Meeting, but only delegates, Life Members, and the Chairperson shall have the right to vote.

18.2 Nominations

Nominations of candidates for all elective positions must be made on the prescribed form, proposed and seconded by delegates or club officials and be received by PBHA not less than seven days before the date of the Annual General Meeting. The nominee, consenting to the nomination, must sign nominations. In the event of insufficient nominations being received for any position, the Chairman of the meeting shall accept nominations at the meeting for that position which shall be proposed and seconded and have the consent of the nominee but need not be in writing.

18.3 Chairman

The Chairperson of PBHA shall take the chair at the Annual General Meeting and any Special General Meeting of the PBHA, or if at any such meeting he shall not be present within fifteen minutes after the time appointed for holding such meeting, the members present shall choose another person to act as Chairman.

18.4 Voting

a) The mode of voting at any Annual General Meeting or Special General Meeting of PBHA or at any Board Meeting shall be by open voting, or by ballot as the Chairman of the meeting may direct. In the event of the Chairman's ruling being objected to by a majority of the delegates, or Board members (as the case may be) present at such meeting the mode of voting shall be open voting.

b) At any Annual General Meeting or Special General Meeting the following shall be entitled to vote, namely:

- (i) The Chairperson – one vote
 - (ii) Life Member – one vote
 - (iii) Each financial (as defined in Clause 16 herein) Club. The number of votes shall be determined as follows:
 - One team - one vote
 - Two teams - two votes
 - Three teams - three votes
 - Four or more teams - four votes
 - Schools - one vote each
- c) The Chairman shall, in the case of an equality of votes, have a casting vote.
- d) Non-playing Members have no vote unless in the role of Chairman of the meeting.

18.5 Elections

All elections can be by secret ballot at the discretion of the Chairman of the meeting.

- a) Scrutineers would be appointed by the delegates present to supervise each ballot.
- b) All ballot papers would be destroyed after the Chairman has announced the result.

18.6 Special General Meetings

- a) A Special General Meeting of PBHA shall be convened within fourteen days of the receipt by PBHA of a request signed by the Chairman and Secretary of a least four clubs PROVIDED ALWAYS that a Special General Meeting may be ordered by the Board at any time.
- b) No other matter shall be considered at the Special General Meeting other than that for which it was called.
- c) The procedure to be adopted for the conduct of that Special General Meeting shall be in accordance with that stipulated for the Annual General Meeting as far as is applicable.
- d) Notice in writing of a Special General Meeting shall be sent to all Secretaries of clubs, Schools, and Life Members, at least seven days prior to the day appointed for such meeting and shall state the time of commencement, the place of the meeting and the business to be conducted.

18.7 Quorum

At any Annual General Meeting or Special General Meeting, nine (9) people present and entitled to vote shall form a quorum.

19 INTERPRETATION

- a) Words importing one gender include the other gender as the case may require.
- b) Words importing the singular or plural number include the plural and singular number respectively.
- c) This Constitution shall be considered as always speaking and whenever any matter or thing is expressed in the present tense the same shall be applied to the circumstances as they arise, so that effect may be given to this Constitution and every part thereof according to their spirit, true intent and meaning.

20. ALTERATIONS

- a) Any alteration to this Constitution may be made by the decision of a two-thirds majority at any Annual or Special General Meeting of PBHA.
- b) Notice of any alteration to this Constitution, together with the names of the proposer and seconder, shall be given in writing to PBHA at least 21 days before such Annual or Special General Meeting at which such alteration is intended to be considered, and 14 days notice thereof shall be sent to the secretaries of all clubs.

21. ANNULMENT

- a) This document may be annulled by a two-thirds majority vote at the AGM or SGM provided that a new Constitution has been submitted to the Board.
- b) Notice of any annulment to this Constitution, shall be given in writing to PBHA at least 21 days before such Annual or Special General Meeting at which the new constitution is intended to be considered, and 14 days notice thereof shall be sent to the secretaries of all clubs.