



The Constitution of the New South Wales Ice Hockey Association Incorporated

Also trading as Ice Hockey NSW

4th March 2007

The Constitution of the New South Wales Ice Hockey Association Incorporated at March 04th, 2007.

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Part 1 Preliminary

1 Definitions

- (1) In these rules:

Director-General means the Director-General of the Department of Fair Trading.

ordinary member means a member of the committee who is not an office-bearer of the association, as referred to in rule 14(2).

secretary means:

- (a) the person holding office under these rules as secretary of the association, or
- (b) if no such person holds that office – the public officer of the association.

Special general meeting means a general meeting of the association other than an annual general meeting.

the Act means the *Associations Incorporation Act 1984*.

the regulation means the *Associations Incorporation Regulation 1999*.

- (2) In these rules:

- (a) a reference to a function includes a reference to a power, authority and duty, and
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

- (3) The provisions of the *Interpretation Act 1987* apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

Part 2 Membership

2 Membership qualifications

A person is qualified to be a member of the association if, but only if:

- (a) the person is a person referred to in section 15(1) (a), (b) or (c) of the Act and has not ceased to be a member of the association at any time after incorporation of the association under the Act,

or the person is a natural person:

- (i) who has been nominated for membership of the association as provided by rule 3, and
- (ii) who has been approved for membership of the association by the committee of the association.

3 Nomination for membership

- (1) A nomination of a person for membership of the association must be made in accordance with the procedure set out in the Handbook from time to time.
- (2) The committee is to determine whether to approve or to reject a nomination by following the procedure set out in the Handbook from time to time.
- (3) As soon as practicable after the committee makes that determination, and in accordance with the procedure set out in the Handbook from time to time the secretary must:
 - (a) notify the nominee, in writing, that the committee approved or rejected the nomination (whichever is applicable), and

- (b) if the committee approved the nomination, request the nominee to pay all sums payable as set out in the Handbook from time to time including the entrance fee and any applicable registration fee (the "Registration Fee").
- (4) On payment of the Registration Fee, a nominee becomes a member of the association.
- (5) The secretary must, within 14 days of the date of full payment by the Nominee of the Registration Fee, enter the nominee's name in the Register of Members.

4 Cessation of membership

A person ceases to be a member of the association if the person:

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the association.

5 Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of the association:

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

6 Resignation of membership

- (1) A member of the association is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the association who has paid all amounts payable by the member to the association in respect of the member's membership may resign from membership of the association by first giving to the secretary written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (3) If a member of the association ceases to be a member under clause (2), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

7 Register of members

- (1) The public officer of the association must establish and maintain a register of members of the association specifying the name and address of each person who is a member of the association together with the date on which the person became a member.
- (2) The register of members must be kept at the principal place of administration of the association and must be open for inspection, free of charge, by any member of the association at any reasonable hour.
- (3) A member of the association may obtain a copy of any part of the register on payment of a fee of \$1 for each page copied or, if some other amount is determined by the committee, that other amount.

8 Fees and subscriptions

(1) A member of the association must, on admission to membership, pay to the association a fee of \$1 or, if some other amount is determined by the committee, that other amount ("entrance fee").

(2) In addition to any amount payable by the member under rule (1), a member of the association must pay to the association an annual membership fee of \$2 or, if some other amount is determined by committee, that other amount:

- (a) except as provided by paragraph (b), before 1 March in each calendar year, or
- (b) if the member becomes a member on or after 1 March in any calendar year- on becoming a member and before 1 March in each succeeding calendar year ("annual subscription").

9 Members' liabilities

The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount, if any, unpaid by the member in respect of membership of the association as required by rule 8.

10 Resolution of internal disputes

- (1) Disputes between members (in their capacity as members) of the association, and disputes between members and the association, are to be referred to a community justice centre for mediation in accordance with the *Community Justice Centres Act 1983*.
- (2) At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

11 Disciplining of members

1. Matters which may be referred to Judiciary Committee

The committee in its sole discretion may refer any of the following matters for investigation or determination by a Judiciary Tribunal:

- (a) an allegation (which in the opinion of the committee is not vexatious, trifling or frivolous) by a complainant that a member ("defendant") has:
 - (i) breached, failed, refused or neglected to comply with a provision of these rules, the by-laws or any other resolution or determination of the association or the committee or any authorised sub-committee; or
 - (ii) acted in a manner unbecoming of a member or prejudicial to the objects and interests of the association and/or the sport of ice hockey; or
 - (iii) brought the association or the sport of ice hockey into disrepute;
- (b) any other matter which the committee considers requires investigation or determination ("allegation").

2. Submission to Jurisdiction

All members will be subject to, and submit unreservedly to the jurisdiction, procedures, penalties and appeal mechanisms of the association set out in this rule 11. All members agree that they will not become a party to any suit, at law or equity, against the association, the committee, coach, umpire, team manager, team administrator, scorer/statistician or any other person who has a position as an official in the sport of ice hockey in New South Wales, or any other person the subject of these rules, until all remedies allowed by these rules have been exhausted.

3. Ongoing participation

During investigatory or disciplinary proceedings under this rule 11 ("proceedings"), a defendant may not participate in any ice hockey activity, pending the determination of the proceedings (including any available appeal) unless the committee decides such participation is appropriate having regard to the matter at hand.

4. Referral to Judiciary Tribunal

- (a) The committee may commence or cause to be commenced any proceedings against a defendant by referring the matter to a Judiciary Tribunal to hear a matter or matters under this rule 11 ("referral").
- (b) A Judiciary Tribunal shall comprise 3 or more persons selected by the committee, one of whom shall be appointed Chairman. No member of the committee is eligible to sit on a Judiciary Tribunal.
- (c) Any such referral to a Judiciary Tribunal shall be in writing and accompanied by any documentary or other evidence that is available to the committee. The referral shall be clear and unambiguous, stating precisely the matter to be determined. The referral shall be served on the defendant in accordance with rule 41.
- (d) No person who is an interested party (as determined by the secretary) shall participate in the determination of the proceedings in any way.
- (e) On receipt of a referral, the chairman of a Judiciary Tribunal shall, in consultation with the remaining members of the Judiciary Tribunal, determine an appropriate date, time and place for a hearing by the Judiciary Tribunal. Such hearing shall be no less than 14 days and no more than 28 days from receipt of the referral, unless the matter is deemed to require urgent attention, in which case the defendant and Judiciary Tribunal may agree on a variation of the time frame set out in this rule 11, having regard to the availability of key witnesses, amongst other things.
- (f) The Chairman of the Judiciary Tribunal shall notify the remaining members of the Judiciary Tribunal, the defendant and any complainant of the date, time and place of the hearing, and in addition, shall advise that each party to the proceedings has the right:
 - (i) to make written submissions to be served on the secretary or the Executive Officer not less than 7 days prior to the date of the hearing; and/or
 - (ii) to appear at the hearing; and/or

- (iii) upon written advice to the Judiciary Tribunal, not less than 7 days prior to the date of the hearing, to be represented by a legally qualified person at the hearing; and/or
 - (iv) to legal representation at the hearing in accordance with Rule N5.
- (g) The Judiciary Committee may invite a legally qualified person to be present at the hearing to render advice or assistance concerning any legal issue raised in the hearing, provided that such person shall not participate in any deliberations or vote of the Judiciary Tribunal in relation to its findings or its decision.
- (h) Subject to this rule, the Judiciary Tribunal shall conduct the hearing as it sees fit, and in particular shall not be bound by rules of evidence, or unnecessary formality. The defendant must be advised of the hearing procedure determined by the Judiciary Tribunal at or before the commencement of the proceedings.
- (i) The Judiciary Tribunal shall be entitled to call such evidence as it thinks fit. All members of the association called as witnesses shall provide such evidence as they are able. The Judiciary Tribunal may adjourn the hearing.
- (j) If the Judiciary Tribunal, having taken into account the written and verbal submissions and other evidence of the parties, considers the allegation sustained, the Judiciary Tribunal may impose such penalty as it considers appropriate in accordance with rule 11(5). In all other cases, the proceedings shall be dismissed.
- (k) If a decision cannot be given immediately after the proceedings, the relevant party or parties must be advised of the time and place at which the decision will be given.
- (l) The decision, any penalty, the reasons for the decision and notice of the person's appeal rights shall be given in writing and signed by the Judiciary Tribunal chairman.
- (m) A defendant who has been the subject of an adverse finding by a Judiciary Tribunal under rule 11(4)(j) may appeal to an Appeal Panel in accordance with rule 11(7).

5. Penalties

Penalties which may be imposed include:

- (a) a reprimand;
- (b) suspension, from such activities, on such terms and for such period as is seen fit;
- (c) exclusion from a particular activity, event or events;
- (d) expulsion from the association;
- (e) fines, imposed in such manner and in such amount as is reasonable in all the circumstances of the matter; or
- (f) such combination of any of the above penalties as is seen fit.

6. Effect of Penalty

- (a) Where a member is suspended under this rule, membership and representation rights and privileges in the association shall be forfeited during the period of such suspension.
- (b) Where a member is expelled under these rules membership and representation rights and privileges in the association shall be forfeited immediately and membership shall cease. Rule 4 of these rules shall apply.

7. Appeal Panel

- (a) Subject to these rules an Appeal Panel will act as arbiter on all disciplinary matters referred to it.
- (b) A member who has been the subject of an adverse finding by a Judiciary Tribunal may appeal by lodging a written notice with the Secretary, within 14 days of the determination of a Judiciary Tribunal and specifying the grounds of appeal. If the committee in its sole discretion consider the appeal has merit the committee will refer the appeal to an Appeals Panel for consideration and determination. The committee may reject or accept (and thus refer) any appeal under this Rule in its sole discretion.
- (c) The decision of the committee in rejecting an appeal by a member under this rule 11(7)(b) shall be final and not subject to further appeal except as provided under the Constitution of Australian Ice Hockey Federation Inc.
- (d) The appointment of, referral to, and proceedings of an Appeal Panel in convening, hearing and determining an appeal shall be similar to or the same as those in respect of a Judiciary Tribunal set out in rule 11(4) above, with such incidental variation as are appropriate or necessary. Any dispute as to the application of this rule shall be determined by the committee in its sole discretion.
- (e) In the matter of an appeal under rule 11(7), an Appeal Panel may in its sole discretion confirm the penalty or adverse finding of the Judiciary Tribunal, or may decide not to confirm such penalty but instead impose an alternate penalty available under rule 11(5), or may revoke the penalty or adverse finding of the Judiciary Tribunal.
- (f) The effect of any penalty imposed by an Appeal Panel shall be the same as set down in rule 11(6) above. The decision of an Appeal Panel under this rule 11(7) shall be final and not subject to further appeal except as provided under the Constitution of Australian Ice Hockey Federation Inc.

12 Legal Representation

The following rules apply in disciplinary proceedings under rule 11:

- (1) A defendant may have legal representation. However, the association discourages this practice. In the event that a defendant exercises his or her right to be legally represented, the defendant must bear all ensuing legal costs, including those reasonably incurred by the association in retaining legal advisers or representatives.
- (2) A defendant maybe represented by an advocate who is not a legally qualified person.
- (3) A defendant who is under 18 years of age may be accompanied by a parent or guardian. In the event that such a parent or guardian is a legally qualified person, the parent will notify the association of that fact not less than 7 days prior to the date of the disciplinary hearing.

Part 3 The committee

13 Powers of the committee

The committee is to be called the committee of management of the association and, subject to the Act, the Regulation and these rules and to any resolution passed by the association in general meeting:

- (a) is to control and manage the affairs of the association, and
- (b) may exercise all such functions as may be exercised by the association, other than those functions that are required by these rules to be exercised by a general meeting of members of the association, and
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the association.

14 Constitution and membership

- (1) Subject in the case of the first members of the committee to section 21 of the *Act*, the committee is to consist of:
 - (a) the office-bearers of the association, and
 - (b) 4 ordinary members, each of whom is to be elected by members of all affiliated clubs, at the annual general meeting of the association under rule 15, and
 - (c) appointed delegates appointed annually by each affiliated club, provided that no more than 1 delegate may be appointed from any individual affiliated club. An affiliated club may nominate alternate members to perform the role of that club's appointed delegate.
- (2) The office-bearers of the association are to be:
 - (a) the president
 - (b) the vice-president
 - (c) the treasurer, and
 - (d) the secretary.
- (3) Save and except for the office bearers of the association, each member of the committee is, subject to these rules, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
- (4) Each office bearer of the association is, subject to these rules, to hold office until the conclusion of the second annual general meeting following the date of the office bearers' election. Each office-bearer is eligible for re-election upon expiry of his or her two year term of office.
- (5) The election of president and treasurer and the election of secretary and vice president are conducted on alternating years at the annual general meeting.
 - (6) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the association to fill the vacancy

and the member so appointed is to hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.

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Election of members

- (1) Nominations of candidates for election as office-bearers of the association or as ordinary members of the committee:
 - (a) must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
 - (b) must be delivered to the secretary of the association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers and ordinary members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

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Secretary

- (1) the Secretary of the association must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- (2) It is the duty of the secretary to keep minutes of:
 - (a) all appointments of office-bearers and members of the committee,
 - (b) the names of members of the committee present at a committee meeting or a general meeting, and
 - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.
- (4) Except as the committee may otherwise determine, the secretary shall be the Public Officer of the Association.

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Treasurer

It is the duty of the treasurer of the association to ensure:

- (a) that all money due to the association is collected and received and that all payments authorised by the association are made, and
- (b) that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association.

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Casual vacancies

For the purposes of these rules, a casual vacancy in the office of a member of the committee occurs if the member:

- (a) dies, or
- (b) ceases to be a member of the association, or
- (c) becomes an insolvent under administration within the meaning of the *Corporations Law*, or
- (d) resigns office by notice in writing given to the secretary, or
- (e) is removed from office under rule 19, or
- (f) becomes a mentally incapacitated person, or
- (g) is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

19 Removal of member

- (1) The association in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the committee to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representation be notified to the members of the association, the secretary or the president may send a copy of the representations to each member of the association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

20 Meetings and quorum

- (1) The committee must meet at least 3 times in each period of 12 months at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the president or by any member of the committee.
- (3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under clause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.

- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the committee:
 - (a) the president or, in the president's absence, the vice-president is to preside, or
 - (b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

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Delegation by committee to sub-committee

- (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the association as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than:
 - (a) this power of delegation, and
 - (b) a function which is a duty imposed on the committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Despite any delegation under this rule, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) A sub-committee may meet and adjourn, as it thinks proper.

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Voting and decisions

- (1) Subject to sub-rule (3); questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of the members of the committee or sub-committee present at the meeting.
- (2) Subject to sub-rule (3); each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Each appointed delegate appointed in accordance with rule 14 is not entitled to vote in proceedings of the committee or of any sub-committee appointed by the committee except in relation to sport specific questions in which case each appointed delegate shall have one vote. In the event of any disagreement as to whether a question is "sport specific", the person presiding shall, in his or her sole discretion, determine whether the question is "sport specific".

- (4) Subject to rule 20(5), the committee may act despite any vacancy on the committee.
- (5) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

Part 4 General meeting

23 Annual general meetings – holding of

- (1) With the exception of the first annual general meeting of the association, the association must, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the association, convene an annual general meeting of its members.
- (2) The association must hold its first annual general meeting:
 - (a) within the period of 18 months after its incorporation under the Act, and
 - (b) within the period of 6 months after the expiration of the first financial year of the association.
- (3) Clauses (1) and (2) have effect subject to any extension or permission granted by the Director-General under section 26(3) of the Act.

24 Annual general meetings – calling of and business at

- (1) The annual general meeting of the association is, subject to the Act and to rule 23, to be convened on such date and at such place and time as the committee thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
 - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
 - (b) to receive from the committee reports on the activities of the association during the last preceding financial year,
 - (c) to elect office-bearers of the association and ordinary members of the committee,
 - (d) to receive and consider the statement which is required to be submitted to members under section 26(6) of the Act.
- (3) An annual general meeting must be specified as such in the notice convening it.

25 Special general meetings – calling of

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the association.
- (2) The committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the association.
- (3) A requisition of members for a special general meeting:
 - (a) must state the purpose or purposes of the meeting, and
 - (b) must be signed by the members making the requisition, and

- (c) must be lodged with the secretary, and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in clause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who consequently incurs expenses is entitled to be reimbursed by the association for any expense so incurred.

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Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under rule 24(2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

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Procedure

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) Five members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction 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, the meeting:
- (a) if convened on the requisition of members, is to be dissolved, and
 - (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated 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 a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) is to constitute a quorum.

28 Presiding member

- (1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the association.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

29 Adjournment

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

30 Making of decisions

- (1) A question arising at a general meeting of the association is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (2) At a general meeting of the association, a poll may be demanded by the chairperson or by at least 3 members present in person or by proxy at the meeting.
- (3) If a poll is demanded at a general meeting, the poll must be taken;
 - (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment, or
 - (b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs,and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

31 Special resolution

A resolution of the association is a special resolution:

- (a) if it is passed by a majority which comprises at least three-quarters of such members of the association as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which at least 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules, or
- (b) where it is made to appear to the Director-General that it is not practicable for the resolution to be passed in the manner specified in paragraph (a) if the resolution is passed in a manner specified by the Director-General.

32 Voting

- (1) On any question arising at a general meeting of the association a member has one vote only.
- (2) All votes must be given personally or by proxy but no member may hold more than 5 proxies.
- (3) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (4) A member or proxy is not entitled to vote at any general meeting of the association unless all money due and payable by the member or proxy to the association has been paid, other than the amount of the annual subscription payable in respect of the then current year.

33 Appointment of proxies

- (1) Each member is to be entitled to appoint another member as 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 is to be in the form set out in Appendix 2 to these rules.

Part 5 Miscellaneous

34 Insurance

- (1) The association must effect and maintain insurance under section 44 of the Act.
- (2) In addition to the insurance required under clause (1), the association may effect and maintain other insurance.

35 Funds – source

- (1) The funds of the association are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the committee determines.
- (2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank account.
- (3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

36 Funds – management

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used in pursuance of the objects of the association in such manner as the committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the committee or employees of the association, being members or employees authorised to do so by the committee.

37 Alteration of objects and rules

The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the association.

38 Common seal

- (1) The common seal of the association must be kept in the custody of the public officer.

- (2) The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the public officer or secretary.

39 Custody of books

Except as otherwise provided by these rules, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to the association.

40 Inspection of books

The records, books and other documents of the association must be open to inspection, free of charge, by a member of the association at any reasonable hour.

41 Service of notices

- (1) For the purpose of these rules, a notice may be served on or given to a person:
- (a) by delivering it to the person personally, or
 - (b) by sending it by pre-paid post to the address of the person, or
 - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- (2) For the purpose of these rules a notice may be served on an executive member of the association by:
- (a) delivering it to the Executive Officer personally, or
 - (b) sending it by pre-paid post to the address of the Executive Officer, or
 - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the Executive Officer for the giving or serving of the Notice.
- (3) For the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served:
- (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
 - (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

42 Objects Rule

The objects of the association are to:

1. facilitate the growth of the sport of ice hockey throughout metropolitan and regional New South Wales;
2. provide a comprehensive range of customer driven services to affiliated ice hockey clubs and their members;
3. provide appropriate training for all ice hockey players and officials;
4. provide an enjoyable and safe playing experience for all ice hockey players;
5. facilitate and encourage the formation of new ice hockey clubs;
6. promote the sport of ice hockey to the New South Wales market, both private and corporate; and
7. demonstrate good policy-driven corporate governance.

43 Executive Officer

The role of the Executive Officer includes:

1. assisting the president, secretary and treasurer in the administration of the association;
2. liaising between the association's committee of management and the affiliated clubs where necessary; and
3. accepting service of notices, on behalf of office-bearers of the association.

44 Conflicts of Interest

A committee member is to abstain from voting on any resolution which relates specifically to the affiliated club of which the committee member is a member.

45 Monthly Committee of Management Meetings

Any club missing two consecutive Committee of Management monthly meetings will be disaffiliated and must pay the affiliation fee as penalty to re-affiliate. Any club missing a third consecutive meeting will be immediately suspended and must show cause as to why it should be permitted to re-affiliate with IHNSW.