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**CONSTITUTION OF HOWICK-PAKURANGA HOCKEY CLUB INCORPORATED  
FOR ADOPTION BY SPECIAL GENERAL MEETING 29 SEPTEMBER 2012  
THESE RULES RESCIND ALL PREVIOUS RULES**

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## **HOWICK-PAKURANGA HOCKEY CLUB INCORPORATED**

### **1. NAME AND COLOURS**

- a) The name of the Club shall be the Howick-Pakuranga Hockey Club Incorporated, hereinafter referred to as 'the Club'.
- b) The colours of the Club shall be sky blue and navy blue.

### **2. OBJECTIVES**

- a) To take over and assume respectively all the assets, rights, privileges and liabilities of the present organisation known as the Howick-Pakuranga Hockey Club (HPHC) and to carry on without break the work of that club.
- b) To publicise, promote, better and protect the interest of the code of Hockey, particularly in the areas of Howick and Pakuranga and the surrounding suburbs. (Refer Clause 4)
- c) To encourage, foster and develop the skills and interests of its members and in particular its younger players.
- d) To provide for and promote the related and supportive interest of all participative and associate members.
- e) To be of service to the community as a recreational society, and generally in any other beneficial role when requested, subject to the Committee's discretion.
- f) To advance and promote other sports in such manner or ways as the Club shall deem best.
- g) For the purpose solely of enabling the objects of the Club to be realised the Club may:
  - i. Buy, sell, let, lease, mortgage, charge, exchange or otherwise deal with any real or personal property including grounds and buildings on such terms approved by the Executive Committee.
  - ii. Invest any funds belonging to the Club in a manner agreed upon by the Executive Committee and apply all income of the Club towards the promotion of the Club's objects as set forth in these rules.

### **3. SEAL**

The Common Seal of the Club shall be under the control of the Executive, and all documents requiring the affixing of the seal shall be sealed in the presence of two members of the Executive and the Secretary, who shall subscribe their respective signatures as attesting witnesses.

#### **4. AFFILIATION**

The Club shall be affiliated to the Auckland Hockey Association (AHA), sending delegates to their meetings and complying with their rules.

#### **5. GEOGRAPHICAL SPHERE OF OPERATION**

- a) The Club shall be specifically responsible to the Hockey Associations, for the development of hockey (Clause 2) in the particular areas of Howick and Pakuranga.
- b) However, as a sporting and recreational body, the Club should also service the areas surrounding Howick and Pakuranga and such other suburbs as the Executive Committee consider appropriate.
- c) The Club shall only ever provide for the development of hockey within New Zealand.

#### **6. MEMBERSHIP**

- a) Any person may apply to the Committee for membership of the Club and can be elected or rejected by that Committee as they see fit. The Committee shall not be called on to show cause for the election or rejection of any applicant.
- b) Members of the Club shall be:
  - i. Playing Members – All playing persons shall be eligible for Playing Membership.
  - ii. Associate Members – These members will include non-playing members.
  - iii. Life Members
  - iv. Honorary Members
- c) A person, who is within clauses 6 (b)(i),(ii) or(iii) shall be deemed to be a full member of the Club provided that he/she pay such membership fees as shall be determined by the Club and shall abide by such regulations as set out in the Constitution.
- d) A player shall be held to be a member of the Club provided he/she complies with the rules of the Club, in particular clause 6 (c) above and, if a playing member, is further registered with the AHA.-
- e) Members shall be entitled to vote at General Meetings and hold positions on the Executive Committee if elected, except as in clause 6(j).

- f) Unless specially approved by the Treasurer, members will not be permitted to play competitively unless they are financial by due date.
- g) A person shall be held to be an Associate Member in accordance with clause 10 (a) and may participate in the Club's affairs except as in clause 6(h).
- h) Associate Members shall have all the rights and privileges of a Playing Member but shall not be eligible to play for the Club.
- i) Life Members
  - i. Life members may be elected if they are proposed by the Executive Committee in consultation with the current life members (if any) and elected at any executive meeting by a 75% majority vote of the Executive Committee members present. They shall have all the rights and privileges of playing members but shall not be liable for subscription.
  - ii. Life membership shall only be awarded for long and outstanding service to the club or to the game and no monetary payment or donation to the club's funds shall be regarded as any consideration whatsoever.
- j) Honorary Members shall not be eligible for election to the Executive Committee or to vote at General Meetings, but may be co-opted by Management and other Sub Committees to assist with the affairs of the Club and be empowered with equal rights of the same. (Also refer 8(d)(i)(d)i)
- k) All members of the Club shall be held to consent to and be bound by the Rules.
- l) Any member may cease to be a member of the club by voluntary resignation in writing addressed to the Secretary. The member resigning shall thereupon cease to be a member of the Club, and shall forfeit all rights and interest in the property of the Club, but shall continue to be liable for any unpaid subscription due at the date of his resignation, together with all arrears and other moneys (if any) owing by him to the Club at the said date.
- m) The Club shall have the power of expelling any member for misconduct connected with the Club, both on and off the field, or for wilful infringement of the rules of the Club. This shall be at an Executive Meeting at which the offender shall be present and/or a representative on his/her behalf. The offender has the right of appeal by requesting a Special General meeting (SGM) at which the Club shall decide the issue by majority vote. The offender need not have four supporting members as required in 8g.

## **7. ORGANISATIONAL STRUCTURE**

- a) The affairs of the Club shall be administered by an Executive Committee.

- b) The Executive Committee shall act as the governing body of the Club being responsible to the AGM for the working of the Club during the preceding year.
- c) The members of the Executive shall be elected at each AGM as provided for in these rules. Should any office not be filled at the AGM or become vacant during the year, the Committee shall have the power to appoint to that office if they see fit.
- d) The Officers of the Club to be elected as in 7d shall be:

PRESIDENT: Who is by designation the Chairperson of the Executive Committee. He/she is entitled to be a member of, but not necessarily preside over, any sub-committees as may be formed. At all meetings of the Executive Committee the President shall have a casting vote.

SECRETARY: Who shall keep accurate minutes of the proceedings; read and file communications and other papers, issue notices of meeting when directed, conduct the correspondence of the Club.

TREASURER: Who shall collect and account for all dues and funds, make payments as authorised by the Executive Committee, keep proper books of account, and also to furnish the AGM with a duly audited Income and Expenditure account and Balance Sheet.

CLUB CAPTAINS: (One each for the Men, Women and Juniors) Who shall be involved in team selection, act as a liaison between the playing club and the Executive Committee, ensure full teams are fielded each game, be responsible for the functioning of club practises and oversee the general standard of dress and conduct of the Club's teams.

AND a maximum of six (6) other Officers.

- e) The Executive shall have the power to co-opt up to two (2) extra members who shall become full Committee members upon election.
- f) The Executive shall elect its own deputy Chairman, who shall be the Executive Vice President of the Club (as distinct from Honorary Vice Presidents)
- g) The AGM shall further elect the following officers of the Club who, by designation, are not Executive members (refer Clause 6b, l, j)

Patron  
Honorary Vice Presidents  
Other Honorary Members

- h) THE EXECUTIVE COMMITTEE shall have the power to delegate any of their powers to sub-committees consisting of such member or members of the Club as they think fit.

Any sub-committee so formed shall in the exercise of the power so delegated conform to any regulations that may be imposed upon them by the Executive Committee. The President and Secretary shall be ex-officio members of all committees.

- i) THE EMERGENCY SUB-COMMITTEE shall comprise the President, Secretary and Treasurer (and also one other Executive Office holder as and if required), and shall meet and take decisions on behalf of the Executive Committee if it is impractical for a full meeting to be called.
- j) A member of the club who is currently a member of the Executive Committee of the regional hockey governing body, ie. the AHA, shall be, for his/her term of office on that body, an ex-officio member of the Club's Executive Committee.

This clause shall be subject to (i) the person not already being a member of the Club Executive and (ii) to the rules of the Club as outlined herein, and in particular to clauses 6a to 6m.

## **8. GENERAL MEETINGS**

- a) The AGM, of which fourteen (14) days clear notice shall be given, shall be held no later than three months after the end of the financial year.
- b) Any remits to the AGM must be forwarded, in writing, to the Secretary no later than seven (7) days preceding the AGM.
- c) Notice of General Meeting and Agenda shall be sent to all members of the club by post or by such other electronic method as the Executive Committee may determine from time to time.
  - i. A notice shall be deemed to be duly served when placed in a Post Office addressed to a member at his/her last address entered in the Club records or when delivered by electronic methods to the appropriate address entered in the Club records.
  - ii. Accidental omission to give notice to a member or a non-receipt of a notice shall not invalidate any resolution passed at any meeting.
  - iii. For AGM's a copy of the Balance Sheet shall also be sent as in 8c(i).
  - iv. Notification of General Meetings shall be made to the Public by a notice in area newspapers.
- d) All members of the Club shall be entitled to attend the General Meeting and to speak on any question, but only full financial members may have the power to vote. (refer Clause 6a-k)

- i. This includes life members, but not honorary members.
- ii. Intending full members at AGM may also have the power to vote on payment of ten (10) per cent of the previous season's fees.

This money shall be credited to the current year's fees set at that meeting.

- e) The quorum for a General Meeting shall be twenty (20) members.
- f) The Executive Committee may convene a SGM of the Club at any time, provided that at least seven (7) days notice of such a meeting is given.
- g) The Secretary shall call a SGM of the Club upon receiving a written request for such a meeting signed by at least five (5) full members of the Club and providing that at least fourteen (14) days notice of such a meeting is given stating the reason for same.
- h) Voting at all meetings shall be by a show of hands provided that two members can demand a ballot. The vote for members under the age of 15 years shall be exercised by the player's legal parent or guardian.
- i) A member may exercise the right to vote either by being present in person or by proxy.
  - i. A proxy for a member is entitled to attend and be heard at a meeting as if the proxy were the member.
  - ii. A proxy for a member is entitled to attend and be heard at a meeting as if the proxy were the member.
  - iii. A proxy must be appointed by notice in writing signed by the member and the notice must state whether the appointment is for a particular meeting or a specified term not exceeding twelve (12) months.
  - iv. No proxy is effective in relation to a meeting unless a copy of the notice of appointment is produced before the start of the meeting.
  - v. A proxy form will be made available to all members at the time that Notice of a General Meeting is given.
- j) The Chairperson at a General Meeting of the Club shall have a casting vote.

## **9. COMMITTEE MEETINGS**

- a) The Executive Committee shall meet when it deems necessary and a Committee meeting may be called by the President, Executive Vice President, any Club Captain, Secretary or any two members thereof, upon giving notice to the Secretary.

- b) Five (5) shall form a quorum at Executive Committee Meetings and except as provided elsewhere in these rules the decision of a majority of those members present shall be binding on those absent or dissentient.
- c) Any member who fails to have an apology sustained at three consecutive meetings shall cease to be a member thereof unless he first obtains leave of absence. This provision shall not apply to ex-officio members of the Committee.
- d) A member of the Committee who for a valid reason is unable to attend a Committee Meeting may appoint in writing another member of the Club to attend in his stead. Such a member shall have voting rights of the person whom he represents. Nothing in this rule shall confer on the member the right to more than one proxy vote except as provided for in clauses 8d and i.

## **10. FINANCE**

### **a) SUBSCRIPTIONS**

- i. Subscriptions shall be fixed for the ensuing seasons by each AGM or by the Executive at the discretion of the AGM and shall be due not later than the last day of May ion each year or two (2) months after the date of a members acceptance to membership. The latter to be deemed to be the date of the persons first game (in the case of a playing member)
  - ii. The AGM may fix a rebate to be allowed if the subscription is paid by due date.
  - iii. Any member whose subscription is not paid one (1) month after due date shall be deemed to be un-financial.
  - iv. The Committee shall have the power to apportion on a percentage basis the subscription of a member who for a valid reason joins or leaves the Club during the season.
  - v. Any member whose subscription for the previous season remains unpaid at the date of the next AGM shall have his name forwarded to the AHA/ALHA as a defaulter and shall not be selected for any team until all outstanding moneys are paid.
- b) LEVY. The AGM may fix a special levy on members for a specific purpose. Such levy shall not be more than twenty (20) per cent of the subscription for the season.
  - c) All expenditure shall be authorised by the Executive Committee.
  - d) All monies paid to the Club shall be lodged in an account in the Club's name and all remittances in payment of accounts shall be signed by the Treasurer and one (1) of two (2) other nominated members of the Executive Committee.



- e) FINANCIAL YEARS. The financial year shall commence on the first day of October in each year and close on the last day of September in the following year.
- f) AUDITOR
  - i. The AGM shall elect annually an Auditor who shall be a member of the New Zealand Institute of Chartered Accountants. Such a person shall not be an Officer of the Club, or a member of the Executive Committee and need not be a member of the Club.
  - ii. The Auditor shall remain in office until their successor is appointed and shall be eligible for re-election. If any casual vacancy in the office of the Auditor occurs, the Executive Committee shall have the power to fill the vacancy.
- g) PERSONAL BENEFITS.
  - i. No individual member or associated person shall receive any form of private income, benefit or advantage from the operations of the Club. Any income, benefit or advantage shall be applied to the purposes of the organisation.
  - ii. No member of the Club or any person associated with a member shall participate in or materially influence any decision made by the Club in respect of the payment to or on behalf of that member or associated person of any income, benefit or advantage whatsoever.
  - iii. Any such income paid shall be reasonable and relative to that which would be paid in an arms-length transaction (being the open market value)
- h) The provisions and effect of clause 10(g) shall not be removed from this document and shall be included in any document replacing this document.

## **11. PROPERTY AND ASSETS**

- a) (i) All the property of the Club, real and personal, is and shall be vested in the Club in its own name and shall be controlled by the Executive committee subject to the direction in writing of a quorum of the Committee present at a meeting thereof duly held, signed by the Chairperson of such meeting and attested by the Secretary. Anything thereby directed shall be obligatory upon a justification to the officers and Committee, and shall validate anything done by them in pursuance of such direction.
  - (ii) The Executive Committee may without the sanction of a General Meeting if and when necessary, adopt, ratify and confirm on behalf of the Club any mortgage, or other security given on any purchase of conveyance made or taken, or contract, entered into by the Committee or otherwise by or on behalf of the Club subsisting at the date of making this rule.
  - (iii) All purchases, leases, investments, sales, mortgages, borrowing, contracts and other transactions entered into by such direction mentioned in Clause 11a (i) and (ii)

hereof shall be made and conducted in the name of the Club and all Deeds and instrument affecting the same shall be in the name of the Club in its said capacity.

- b) RIGHTS TO PROPERTY OF THE CLUB. Except as otherwise provided in these rules, membership of the Club shall not be deemed to confer upon the members any right, title or interest either legal or equitable, in the property of the Club.
- c) WINDING UP. Upon the Club being wound up, any property that remains after the settlement of all debts and liabilities must be given or transferred to another organisation for a similar charitable purpose or purposes as defined in section 5(1) of the Charities Act 2005, as the club in General Meeting shall direct (subject always to the provisions of Section 27 of the Incorporated Societies Act 1908 or any statutory re-enactment or amendment therefore for the time being in force).

## **12. CLUB RULES**

- a) That the Committee have power to make and enforce by-laws for the good management of the Club generally and grounds and practises, each of such by-laws to be made available to members in a format as may be determined by the Executive Committee from time to time.
- b) INTERPRETATION OF RULES. The decision of the Executive Committee on the interpretation, application or effect of any of these rules or on any matter or thing not provided for by these rules and which pertains to the Club, its property or interest, shall be conclusive and binding on all members of the Club unless and until a contrary determination is made by vote at a General Meeting.
- c) ALTERATION OF RULES. Any recession, addition or alteration to the rules shall be made only at a General Meeting called for the purpose, and by a vote of two-thirds (2/3) of the members present and voting thereat. Notice of any proposed variation shall be given to members in the notice convening the meeting.
- d) No addition to or alteration or removal of the rules shall be approved if it detracts from or alters the nature of the organisation.