



Constitution of Oceania Hockey Federation Incorporated

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Incorporated with CONSUMER AFFAIRS VICTORIA under the
Associations Incorporation Reform Act 2012 and
Associations Incorporation Reform Regulations 2012 Part 3

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PART 1 — PRELIMINARY

1. Name

The name of the incorporated association is "Oceania Hockey Federation Incorporated" (OHF).

Oceania means the geographic region embracing the area covered by the States in the Pacific as recognised from time to time by FIH and IOC.

2. Purposes

The purposes of the OHF are:

- 2.1 to promote develop and regulate hockey, indoor hockey and other FIH sanctioned games in Oceania;
- 2.2 to increase the number of members and persons engaged in the game and to improve playing standards and conditions throughout the region;
- 2.3 to perform such tasks and undertake such functions as are delegated to the OHF by FIH;
- 2.4 to provide competition of appropriate standard for the representative teams of member countries;
- 2.5 to foster friendly relations among the peoples of the member countries;
- 2.6 to do all such other lawful things, as are incidental to or which the OHF may think conducive to the attainment of the above purposes or any of them.

The OHF declares its opposition to any discrimination on the grounds of race, colour, gender, sexual orientation, language, politics, religion, creed, national or social origin, property birth, disability, or other status.

The OHF exists within the framework of the FIH and under its authority. It agrees to conform to the Statutes and By-Laws of the FIH.

3. Financial year

The financial year of the Federation is each period of 12 months ending on 31st December.

4. Definitions

Absolute majority, of the Board, means a majority of the Board Members currently holding office and entitled to vote at the time (as distinct from a majority of Board members present at a Board Meeting);

Adherent Organisations means an organisation as defined by clause 18.2;

Advisory Groups means a group appointed by the Board in accordance with clause 67;

Annual General Meeting means the annual meeting of OHF, held pursuant to clause 28;

Board means the Board of the OHF elected or appointed in accordance with clause 44;

Board Meeting means a meeting of the Board held in accordance with this Constitution;

Board Member means a member of the Board as defined by clause 44;

CEO means the Chief Executive Officer of OHF;

Chairperson, of a General Meeting or Board Meeting, means the person chairing the meeting as required under clauses 34 and 45;

Committee means a committee appointed by the Board in accordance with clause 67;

ONOC means the Oceania National Olympic Committee;

Disciplinary Appeal Meeting means a meeting of the Members of the OHF convened under clause 22.4;

Disciplinary Meeting means a meeting of the Disciplinary Subcommittee convened in accordance with clause 1.1 of Appendix 3;

Disciplinary Subcommittee means the subcommittee appointed under clause 20;

FIH means the Federation Internationale de Hockey;

Financial Year means the 12 month period specified in clause 3;

General Meeting means a general meeting of the members of the OHF convened in accordance with Part 4 and includes an Annual General Meeting, a Special General Meeting and a Disciplinary Appeal Meeting;

Hockey includes all forms of hockey recognised by the Federation Internationale de Hockey;

IOC means the International Olympic Committee;

Life Member means a person nominated and elected pursuant to clause 13;

Member(s) means a member or members of the OHF as defined pursuant to clause 8;

Member(s) entitled to vote means a member or members who under clause 15.2 is entitled to vote at a General Meeting;

National Member means a member defined by clause 8.1;

OHF means the Oceania Hockey Federation Incorporated;

Ordinary Member of the Board means a member of the Board who is not the President or Vice-President of OHF under clause 44;

Purposes are the purposes of OHF as defined by clause 2;

Powers means the powers of OHF as defined by clause 5;

Recognised Organisations means an organisation as defined by clause 18.1;

Register of Members means the register of Members maintained by the Secretary pursuant to clause 17;

Regulations means regulations under the Act;

Relevant Documents has the same meaning as within the Act;

Secretary means the person appointed pursuant to clause 46 to hold the position of Secretary;

Special General Meeting means all General Meetings of OHF other than Annual General Meetings and Disciplinary Appeal Meetings held pursuant to clauses 30 - 31;

Special Resolution means a resolution that requires not less than three-quarters of the members voting at a General Meeting, whether in person or by proxy, to vote in favour of the resolution;

The Act means the Associations Incorporation Reform Act 2012 and includes any regulations made under that Act; and

The Registrar means the Registrar of Incorporated Associations.

PART 2—POWERS OF OHF

5. Powers of OHF

- 5.1 Subject to the Act, the OHF has power to do all things incidental or conducive to achieve its purposes.
- 5.2 Without limiting clause 5.1, the OHF may:
- a. acquire, hold and dispose of real or personal property;
 - b. open and operate accounts with financial institutions;
 - c. invest its money in any security in which trust monies may lawfully be invested;
 - d. raise and borrow money on any terms and in any manner as it thinks fit;
 - e. secure the repayment of money raised or borrowed, or the payment of a debt or liability;
 - f. appoint agents to transact business on its behalf;
 - g. enter into any other contract it considers necessary or desirable.
- 5.3 The OHF may only exercise its powers and use its income and assets (including any surplus) for its purposes.

6. Not for profit organisation

- 6.1 The OHF must not distribute any surplus, income or assets directly or indirectly to its Members.
- 6.2 Clause 6.1 does not prevent the OHF from paying a Member:
- a. reimbursement for expenses properly incurred by the Member; or
 - b. for goods or services provided by the Member,
- if this is done in good faith on terms no more favourable than if the Member was not a Member.

PART 3—MEMBERS, DISCIPLINARY PROCEDURES AND GRIEVANCES

Division 1—Membership

7. Minimum number of Members

The OHF must have at least five (5) Members.

8. Who is eligible to be a Member

The Members of the OHF shall be:

- 8.1 National Associations of Countries that are eligible to be members of the Oceania National Olympic Committee (ONOC) (National Members); and
- 8.2 Life Members as defined by clause 13.
together as “Members”.

9. National Members

A National Membership shall be acquired by:

- 9.1 All existing National Members that are listed as members held within the Membership Register in accordance with clause 17 of this Constitution;
- 9.2 A National Federation / National Association who meets the definition of a National Association as set out in clause 8.1 of this Constitution and who applies and is approved for membership as provided in this Constitution and on payment of the entrance fee and/or annual subscription payable under this Constitution.

10. Application for National Membership

10.1 Applications for National Membership of OHF shall be:

- a. made in writing to OHF using the form provided in Appendix 1 of this Constitution;
- b. delivered to the CEO of OHF;
- c. approved by the Board of OHF.

10.2 An applicant must provide such information which is requested by the Board or CEO to support the applicant's application.

10.3 As soon as practicable after the receipt of an application, the CEO must refer the application to the Board.

10.4 The Board must determine whether to approve or reject the application. If approved then the application is to be proposed and seconded at an Annual General Meeting or Special General Meeting. The applicant will be elected as a National Member by a simple majority of votes of those present and eligible to vote at that meeting.

10.5 Upon the counting of the votes, the Chairperson will declare the result of the election and, if the applicant is elected, it will be a National Member.

10.6 The Secretary must, within twenty-eight (28) days enter the applicant's name in the Register of Members.

10.7 An applicant for membership becomes a National Member and is entitled to exercise the rights of membership when their name is entered in the Register of Members.

10.8 If the Board rejects an application, the Board must, as soon as practicable, notify the applicant in writing that the application has been rejected.

11. Termination/Cessation of National Membership:

A right, privilege, or obligation of a National Member:

- 11.1 is not capable of being transferred or transmitted to another National Federation / National Association;
- 11.2 terminates upon the cessation of membership whether by resignation or if their membership is terminated under any disciplinary procedure set out within this Constitution; and
- 11.3 terminates if the National Member has failed to pay their annual subscription fee or any other amount levied by OHF for two (2) consecutive years.

12. Fees

12.1 The entrance fee is the relevant amount set at the Annual General Meeting of the OHF.

12.2 The annual subscription is the relevant amount set by the Board and ratified at the Annual General Meeting of the OHF and is payable in advance on or before 1 January in each year.

13. Life Membership

13.1 Life membership of the OHF may be granted from time to time to individuals who have provided outstanding contribution to OHF (Life Member).

13.2 Nominations for Life Membership can be proposed either by a National Member or the Board at the Annual General Meeting. Life Members have the right to attend the Annual General Meeting but only have speaking rights and no voting rights.

13.3 Life membership of OHF will cease on:

- a. death;
- b. by giving notice of their resignation in accordance with clause 16; or
- c. termination.

14. Constitution Binding

All Members are required to adopt rules and constitutions that are not inconsistent with this Constitution. Under section 46 of the Act this Constitution is taken to constitute the terms of a contract between the OHF and its Members.

15. General rights of Members

15.1 A Member of the OHF who is entitled to vote has the right:

- a. to receive notice of General Meetings and of proposed special resolutions in the manner and time prescribed by this Constitution;
- b. to submit items of business for consideration at a General Meeting;
- c. to attend and be heard at General Meetings;
- d. to vote at a General Meeting;
- e. to have access to the minutes of General Meetings and other documents of the OHF as provided under clause 76; and
- f. to inspect the Register of Members.

15.2 A Member is entitled to vote if:

- a. the Member is a Member other than a Life Member,;
- b. more than ten (10) working days have passed since they became a Member of the OHF;
- c. all moneys presently payable to OHF by that Member have been paid; and
- d. the Member's membership rights are not suspended for any reason.

15.3 A Life Member is entitled to attend a General Meeting and be heard but a Life Member is not entitled to vote at a General Meeting of the OHF.

16. Resigning as a Member

16.1 A Member may resign by giving at least thirty (30) days written notice to be delivered by the Member to the CEO of OHF.

16.2 A Member is taken to have resigned if:

- a. the Member's annual subscription is more than two (2) years in arrears; or
- b. where no annual subscription is payable—
 - i. the Board has made a written request to the Member to confirm that they, he or she wishes to remain a Member; and
 - ii. the Member has not, within three (3) months after receiving that request, confirmed in writing that they, he or she wishes to remain a Member.

17. Register of Members

The Secretary must keep and maintain a Register of Members that includes:

17.1 for each current Member:

- a. the Member's name;

- b. the address for notice last given by the Member;
 - c. the date of becoming a Member; and
 - d. any other information determined by the Board.
- 17.2 for each former Member, that information contained in clause 17.1 and the date of ceasing to be a Member.
- 17.3 Any Member may, at a reasonable time and free of charge, inspect the Register of Members, subject to the provisions contained within sections 58 and 59 of the Act and the Privacy and Data Protection Act 2014.

Division 2 – Recognised and Adherent Organisations

18. Recognised Organisations and Adherent Organisations

- 18.1 Recognised Organisations are organisations that work in partnership with OHF as part of the drive to encourage growth and development in a particular field or age group.
- 18.2 Adherent Organisations are organisations where due to geographical or historical circumstances the creation of a National Association and therefore becoming a National Member of OHF is impractical.
- 18.3 The Board may in its entire discretion recognise organisations or groups that fulfil the definitions set out in clauses 18.1 and 18.2 of this Constitution as Recognised or Adherent Organisations of OHF.
- 18.4 Recognised and Adherent Organisations:
- a. have the freedom to operate in accordance with their own constitutions. The Board must have confirmed that their constitution (including any amendments thereto from time to time) is compliant and consistent with this Constitution and any Regulations of OHF;
 - b. may attend, but not vote at any meeting of OHF;
 - c. cannot represent FIH or OHF before third parties;
 - d. shall be given recognition without fee or other payment; and
 - e. must send detailed reports on each of their activities on at least one (1) occasion per year to the CEO.
- 18.5 The Board reserves the right in its entire discretion to withdraw this recognition at any time and without notice if the activities of the Recognised or Adherent Organisation concerned are not, in the opinion of the Board, satisfactory.

Division 3—Disciplinary Action

19. Grounds for taking disciplinary action

The OHF may take disciplinary action against a Member in accordance with this Division if it is determined that the Member:

- 19.1 has failed to comply with this Constitution; or
- 19.2 refuses to support the purposes of the OHF; or
- 19.3 has engaged in conduct prejudicial to the OHF.

20. Disciplinary Subcommittee

20.1 If the Board is satisfied that there are sufficient grounds for taking disciplinary action against a Member, the Board must appoint a Disciplinary Subcommittee to hear the matter and determine what action, if any, to take against the Member.

20.2 The members of the Disciplinary Subcommittee:

- a. may be Board Members, Members of the OHF or anyone else; but
- b. must not be biased against, or in favour of, the Member concerned.

20.3 The Board and Disciplinary Subcommittee will follow the Disciplinary and Dispute Resolution procedures set out in Appendix 3 of this Constitution.

21. Decision of Disciplinary Subcommittee

21.1 The Disciplinary Subcommittee may:

- a. take no further action against the Member; or
- b. subject to 21.2:
 - i. reprimand the Member; or
 - ii. suspend the membership rights of the Member for a specified period; or
 - iii. expel the Member from the OHF .

21.2 The Disciplinary Subcommittee may not impose a monetary fine on the Member.

21.3 The suspension of membership rights or the expulsion of a Member by the Disciplinary Subcommittee under this clause takes effect immediately after the vote is passed.

22. Appeal rights

22.1 A Member whose membership rights have been suspended or who has been expelled from the OHF under clause 21 may give notice to the effect that the Member wishes to appeal against the suspension or expulsion.

22.2 The notice must be in writing and given to the CEO not later than three (3) working days after receiving notification of the of the decision of the Disciplinary Subcommittee.

22.3 If a Member has given notice under clause 22.2, the decision of the Disciplinary Subcommittee given in accordance with clause 21 is suspended pending the outcome of the Disciplinary Appeal Meeting provided for within this clause.

22.4 If a Member has given notice under clause 22.2, a Disciplinary Appeal Meeting must be convened by the Board as soon as practicable, but in any event not later than twenty-one (21) days, after the notice is received.

22.5 Notice of the Disciplinary Appeal Meeting must be given to each Member of the OHF who is entitled to vote as soon as practicable and must:

- a. specify the date, time and place of the meeting; and
- b. state:
 - i. the name of the Member against whom the disciplinary action has been taken;
 - ii. the grounds for taking that action; and
 - iii. that at the Disciplinary Appeal Meeting the Members present must vote on whether the decision to suspend or expel the Member should be upheld or revoked.

22.6 The procedures for the Disciplinary Appeal Meeting are set out in Appendix 3 of this Constitution.

- 22.7 The decision of the Disciplinary Subcommittee is upheld if not less than three quarters of the Members voting at the meeting vote in favour of the decision.

Division 4—Grievance Procedure

23. Application

- 23.1 The grievance procedure set out in this Division applies to disputes under this Constitution between:
- a. a Member and another Member;
 - b. a Member and the Board; or
 - c. a Member and the OHF.
- 23.2 A Member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

24. Parties must attempt to resolve the dispute

The parties to a dispute must attempt to resolve the dispute between themselves within thirty (30) days of the dispute coming to the attention of each party.

25. Appointment of mediator

- 25.1 If the parties to a dispute are unable to resolve the dispute between themselves within the time required by clause 24, the parties must within ten (10) working days:
- a. notify the Board of the dispute;
 - b. agree to or request the appointment of a mediator; and
 - c. attempt in good faith to settle the dispute by mediation.
- 25.2 The mediator must be:
- a. a person chosen by agreement between the parties; or
 - b. in the absence of agreement
 - i. if the dispute is between a Member and another Member — a person appointed by the Board; or
 - ii. if the dispute is between a Member and the Board or the OHF — a person appointed or employed by the Dispute Settlement Centre of Victoria.
 - c. a mediator appointed by the Board may be a Member or former Member of the OHF but in any case must not be a person who:
 - i. has a personal interest in the dispute; or
 - ii. any person who has an actual or perceived conflict of interest.

26. Mediation process

- 26.1 The mediator to the dispute, in conducting the mediation, must:
- a. give each party every opportunity to be heard;
 - 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 throughout the mediation process.
- 26.2 The mediator must not determine the dispute.

27. Failure to resolve dispute by mediation

If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

PART 4—GENERAL MEETINGS OF THE FEDERATION

28. Annual General Meetings

- 28.1 The Board must convene an Annual General Meeting of the OHF to be held within five (5) months after the end of each financial year.
- 28.2 Despite clause 28.1, the OHF may hold its first Annual General Meeting at any time within eighteen (18) months after its incorporation.
- 28.3 The Board may determine the date, time and place of the Annual General Meeting by giving Members sixty (60) days written notice.
- 28.4 The ordinary business of the Annual General Meeting is as follows:
- a. to confirm the minutes of the previous Annual General Meeting and of any Special General Meeting held since then;
 - b. to receive and consider and adopt:
 - i. the annual report of the Board on the activities of the OHF during the preceding financial year; and
 - ii. the financial statements of the OHF for the preceding financial year submitted by the Board in accordance with Part 7 of the Act;
 - c. to elect the members of the Board;
 - d. to confirm or vary the amounts (if any) of the annual subscription and joining fee;
 - e. to appoint an auditor; and
 - f. to confirm the OHF's representative on the FIH Executive Board, being the President of the OHF.
- 28.5 The Annual General Meeting may also conduct any other business of which notice has been given in accordance with this Constitution.

29. Notice of Annual General Meetings

The Board must give to each Member of the OHF:

- 29.1 at least sixty (60) days' written notice of the date, time and place of the Annual General Meeting; and
- 29.2 at least twenty-one (21) days' written notice prior to the date of the Annual General Meeting a business schedule which must include:
- a. a copy of the Annual Report;
 - b. a copy of the Financial Statements;
 - c. indicate the general nature of each item of business to be considered at the meeting including information on any nominations for the filling of vacant positions on the Board;
 - d. if a special resolution is to be proposed:
 - i. state in full the proposed resolution; and
 - ii. state the intention to propose the resolution as a special resolution; and
 - e. state that the Member may appoint another Member as a proxy for the meeting and include a copy the "Form of Appointment of Proxy" as set out in Appendix 2 of this Constitution.

30. Special General Meetings

- 30.1 Any General Meeting of the OHF, other than an Annual General Meeting or a Disciplinary Appeal Meeting, is a Special General Meeting.
- 30.2 No business other than that set out in the notice under clause 31 may be conducted at a Special General Meeting unless the majority of Members present at the Special General Meeting agree.

31. Convening of a Special General Meeting

- 31.1 The Board may convene a Special General Meeting whenever it thinks fit.
- 31.2 The Board must convene a Special General Meeting if a request to do so is made in accordance with clause 31.3 by at least three (3) National Members.

- 31.3 A request for a Special General Meeting must:
- a. be in writing;
 - b. state the business to be considered at the meeting and any resolutions to be proposed;
 - c. include the names and signatures of the National Members requesting the meeting; and
 - d. be given to the CEO.
- 31.4 If the Board does not convene a Special General Meeting within thirty (30) days after the date on which the request is made, the Members making the request (or any of them) may convene the Special General Meeting.
- 31.5 A Special General Meeting convened by Members under clause 31.4
- a. must be held within sixty (60) days after the date on which the original request was made; and
 - b. may only consider the business stated in that request.
- 31.6 The OHF must reimburse all reasonable expenses incurred by the Members convening a Special General Meeting under clause 31.4.
- 31.7 Not less than fourteen (14) days written notice must be given to each Member of the:
- a. date, time and place of the Special General Meeting;
 - b. the nature of each item of business to be considered at the Special General Meeting;
 - c. if a special resolution is to be proposed:
 - i. state in full the proposed resolution; and
 - ii. state the intention to propose the resolution as a special resolution; and
 - d. state that the Member may appoint another Member as a proxy for the meeting and include a copy the "Form of Appointment of Proxy" as set out in Appendix 2 of this Constitution.

32. Proxies

- 32.1 A Member may appoint another Member as his or her or their proxy to vote and speak on his or her or their behalf at a General Meeting other than at a Disciplinary Appeal Meeting.
- 32.2 The appointment of a proxy must be in writing using the form specified in Appendix 2 of this Constitution and signed by the Member making the appointment.
- 32.3 The Member appointing the proxy may give specific directions as to how the proxy is to vote on his or her or their behalf, otherwise the proxy may vote on behalf of the Member in any matter as he or she or they see fit.
- 32.4 The form appointing a proxy must be given to the Chairperson of the General Meeting before or at the commencement of the General Meeting.
- 32.5 A form appointing a proxy sent by post or electronically is of no effect unless it is received by the CEO no later than twenty-four (24) hours before the commencement of the General Meeting.

33. Use of technology

- 33.1 A Member not physically present at a General Meeting may be permitted to participate in the meeting by the use of technology that allows that Member and the Members present at the meeting to clearly and simultaneously communicate with each other.
- 33.2 For the purposes of this Part, a Member participating in a General Meeting as permitted under clause 33.1 is taken to be present at the meeting and, if the Member votes at the meeting, is taken to have voted in person.

34. Chairperson at a General Meeting

The President will be the Chairperson at a General Meeting and in his or her absence the Vice-President. If the Vice-President is not present, the delegates of the Members may elect one (1) of their number to be Chairperson of the meeting.

35. Quorum at General Meetings

- 35.1 No business may be conducted at a General Meeting unless a quorum of Members is present.

- 35.2 The quorum for a General Meeting is the presence (physically, by proxy or as allowed under clause 33) of fifty percent (50%) of the Members entitled to vote.
- 35.3 If a quorum is not present within thirty (30) minutes after the notified commencement time of a General Meeting:
- a. in the case of a meeting convened by, or at the request of, Members under clause 31.2, the meeting is dissolved and if the Members wish to have the business reconsidered a new Special General Meeting must be requested in accordance with clause 31.2;
 - b. in any other case:
 - i. the meeting must be adjourned to a date not more than twenty-one (21) days after the adjournment; and
 - ii. notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all Members as soon as practicable after the meeting.
 - c. If a quorum is not present within thirty (30) minutes after the time to which a General Meeting has been adjourned under clause 35.3(b), the Members present at the meeting (if not fewer than three (3)) may proceed with the business of the meeting as if a quorum were present.

36. Adjournment of General Meeting

- 36.1 The Chairperson of a General Meeting at which a quorum is present may, with the consent of a majority of Members present at the meeting, adjourn the meeting to another time at the same place or at another place.
- 36.2 Without limiting clause 36.1, a meeting may be adjourned:
- a. if there is insufficient time to deal with the business at hand; or
 - b. to give the Members more time to consider an item of business.
- 36.3 No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.
- 36.4 Notice of the adjournment of a meeting under this clause is not required unless the meeting is adjourned for fourteen (14) days or more, in which case notice of the meeting must be given in accordance with clauses 29 and 31.

37. Voting at General Meeting

- 37.1 On any question arising at a General Meeting:
- a. subject to clause 37.3, each Member who is entitled to vote has one (1) vote;
 - b. Members may vote personally or by proxy; and
 - c. except in the case of a special resolution, the question must be decided on a majority of votes.
- 37.2 If votes are divided equally on a question, the Chairperson of the meeting does not have a second or casting vote.
- 37.3 If the question is whether or not to confirm the minutes of a previous meeting, only Members who were present at that meeting may vote.

38. Special Resolutions

- 38.1 A special resolution is passed if not less than three quarters of the Members voting at a General Meeting (whether in person or by proxy) vote in favour of the resolution.
- 38.2 In addition to the matters set out in the Act requiring a special resolution, a special resolution is also required for:
- a. the removal of a Board Member from office; and
 - b. the alteration of this Constitution including the changing of the name or any of the purposes of OHF.

39. Determining whether resolution carried

- 39.1 Subject to clause 39.2, the Chairperson of a General Meeting may, on the basis of a show of hands, declare that a resolution has been:
- a. carried;

- b. carried unanimously;
- c. carried by a particular majority; or
- d. lost,

and an entry to that effect in the minutes of the meeting is conclusive proof of the results of the resolution.

39.2 If a poll (where votes are cast in writing) is demanded by three (3) or more Members on any question:

- a. the poll must be taken at the meeting in the manner determined by the Chairperson of the meeting; and
- b. the Chairperson must declare the result of the resolution on the basis of the poll.

39.3 A poll demanded on the election of the Chairperson or on a question of an adjournment must be taken immediately.

39.4 A poll demanded on any other question must be taken before the close of the meeting at a time determined by the Chairperson.

40. Minutes of General Meeting

40.1 The Board must ensure that minutes are taken and kept of each General Meeting.

40.2 The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.

40.3 In addition, the minutes of each Annual General Meeting must include:

- a. the names of the Members attending the meeting;
- b. proxy forms given to the Chairperson of the meeting under clause 32;
- c. the certificate signed by two (2) Board Members certifying that the financial statements give a true and fair view of the financial position and performance of the OHF; and
- d. the resolution passed by the Members entitled to vote at an Annual General Meeting adopting the financial statements, audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

PART 5—BOARD

Division 1—Powers and Duties of the Board

41. Powers of the Board

- 41.1 The business of the OHF must be managed by or under the direction of a Board.
- 41.2 The Board shall be the Executive of the OHF and will:
- a. deal with future planning and development, and oversee the activities of the CEO and their staff;
 - b. appoint committees and advisory groups as required and fill vacancies on the same, with power to co-opt. Committees and Advisory Groups must act pursuant to the terms of reference detailed by the Board;
 - c. invest and expend such funds of OHF as the Board may consider necessary for carrying out the Purposes;
 - d. promote an image of hockey consistent with the Purposes;
 - e. appoint, monitor the performance of, and remove a CEO;
 - f. resolve disputes in accordance with the Constitution;
 - g. have power to make By-Laws, Codes of Conduct and Regulations governing hockey tournaments administrated by OHF;
 - h. administer the affairs of OHF in accordance with the Powers conferred by this Constitution, and by any clauses or resolutions passed by Members at a General Meeting;
 - i. have power to make rules for its own procedure, and such rules will be valid until revoked;
 - j. determine in such manner as it will think fit, any matter which in the opinion of the Board is not provided for in this Constitution;
 - k. give notice of all General Meetings; and
 - l. approve a budget for every ensuing year which will be tabled at each Annual General Meeting.

42. General Duties

- 42.1 As soon as practicable after being elected or appointed to the Board, each Board Member must become familiar with this Constitution and the Act.
- 42.2 The Board is collectively responsible for ensuring that the OHF complies with the Act and that individual members of the Board comply with this Constitution.
- 42.3 Board Members must exercise their powers and discharge their duties with reasonable care and diligence.
- 42.4 Board Members must exercise their powers and discharge their duties:
- a. in good faith;
 - b. in the best interests of the OHF; and
 - c. for a proper purpose.
- 42.5 Board Members and former board members must not make improper use of:
- a. their position; or
 - b. information acquired by virtue of holding their position,
- so as to gain an advantage for themselves or any other person or to cause detriment to the OHF.
- 42.6 In addition to any duties imposed by this Constitution, a Board Member must perform any other duties imposed from time to time by resolution at a General Meeting.

43. Delegation

- 43.1 The CEO will be responsible to the Board.
- 43.2 The Board may delegate to a member of the Board, a Committee, the CEO, any of its powers and functions other than:

- a. this power of delegation; or
 - b. a duty imposed on the Board by the Act or any other law.
- 43.3 The delegation must be in writing and may be subject to the conditions and limitations the Board considers appropriate.
- 43.4 The Board may, in writing, revoke a delegation wholly or in part.

Division 2—Composition of Board

44. Composition of Board

The Board consists of at least five (5) persons and up to seven (7) persons, five (5) whom will be elected at the Annual General Meeting and two (2) of whom will be appointed by the Board in accordance with clause 44.4 consisting of:

- 44.1 an elected President;
- 44.2 an elected Vice-President;
- 44.3 up to three (3) ordinary members elected under clause 52; and
- 44.4 up to two (2) ordinary members appointed by the Board based on the business needs of the OHF as determined by the Board. Prior to their appointment the Board will obtain the written endorsement of the National Member where the candidate is a citizen or domiciled. The written endorsement of the National Member will not be unreasonably withheld. These members will be appointed until the next Annual General Meeting, where, upon recommendation by the Board, the appointment may be ratified by majority vote at the Annual General Meeting,

together “Board Members”.

45. Chair of Board Meetings

The President will be the Chairperson at the Board Meeting and in his or her absence the Vice-President. If the Vice-President is not present, the Board Members may elect one of their number to be chairperson of the meeting.

46. Secretary

- 46.1 For the purposes of this clause the Secretary means a person residing in Australia holding the position of secretary for OHF being the person the Registrar of Incorporated Associations can contact when needed.
- 46.2 At its first meeting following an Annual General Meeting, the Board must appoint one (1) person to be the Secretary, subject to that person meeting the eligibility criteria set out in the Act.
- 46.3 The Secretary will hold the position of Secretary until the earlier of:
 - a. their resignation in writing to the Board;
 - b. they no longer meet the eligibility criteria set out in the Act;
 - c. they no longer reside in Australia; or
 - d. a new Secretary is appointed by the Board.
- 46.4 If the role of Secretary becomes vacant the Board will appoint a new Secretary within fourteen (14) days. If it is not possible to appoint a new Secretary within this time frame, the Board may appoint a person to temporarily fulfil this role until a Secretary can be appointed.
- 46.5 The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association, as defined in the Act.
- 46.6 The Secretary must:
 - a. lodge all documentation for the OHF with the Registrar of Incorporated Associations as required by the Act;
 - b. maintain the Register of Members in accordance with clause 17;
 - c. subject to the Act and this Constitution, provide Members with access to the Register of Members, the minutes of General Meetings and other books and documents; and
 - d. perform any other duty or function imposed on the Secretary by this Constitution.
- 46.7 The Secretary must give to the Registrar notice of his or her appointment within fourteen (14) days after the appointment and must notify the Registrar of any change to their contact details within fourteen (14) days of the change occurring.

Division 3—Election of Board Members and tenure of office

47. Who is eligible to be a Board Member

A person is eligible to be elected or appointed as a Board Member if the person:

- 47.1 is 18 years or over;
- 47.2 is any person validly nominated as per clause 50;
- 47.3 is not disqualified from holding office under section 78 of the Act;
- 47.4 has not reached the Age Limit as at the date of the Annual General Meeting at which they stand for election or will not reach the Age Limit within six (6) months thereafter. For the purposes of this clause, the “Age Limit” will be defined as the age that the IOC has implemented (as at the date of the Annual General Meeting) as the age limit for membership of the IOC; and
- 47.5 has not exceeded their eligible terms under as set out in clause 48.1 of this Constitution.

48. Term of Office

- 48.1 Subject to clauses 47, 49 and 54, a Board Member holds office for four (4) years until such position of the Board are declared vacant at the next Annual General Meeting.
- 48.2 A Board Member may be re-elected, subject to clauses 47.4 and 49.3.

49. Positions to be declared vacant

- 49.1 This clause applies to:
 - a. the first Annual General Meeting of the OHF after its incorporation; or
 - b. any subsequent Annual General Meeting of the OHF, after the annual report and financial statements of the OHF have been received.
- 49.2 The Chairperson of the meeting must declare positions on the Board that become vacant by rotation as vacant and hold elections for those positions in accordance with clauses 50 to 53.
- 49.3 Each Board Member of the OHF may only be elected or appointed for a period of two (2) consecutive terms of four (4) years after which they are not eligible for re-election or re-appointment for a period of four (4) years. The Board may recommend to the Annual General Meeting that one (1) Board Member only may serve for an additional third term of four (4) years if such additional term is deemed to be in the best interests of the OHF.

50. Nominations

- 50.1 Prior to the election of each position, the Board must call for nominations to fill the vacant position(s) on the Board. The Board must call for nominations for any vacant position(s) sixty (60) days prior to the Annual General Meeting.
- 50.2 Nominations of candidates for election of Board Member(s) of the OHF must be:
 - a. made in writing, signed by two (2) members of the nominating National Member and accompanied by the written consent of the candidate;
 - b. delivered to the CEO of the OHF not less than thirty (30) days before the date fixed for the holding of the Annual General Meeting; and
 - c. if a candidate is being nominated to fulfil the role of President or Vice-President then the candidate’s nomination must specify the position to which the candidate is being nominated for. If the roles the President and Vice-President are vacant, the candidate may be nominated for more than one (1) role.
- 50.3 An eligible National Member of the OHF may:
 - a. nominate any of its members; or
 - b. with the candidate’s consent nominate a candidate from another National Member.
- 50.4 Where a National Member nominates a candidate who is a member of another National Member of the OHF, in accordance with clause 50.3(b), it is desirable, but not a requirement of the nomination, that the candidate obtain the written endorsement to their nomination from the National Member where the candidate is a citizen or domiciled.

51. Election of President and Vice-President

- 51.1 At the Annual General Meeting, separate elections must be held for each of the following positions:
 - a. President;

- b. Vice-President.
- 51.2 If only one (1) person is nominated for the position, the Chairperson of the meeting must declare the person elected to the position.
- 51.3 If more than one (1) person is nominated, a ballot must be held in accordance with clause 53.
- 52. Election of ordinary members**
 - 52.1 A single election may be held to fill all of the vacant position(s) of ordinary Board Member(s).
 - 52.2 If the number of person(s) nominated for the position of ordinary Board Member is less than or equal to the number to be elected, the Chairperson of the meeting must declare each of those person(s) to be elected to the position(s).
 - 52.3 If the number of person(s) nominated exceeds the number to be elected, a ballot must be held in accordance with clause 53.
- 53. Ballot**
 - 53.1 If a ballot is required for the election for a position, the Chairperson of the meeting must appoint two (2) people who are present at the meeting to act as returning officers to conduct the ballot.
 - 53.2 The returning officers must not be members of the National Member(s) who nominated the candidate(s) for the position(s) or the National Member in which the nominated candidate(s) is a citizen or domiciled in.
 - 53.3 Before the ballot is taken, each candidate may make a short speech in support of his or her election.
 - 53.4 The election must be by secret ballot.
 - 53.5 The nominee for each contested office gaining more than fifty percent (50%) of the votes will be declared to be successful by the returning officers. Where no nominee gains more than fifty percent (50%) of the votes cast in the first ballot:
 - a. the nominee gaining the lowest number of votes will be omitted from the remaining ballots; and
 - b. further ballots will be held between the remaining nominees in accordance with the provisions of this clause 53.5, until one (1) nominee gains more than fifty percent (50%) of the votes.
 - 53.6 The ballot papers will be destroyed at the conclusion of each General Meeting.
- 54. Removal of Board Member**
 - 54.1 At a General Meeting of the OHF the Members entitled to vote may:
 - a. by special resolution remove a Board Member from office; and
 - b. elect an eligible Board Member of the OHF to fill the position left vacant by the special resolution in clause 54.1(a) in accordance with the provisions set out in this Division.
 - 54.2 A Board Member who is the subject of a proposed special resolution under clause 54.1 may make submissions in support of them retaining their position as a Board Member in writing to the CEO or President of the OHF (not exceeding a reasonable length) and may request that the submissions be provided to the Members of the OHF.
 - 54.3 The CEO or the President may give a copy of the submissions to each Member of the OHF or, if they are not so given, the Board Member may require that they be read out at the meeting at which the special resolution is to be proposed.
- 55. Vacation of office**
 - 55.1 A Board Member may resign from the Board by written notice addressed to the Board.
 - 55.2 A person ceases to be a Board Member if he or she:
 - a. ceases to be a Member of the OHF; or
 - b. fails to attend three (3) consecutive Board Meetings (other than special or urgent Board Meetings) without leave of absence under clause 66; or
 - c. otherwise ceases to be a Board Member by operation of section 78 of the Act.
- 56. Filling casual vacancies**
 - 56.1 The Board may appoint a replacement Board Member to fill a position on the Board that:

- a. has become vacant under clause 55; or
- b. was not filled by election at the last Annual General Meeting,

provided that the replacement Board Member meets the criteria set out in clause 47 of this Constitution.

- 56.2 Such replacement board member shall hold office until the next Annual General Meeting when they shall retire, but they shall be eligible for election or appointment in accordance with clauses 47 to 53.
- 56.3 The Board may continue to act despite any vacancy in its membership.

Division 4—Meetings of Board

57. Meetings of Board

- 57.1 The Board must meet at least four (4) times in each year at the dates, times and places determined by the Board.
- 57.2 The date, time and place of the first Board Meeting must be determined by the Board Members as soon as practicable after the Annual General Meeting of the OHF at which the Board Members were elected.
- 57.3 Special Board Meetings may be convened by the President or by any three (3) members of the Board.

58. Notice of meetings

- 58.1 Notice of each Board Meeting must be given to each Board Member no later than seven (7) days before the date of the meeting.
- 58.2 Notice may be given of more than one (1) Board Meeting at the same time.
- 58.3 The notice must state the date, time and place of the meeting.
- 58.4 If a special Board Meeting is convened, the notice must include the general nature of the business to be conducted. The only business that may be conducted at the meeting is the business for which the meeting is convened.

59. Urgent meetings

- 59.1 In cases of urgency, a meeting can be held without notice being given in accordance with clause 58 provided that as much notice as practicable is given to each Board Member by the quickest means practicable.
- 59.2 Any resolution made at the meeting must be passed by an absolute majority of the Board.
- 59.3 The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

60. Procedure and order of business

- 60.1 The procedure to be followed at a meeting of a Board must be determined from time to time by the Board.
- 60.2 The order of business may be determined by the Board Members present at the meeting.

61. Use of technology

- 61.1 A Board Member who is not physically present at a Board Meeting may participate in the meeting by the use of technology that allows that Board Member and the Board Members present at the meeting to clearly and simultaneously communicate with each other.
- 61.2 For the purposes of this Division, a Board Member participating in a Board Meeting as permitted under clause 61.1 is taken to be present at the meeting and, if the Board Member votes at the meeting, is taken to have voted in person.

62. Quorum

- 62.1 No business may be conducted at a Board Meeting unless a quorum is present.
- 62.2 The quorum for a Board Meeting is the presence (in person or as allowed under clause 61) of a majority of the Board Members holding office.
- 62.3 If a quorum is not present within thirty (30) minutes after the notified commencement time of a Board Meeting:
 - a. in the case of a special meeting—the meeting lapses;
 - b. in any other case—the meeting must be adjourned to a date no later than fourteen (14) days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with clause 58.

63. Voting

- 63.1 On any question arising at a Board Meeting, each Board Member present at the meeting has one (1) vote.
- 63.2 Subject to clause 64.3 a motion is carried if a majority of board members present at the meeting vote in favour of the motion.
- 63.3 Unless this Constitution requires otherwise, all matters will be decided by a majority of votes.

- 63.4 The Chairperson of the meeting has a second or casting vote.
- 63.5 Voting by proxy is not permitted.
- 63.6 Voting may be by voice or a show of hands and if desired by any Board Member it will be by ballot.

64. Conflict of Interest

- 64.1 A Board Member who has a material personal interest in a matter being considered at a Board Meeting must disclose the nature and extent of that interest to the Board.
- 64.2 The Board Member:
- a. must not be present while the matter is being considered at the meeting; and
 - b. must not vote on the matter.
- 64.3 If there are insufficient Board Members to form a quorum because a Board Member who has a material personal interest is disqualified from voting on a matter, a General Meeting may be called to deal with the matter.
- 64.4 This clause does not apply to a material personal interest:
- a. that exists only because the Board Member belongs to a class of persons for whose benefit the OHF is established; or
 - b. that the Board Member has in common with all, or a substantial proportion of, the Board Members of the OHF.

65. Minutes of meeting

- 65.1 The Board must ensure that minutes are taken and kept of each Board Meeting.
- 65.2 The minutes must record the following:
- a. the names of the Board Members in attendance at the meeting;
 - b. the business considered at the meeting;
 - c. any resolution on which a vote is taken and the result of the vote;
 - d. any material personal interest disclosed under clause 64.

66. Leave of absence

- 66.1 The Board may grant a Board Member leave of absence from Board Meetings for a period not exceeding three (3) months.
- 66.2 The Board must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the Board Member to seek the leave in advance.

67. Committees and Advisory Groups

- 67.1 OHF will ensure that its key focus areas are in accordance with OHF's Purposes and will establish communication channels which will ensure appropriate programmes and partnerships are developed and implemented for the fulfilment of these Purposes. OHF will establish and utilise Committees and Advisory Groups or some other appropriate forum determined by the Board to further engage with these key areas of focus.
- 67.2 The terms of reference of any Committee or Advisory Group established pursuant to clause 67.1 will be set up by the Board from time to time.

PART 6—FINANCIAL MATTERS

68. Source of funds

The funds of the OHF may be derived from joining fees, annual subscriptions, donations, fund-raising activities, grants, interest and any other sources approved by the Board.

69. Management of funds

69.1 The OHF must operate an account with a financial institution from which all expenditure of the OHF is made and into which all of the OHF's revenue is deposited.

69.2 Subject to any restrictions imposed by a General Meeting of the OHF, the Board may approve expenditure on behalf of the OHF.

69.3 The Board may authorise the CEO to expend funds on behalf of the OHF (including by electronic funds transfer) up to a specified limit without requiring approval from the Board for each item on which the funds are expended.

69.4 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two (2) Board Members.

69.5 All funds of the OHF must be deposited into the financial account of the OHF no later than five (5) working days after receipt.

69.6 With the approval of the Board, the CEO may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

70. Financial records

70.1 The OHF must keep financial records that:

- a. correctly record and explain its transactions, financial position and performance; and
- b. enable financial statements to be prepared as required by the Act.

70.2 The OHF must retain the financial records for seven (7) years after the transactions covered by the records are completed.

71. Financial statements

71.1 For each financial year, the Board must ensure that the requirements under the Act relating to the financial statements of the OHF are met.

71.2 Without limiting clause 71.1, those requirements include:

- a. the preparation of the financial statements;
- b. if required, the review or auditing of the financial statements;
- c. the certification of the financial statements by the Board;
- d. the submission of the financial statements to the Annual General Meeting of the OHF; and
- e. the lodgement with the Registrar of the financial statements and accompanying reports, certificates, statements and fee.

PART 7—GENERAL MATTERS

72. Common seal

72.1 The OHF may have a common seal.

72.2 If the OHF has a common seal:

- a. the name of the OHF must appear in legible characters on the common seal;
- b. a document may only be sealed with the common seal by the authority of the Board and the sealing must be witnessed by the signatures of two (2) Board Members; and
- c. the common seal must be kept in the custody of the CEO.

73. Registered address

The registered address of the OHF is the address determined from time to time by resolution of the Board.

74. OHF Documentation

Under section 23 of the Act, the name of the OHF and its registration number must appear on all its business documentation.

75. Notice requirements

75.1 Any notice required to be given to a Member or a Board Member under this Constitution may be given:

- a. by handing the notice to the Member or Board Member personally;
- b. by sending it by post to the Member at the address recorded for the member on the Register of Members; or
- c. by email.

75.2 Clause 75.1 does not apply to notice given under clauses 58 and 59.

75.3 Any notice required to be given to the OHF or the Board may be given:

- a. by handing the notice to a Board Member;
- b. by sending the notice by post to the registered address;
- c. by leaving the notice at the registered address; or
- d. if the Board determines that it is appropriate in the circumstances:
 - i. by email to the email address of the OHF or the CEO; or
 - ii. by facsimile transmission to the facsimile number of the OHF.

76. Custody and inspection of books and records

76.1 Members may on request inspect free of charge:

- a. the Register of Members;
- b. the minutes of General Meetings; and
- c. subject to clause 76.2, the financial records, books, securities and any other relevant document of the OHF, including minutes of Board Meetings.

76.2 The Board may refuse to permit a Member to inspect records of the OHF that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the OHF.

76.3 The Board must, on request, make copies of this Constitution available to Members and applicants for membership free of charge.

76.4 Subject to clause 76.2, a Member may make a copy of any of the other records of the OHF referred to in this clause and the OHF may charge a reasonable fee for provision of a copy of such a record.

76.5 For purposes of this clause:

relevant documents means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the OHF and includes the following:

- a. its membership records;

- b. its financial statements;
- c. its financial records; and
- d. records and documents relating to transactions, dealings, business or property of the OHF.

77. Winding up and cancellation

- 77.1 The OHF may be wound up voluntarily by special resolution passed by the Members entitled to vote.
- 77.2 In the event of the winding up or the cancellation of the incorporation of the OHF, the surplus assets of the OHF must not be distributed to any Members or former Members of the OHF.
- 77.3 Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body that has similar purposes to the OHF and which is not carried on for the profit or gain of its individual members.
- 77.4 The body to which the surplus assets are to be given must be decided by special resolution passed by the Members entitled to vote.

78. Alteration of Rules

- 78.1 This Constitution may only be altered by special resolution of a General Meeting of the OHF.
- 78.2 The new Constitution does not take effect unless and until the new Constitution has been approved by the Registrar.
- 78.3 If this Constitution (other than clauses 1, 2 or 3) are altered, the Federation is taken to have adopted its own constitution, not the model rules as prescribed under section 49 of the Act.

APPENDIX 1

APPLICATION FOR MEMBERSHIP OF OCEANIA HOCKEY FEDERATION

I,....., ofdesire to become a
(*name of Federation / Association*) (*address*)

member of
(*name of Association*)

In the event of our admission as a Member, we agree to be bound by the rules of the Oceania Hockey Federation for the time being in force.

.....
Signature of Applicant

Date:

I,....., a member of the
(*name*)

Oceania Hockey Federation, nominate the applicant, who is personally known to me, for membership of the Federation.

.....
Signature of Proposer

Date:

I,....., a member of the
(*name*)

Oceania Hockey Federation, second the nomination of the applicant, who is personally known to me, for membership of the Federation.

.....
Signature of Secunder

Date:

APPENDIX 2

FORM OF APPOINTMENT OF PROXY

I,

(name)

of

(address)

being a member of

(name of Incorporated Association)

appoint

(name of proxy holder)

of

(address of proxy holder)

being a member of that Incorporated Association, as my proxy to vote for me on my behalf at the annual/special* general meeting of the Association to be held on

.....

(date of meeting)

and at any adjournment of that meeting.

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

.....

Signed

Date:

Delete if not applicable

Under the Clause 32 of this Constitution this form must be in the hands of the Secretary General no less than 24 hours prior to the meeting to be valid.

APPENDIX 3 – Disputes Resolution and Disciplinary Subcommittee

1. Notice of Disciplinary Action

- 1.1 Before disciplinary action is taken against a Member, the CEO must give written notice to the Member:
 - a. stating that the OHF proposes to take disciplinary action against the Member;
 - b. stating the grounds for the proposed disciplinary action;
 - c. specifying the date, place and time of the meeting at which the Disciplinary Subcommittee intends to consider the disciplinary action (the Disciplinary Meeting);
 - d. advising the Member that the Member may do one or both of the following:
 - i. attend the Disciplinary Meeting and address the Disciplinary Subcommittee at that meeting;
 - ii. give a written statement to the Disciplinary Subcommittee at any time before the Disciplinary Meeting; and
 - e. setting out the Member's appeal rights under clause 22 of this Constitution.
- 1.2 The notice must be given no earlier than twenty-eight (28) days, and no later than fourteen (14) days, before the disciplinary meeting is to be held.

2. Procedure of the Disciplinary Subcommittee

- 2.1 The Member is entitled to be present at the Disciplinary Meeting. Should the Member fail to attend the Disciplinary Meeting, the Disciplinary Meeting shall take place in the absence of the Member.
- 2.2 At the Disciplinary Meeting, the Disciplinary Subcommittee must:
 - a. give the Member an opportunity to be heard; and
 - b. consider any written statement submitted by the Member.
- 2.3 The Disciplinary Subcommittee will regulate its own procedure but will observe best practices for conducting meeting and ensure that the principles of natural justice are adhered to. The Disciplinary Subcommittee may choose to conduct its meetings using audio-visual technology provided that the use of technology allows all those present at the Disciplinary Meeting to clearly and simultaneously communicate with each other.
- 2.4 The standard of proof is on the balance of probabilities (more likely than not).
- 2.5 Any decision of the Disciplinary Subcommittee shall require a seventy-five percent (75%) majority vote.

3. Conduct of Disciplinary Appeal Meeting

- 3.1 At a Disciplinary Appeal Meeting:
 - a. no business other than the question of the appeal may be conducted;
 - b. the Board must state the grounds for suspending or expelling the Member and the reasons for taking that action; and
 - c. the Member whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
- 3.2 After complying with clause 3.1 of Appendix 3, the Members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the Member should be upheld or revoked.
- 3.3 A Member may not vote by proxy at the meeting.
- 3.4 Subject to the provisions contained in clauses 3.1 to 3.3 of Appendix 3, the Disciplinary Appeal Meeting will otherwise regulate its own procedure but will observe best practices for conducting meetings and ensure that the principals of natural justice are adhered to. The Disciplinary Subcommittee may choose to conduct its meetings using audio-visual technology provided that the use of technology allows all those present at the Disciplinary Meeting to clearly and simultaneously communicate with each other.
- 3.5 The standard of proof is on the balance of probabilities (more likely than not).