

Tasmanian
Underwater
Hockey
Association
Inc.

Constitution

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**TASMANIAN UNDERWATER HOCKEY ASSOCIATION Inc.
CONSTITUTION**

1. NAME

The name shall be the TASMANIAN UNDERWATER HOCKEY ASSOCIATION INCORPORATED, hereafter referred to as the ASSOCIATION.

2. AIMS AND OBJECTIVES

The aims and objectives of the Association are as follows:

- 2.1. To provide and promote underwater hockey within the best interests of sportsmanship.
- 2.2. To promote closer association and goodwill among members and good relations with kindred bodies.
- 2.3. To affiliate with other organisations having kindred interests.
- 2.4. To establish, promote and actively implement any safety measures applicable to underwater hockey.
- 2.5. To establish and encourage uniformity of rules, regulations, standards and administrative control of underwater hockey whether competitive or otherwise.
- 2.6. To promote and arrange competitions amongst members of the Association and to provide or organise trophies as considered desirable or appropriate.
- 2.7. To purchase, take on lease or acquire lands, buildings, swimming pools, easements or properties real or personal, which may be requisite for the purpose of any of the objects of the Association.
- 2.8. To accept subscriptions, donations or bequests (whether real or personal estate) for all or any of the objects of the Association.
- 2.9. Generally to do all things which the Association may deem conducive to those objectives or be in the mutual interests of members the sport in general.

3. MEMBERSHIP

- 3.1. Membership of the association shall consist of persons who support the Aims & Objectives of the Association.
- 3.2. Members subscription shall consist of an annual fee as determined by the Executive Committee.
- 3.3. Subscriptions shall be due on the first day of April in each year.

4. GRADES OF MEMBERSHIP

4.1. The Association shall consist of three grades of membership who shall be designated Honorary Member, Honorary Life Member or Member.

4.2. Honorary Member

4.2.1. The grade of Honorary Membership may be appointed by the Executive Committee upon any person for a particular purpose, subject to approval by at least a two thirds majority (to the nearest whole vote) of the total votes that are cast at a meeting of the Executive Committee. Such membership shall be for a nominated period of time and solely in relation to that particular purpose.

4.2.2. The number of Honorary Members shall not exceed three; and not more than one Honorary Member shall be elected in any two year period.

4.2.3. A membership fee shall not necessarily be payable by the person so elected to such Honorary Membership.

4.3 Honorary Life Member

4.3.1. The grade of Honorary Life Membership may be bestowed upon any person for conspicuous service or contribution to Underwater Hockey or administrative or otherwise subject to approval by at least a two thirds majority (to the nearest whole vote) of the total votes that are cast at a meeting of the Executive Committee or Annual General Meeting.

4.3.2. Such Honorary Life Membership shall continue for the life of the person so honoured.

4.3.3. No Membership fee shall be paid or payable in respect to such grade.

4.3.4. The Association shall maintain a register of the persons holding the grade of Honorary Life Member.

4.4 Member

4.4.1. All persons (other than Honorary and Honorary Life Member) whose name and address appears on a register of members maintained by the Association shall be deemed to be a "Member" of the Association.

5. RIGHTS OF MEMBERS

5.1. Subject to provisions of the constitution and the regulations set up from time to time, all grades of members shall be entitled to use all premises and facilities of the Association.

5.2. Only Members and Honorary Life Members shall be entitled to vote at General Meetings or upon any matter pertaining to the administration or control of the Association or on any election the voting rights of all Members shall be at equal value.

- 5.3. Any Member or Honorary Life Member or Honorary Member shall be eligible to contest any election to any Executive position of the Association.
- 5.4. Every Member, Honorary Life Member and Honorary Member shall be entitled to attend any meeting of the Association with the exception of protest or appeal meetings (unless involved in such protest or appeal meetings) and may address any meeting with the permission of the chair.

6. ADMINISTRATIVE STRUCTURE

- 6.1. All administration direction and control of the Association shall be vested in the Executive Committee.

The Executive Committee shall consist of :

President
Vice President
Secretary
Treasurer
Editor (newsletter)
Equipment Officer
Media Representative
Social Director
Junior Development Officer
Development Officer
Chief Referee

Two General Committee Members

The members of the Executive Committee are, for the purposes of representation and this Constitution, the OFFICE BEARERS of the Association.

7. ELECTION OF THE EXECUTIVE COMMITTEE

- 7.1. All office bearers shall be elected at the Annual General Meeting.
- 7.2. Retiring officers bearers shall be eligible for re-election.

8. AUTHORITY AND RESPONSIBILITY OF THE EXECUTIVE COMMITTEE

- 8.1. The Executive Committee shall manage the affairs of the Association between meetings of the Executive Committee and carry out the directions arising out of the meetings.
- 8.2. The Executive Committee may appoint when considered necessary any person or persons, being members of the Association or not, to assist the Executive Committee in the execution of its duties.

8.3 PRESIDENT

- 8.3.1. The President shall be the Chief Executive Officer and spokesperson of the Association with the authority to convene ordinary and special meetings of all or any committees or sub-committees.
- 8.3.2. The President shall preside at all meetings of the Executive Committee and superintend the discussions of such meetings and preserve order so that business may be conducted in due form and with propriety.
- 8.3.3. The President shall have an ordinary and casting vote at meetings.
- 8.3.4. In event of the President being unable to carry out the duties stated herein, the Vice President shall assume authority and responsibility of the President until or unless the President is able to resume such duties or is replaced.

8.4 VICE PRESIDENT

- 8.4.1. The Vice President shall assist the President and Secretary in the furtherance of the work of the Association and, as necessary carry out duties of the President as provided in 8.3.4 above.
- 8.4.2. The Vice President shall be responsible for organising and management of Pennant competitions held by the Association.

8.5 SECRETARY

- 8.5.1. The Secretary shall be responsible for keeping a true and faithful record of all business transacted by the Association.
- 8.5.2. The Secretary shall among other things be responsible for
- (i) Maintenance and distribution of the constitution of the Association Rules and By-Laws and Regulations as amended from time to time.
 - (ii) Conduct all general correspondence of the Association.
 - (iii) Preparation of all necessary and or advised agenda and business for all meetings of the Association.
 - (iv) Compile an annual report of the activities of the Association.
 - (v) Keeping a record of participants, team name, result, grade and date of the competition for all finals of games run by the Association and, similarly, maintenance of records of all games played by Tasmanian State Underwater Hockey Teams.
- 8.5.3. The Secretary shall and where relevant inform all of the relevant committee members and of the association of all protests, disputes and Notices of Motion.
- 8.5.4. In the event of the Secretary being unable to carry out his/her duties the President or his/her nominee shall assume the authority and responsibility if the Secretary until or unless the Secretary resumes his/her duties or is replaced as provided herein.
- 8.5.5. The Secretary shall be responsible for the maintenance of a Register of Members as provided be the Constitution.

8.5.6. The Executive may elect or appoint an assistant to Secretary and specify the duties of the assistant.

8.6 TREASURER

8.6.1. The Treasurer shall be responsible for the maintenance of correct accounts and books showing the financial affairs of the Association and submit an annual report including a budget to the Association.

8.6.2. The Treasurer shall be responsible for banking of all monies received by or on behalf of members, committees or otherwise.

8.6.3. The Treasurer shall be responsible for the maintenance of accurate records of the payments of accounts.

8.6.4. The Treasurer shall register or confirm registration of all relevant signatures with the Association bankers at the commencement of the term of office of office Bearers.

8.6.5. The treasurer shall make available within 28 days of request, subject to reasonable restrictions as to time and manner of inspecting them that may be imposed by the Association for the time being, the records, or a copy of those records, of the financial affairs of the Association.

8.7 NEWSLETTER EDITOR

8.7.1. The Newsletter Editor shall be responsible for the production and distribution of the Association's periodical Newsletter.

8.7.2. The Newsletter Editor may appoint an assistant and specify the duties of the assistant.

8.8 EQUIPMENT OFFICER

8.8.1. The Equipment Officer shall be responsible for the maintenance and procurement of all the Association's Equipment subject to the Executive Committees approval.

8.8.2. The Equipment officer shall be responsible for any special projects which may need construction and seek out technical advice where required.

8.9 MEDIA REPRESENTATIVE

- 8.9.1. The Media Representative shall be responsible for distribution of news released to the media.
- 8.9.2. The Media Representative shall endeavour to have the weekly pennant Results published in a suitable newspaper.
- 8.9.3. The Media Representative shall be responsible for maintaining a Folio on the Association and Underwater Hockey for use of the media and for sponsorship purposes.
- 8.9.4. The Media Representative may act as the spokesperson of the association when so directed by the Executive Committee.

8.10 SOCIAL DIRECTOR

- 8.10.1. The Social Director is responsible for organising social functions and fund-raising activities on behalf of the Association.
- 8.10.2. The Social Director may appoint assistants and shall specify the duties of the assistants.
- 8.10.3. The Social Director shall Liaise with the Treasurer prior to any social function or fund raising activity regarding costs and income and the methods for the temporary management of such funds.

8.11 JUNIOR DEVELOPMENT OFFICER

- 8.11.1. The Junior Development Officer is responsible for the development of Junior Underwater Hockey players.
- 8.11.2. The Junior Development Officer may appoint or facilitate the establishment of positions or persons within the Association to assist or carry out any function pertaining to the office, with the approval of the Executive Committee.

8.12 GENERAL COMMITTEE MEMBERS

- 8.12.1. The General Committee Members are responsible for duties as determined by the Executive.

8.13 DEVELOPMENT OFFICER

- 8.13.1. The Development Officer shall be responsible for the review and updating of the Associations development plans.
- 8.13.2. The Development Officer shall also carry out the following duties:
 - (i) Co-ordinate coaching clinics;

- (ii) Liaise with A.U.F, Government Bodies and others with respect to coaching and development plans.

8.14 CHIEF REFEREE

8.14.1. The Chief Referee shall be responsible for arranging referee courses and rules updating.

8.14.2. The Chief Referee shall also provide rule interpretations when disputes arise.

8.15 WEB & VIDEO OFFICER

8.15.1. Maintenance of the website, including hosting, code maintenance, monitoring of administration emails and maintenance of the mailing list.

8.15.2. Organisation of the maintenance of any video equipment that TUHA owns.

9. VOTING POWER OF THE EXECUTIVE COMMITTEE

9.1. Committee members - one vote each person.

9.2. The Majority votes cast actually cast in favour or against a motion shall determine whether such a motion is respectively carried or lost.

9.3. In the event of a tied vote the President shall have a casting vote.

9.4. A member of the Executive Committee may delegate in writing his or her authority to another member of the Executive Committee to act on his or her behalf as proxy.

9.5. A member holding such proxy may not vote or put a motion as proxy unless holding written instructions from the absent member specifically on the matter.

10. QUORUM OF THE EXECUTIVE COMMITTEE

10.1. Two-thirds of members of the Executive Committee shall constitute a quorum.

11. SUB - COMMITTEES

11.1. The Executive Committee may from time to time create a sub-committee to control or act for and/or on behalf of a specific and identifiable aspect of underwater hockey.

11.2. A sub-committee and/or members of such sub-committees shall be subject to and enjoy the rights, benefits and privileges of the constitution.

11.3. A sub-committee shall have responsibility for all activities and representation in respect to the particular activity covered by the sub-committee subject to the provisions herein.

11.4. A sub-committee shall report to the executive of the results of its objects monthly and at the sub-committees conclusion unless otherwise directed by the Executive Committee.

12. MEETINGS

- 12.1. A general meeting of the Executive Committee shall be held each month.
- 12.2. An Annual General Meeting shall be held in either June or July of each year at a date to be set by the Executive Committee plus additional meetings as deemed required.
- 12.3. A quorum of any General Meeting shall consist of twenty percent (20%) of the total Association membership.
- 12.4. All items for inclusion in the Annual General Meeting Agenda shall be submitted to the Executive Committee in writing not less than 40 days prior to such a meeting.
- 12.5. Minutes of Meetings shall be confirmed as a true and proper record at the next formal meeting called especially for the purposes of confirmation.
- 12.6. Minutes of any meeting shall be made available to any member upon request.
- 12.7. In the absence of the President and Vice President at any meeting of the Association which otherwise would be chaired by the President those present shall elect a chairman.
- 12.8. The President may invite any persons to a Meeting of the Executive Committee and may speak to the Meeting with consent of the chair.
- 12.9. A Special General Meeting may be called at any time if required by way of a petition of at least twenty percent (20%) of membership of the Association.
- 12.10. All members shall be notified by mail of any general meeting not less than twenty-five (25) calendar days prior to the meeting.

13. RESIGNATION AND/OR RELINQUISHING OF OFFICE

- 13.1. Any member of the Executive Committee upon relinquishing or being removed from office shall deliver or cause to be delivered to the President or Secretary or the person replacing him/her within thirty (30) days all records, reports, documents, property, correspondence and any other items of Association property and furnish the Association with a report of past activity.
- 13.2. Any member of the Executive officer who resigns between meetings shall forward their resignation in writing to the Secretary.
- 13.3. The President may appoint a person to fill any position left vacant by a resignation or unfilled vacancy until such time as an election is held to fill the position. Said election to be held within ninety days of the date of the resignation
- 13.4. In the case of a resignation of a member the Executive Committee the President shall notify members at least three weeks before a meeting of election , by any reasonable

means, of the dates, place and time of the meeting for election and call for nominations for the position.

14. INDEMNITY

14.1. In the event that for any reason the Executive Committee or an office bearer or authorised person is deemed or found to be liable as individuals in lieu of the Association for a debt properly incurred by the Executive office bearer, or person or any one or more of them, then the Association shall indemnify such person or persons who individually or collectively contract such debt or debts on behalf of the Association acting within the constitutional power of office or in accordance with policy as determined by the Association.

14.2 Any such contract or agreement giving rise to such proper debt shall be deemed to be made by such person or persons acting as agent for the Association at that time.

14.3 A proper debt is a debt that has been authorised by a meeting consisting of a quorum of the executive committee, or an amount totalling no more than \$50 for any one purpose.

15. REMUNERATION OF OFFICE BEARERS

15.1. The Executive Committee or any one of them may receive reimbursement for travelling or other legitimate out-of-pocket expenses or costs incurred in carrying out the functions or responsibilities of office.

15.2. All such payments shall be brought to the attention of the Executive Committee at the first meeting of the Executive Committee subsequent to their occurrence.

16. LIABILITY OF EXECUTIVE COMMITTEE AND EXECUTIVE OFFICERS

16.1. If the Executive Committee as a whole, or any member of the Executive Committee as such has paid, or is liable to pay, money for any act, default or omission of themselves or any other person whether a member of the Association or not where such persons was acting as an agent for the Association at the material time such money shall be refunded to him or them by the Association, or paid by the Association.

17. EMPLOYMENT OF STAFF

17.1. Upon the recommendation or determination of the Executive Committee, staff may be employed on a full or part time basis to assist the Executive Committee in the carrying out of the function and responsibilities in respect of the Association. Conditions of

employment and payment and any and all other matters in respect of such employment shall be decided solely by the Executive Committee in their discretion.

17.2. The Executive Committee may approve payment of an ex gratia payment to an individual for services to the Association that does not include duties associated with Executive Committee or Office bearers. Such payments will not create a relationship of employment.

18. BANKING

18.1. Banking accounts including a cheque account shall be opened at a financial institution of the Executive's choice, but may be changed from time to time at the Executive's discretion.

18.2. Club funds may be invested at the discretion of the Executive.

18.3. All cheques, banking accounts, investments and authorities are to be signed by any two of the following Executive Committee members: President, Vice President, Secretary, Treasurer, Equipment Officer and Social Director.

18.4. The Executive is empowered to take on debt and borrow on behalf of the Association to a limit of one thousand dollars (\$1,000.00).
The Executive is empowered to take on debt and or borrow on behalf of the Association to a limit of \$1000 indexed by multiplying by the indexation factor.
That factor, rounded up to the nearest \$100 is calculated as follows;
(a) The Index Number for the June quarter of the year in question / 107.3 (Index number for the June Quarter of 1992) or;

(b) the number 1, whichever is the higher.

The Index Number in this case means the All Groups Consumer Price Index Number, being the weighted average of 8 Capital Cities, published by the Australian Statistician in respect of that Quarter.

18.5 The Association shall not borrow or take on debt of any amount greater than that specified in 18.4 at one time without approval of at least 20% of the members of the Association.

18.6 The assets and income of the TUHA shall be applied solely in furtherance of its objectives and no portion shall be distributed directly or indirectly to the members of the Association except as bona fide compensation for services rendered or expenses incurred on behalf of the Association.

19 AUDIT AND AUDITORS

19.1. The accounts of the Association shall be audited annually and the report arising in respect to such audit shall be presented at the Annual General Meeting of the Association immediately following such audit.

19.2. The Executive Committee at each Annual General Meeting shall appoint as auditors any person, firm or incorporated body meeting the requirement of any appropriate legislature or registration in force from time to time in respect to such auditors.

19.3. Notwithstanding the provisions of clause 18.1 above the Executive Committee may at their sole discretion order and audit of any or all accounts or aspects of the Associations activities at any time.

19.4. The right of the auditors to call for, pursue investigate or question any member or the Association, the Executive Committee, employees or appointees or any document, record, account or activity in the pursuance or any audit shall be unlimited and all members of the Association shall be bound to comply with any request so made.

19.5. The financial year shall end on the 31st day of December.

20 PATRON OR PATRONS

20.1. The Executive Committee may from time to time appoint or adopt any person or persons as patron or patrons of the Association for such periods as considered appropriate.

21. ALTERATIONS TO THE CONSTITUTION

21.1. The constitution of the Association may be altered at the Annual Meeting or any meeting called for the expressed purpose. At least one month notice of proposed changes shall be sent to all members in writing.

21.2. Amendments to the Constitution, shall only be passed by a two-thirds majority.

21.3 Notification of any amendments to the constitution shall be forwarded to the Australian Taxation Office in writing within twenty eight days of that amendment.

22. WINDING UP

22.1. The Association shall be wound up or dissolved voluntarily whenever a resolution is passed by 75% of all members at an Extraordinary Meeting called for the purpose or the Incorporation cancelled.

22.2 If upon winding up, dissolution or cancellation of the Incorporation of the Association there remains after the satisfaction of all its debts and liabilities whatsoever, the same shall not be paid or distributed among the members, but shall be given or transferred to some other institution or Institutions whose objectives are similar to the objects of the association and which is exempt from income tax under section 23 of the Income Tax Assessment Act. (1936)

22.3. Such distribution shall be determined by the members at a General Meeting to be held before at or before the time of dissolution.

22.4 In the event of the Association being wound up-

(a) every member of the Association; and

(b) every person who, within the period of twelve months immediately preceding the commencement of the winding up, was a member of the Association,

is liable to contribute to the assets of the Association for payment of the debts or liabilities of the Association and for the costs, charges and expenses of winding up and for the adjustment of the rights of the contributories among themselves, such sum not exceeding Two(\$2) dollars only as may be required, but a former member is not so liable to contribute in respect of any debt or liability of the Association contracted after they ceased to be a member.

23. PUBLIC OFFICER

23.1. The Public Officer of the Association shall be appointed from time to time by the Executive Committee and may be a member of the Executive Committee or some other person being a member of the Association.