

Ice Sports Tasmania Constitution

1. NAME

The name of the peak body representing ice sports in Tasmania is 'Ice Sports Tasmania', here-in referred to as the "peak body"

2. REGISTERED ADDRESS

The registered address of the peak body is—

- 2.1 The address determined by resolution of the Committee; or
- 2.2 The postal address of the Secretary if the Committee has not determined an address to be the registered address.

3. AIMS and OBJECTIVES

The aims and objectives of the peak body are to:

- 3.1 Act as a united voice to promote, advance, and support all-inclusive participation in ice sports and recreation in Tasmania; and to
- 3.2 Ensure that a fit for purpose ice rink facility continues to exist in Tasmania to service the needs of peak body members and the community.

4. ATTAINING AIMS and OBJECTIVES

The peak body shall be empowered to do all things necessary for the attainment of the aims and objectives of the peak body. In doing so, the peak body's committee will adhere to all peak body policies and procedural guidelines, at no time bringing the peak body into disrepute.

5. POWERS OF THE PEAK BODY

- 5.1 To acquire, hold, deal with, and dispose of any real or personal property;
- 5.2 To open and operate bank accounts;
- 5.3 Invest its money in any security in which trust monies may lawfully be invested;
- 5.4 Raise and borrow money on any terms and in any manner it thinks fit;
- 5.5 Secure the repayment of money raised or borrowed, or the payment of a debt or liability;
- 5.6 Appoint agents to transact business on its behalf;
- 5.7 Accept donations and gifts in accordance with the objects of the peak body;
- 5.8 Organise social events for members and the promotion of the peak body; and
- 5.9 To enter into any other contract the peak body considers necessary or desirable.

6. MEMBERSHIP

The peak body shall have the following classes of members:

6.1 State Sporting Association (SSA) Members

6.1.1 A SSA may apply for membership of the peak body as provided in these rules.

6.1.2 Upon being granted membership:

- (a) All current and financial members of a SSA become Associate Members of the peak body. Associate members have no voting or other privileges under these rules. The total numbers of Associate Members shall be reported to the peak body by the SSA's at the Annual General Meeting.
- (b) The SSA may nominate one of its members to join the peak body committee as an SSA Representative.

6.2 Associate Members

6.2.1 Associate Members are current and financial members of a SSA. Associate Members have no voting or other privileges under these rules.

6.3 Affiliate Members

6.3.1 An individual or organisation may apply for membership of the peak body in accordance with rule 7 and upon admission to membership shall be known as an Affiliate Member. Affiliate Members have no voting or other privileges under these rules.

6.4 Such other classes as the peak body may determine from time to time.

7. APPLICATION FOR MEMBERSHIP

7.1 The peak body may use a third-party provider for the purpose of member registration.

7.2 To apply to become a member of the peak body, a person or organisation (Applicant) must submit a written application to the peak body stating that they—

- wish to become a Member of the Association; and
- support the purposes of the Association; and
- agree to comply with these Rules.

7.3 The application—

- must be signed by the Applicant; and
- must be accompanied by the joining fee.

7.4 As soon as practicable after an application for membership is received, the Committee must decide by resolution whether to accept or reject the application.

7.5 The Committee must notify the Applicant in writing of its decision as soon as practicable after the decision is made.

7.6 If the Committee rejects the application, it must return any money accompanying the application to the Applicant.

7.7 No reason needs be given for the rejection of an application.

8. ANNUAL SUBSCRIPTION AND JOINING FEES

- 8.1 At each Annual General Meeting, the peak body must determine the amount and date for payment of the annual subscription and joining fees (if any) for the following financial year.
- 8.2 The peak body may determine that a lower or no annual subscription and/or joining fee is payable by Association or Affiliate Members.
- 8.3 The peak body may determine that any new member who joins after the start of a financial year must, for that financial year, pay a fee equal to –
- (a) The full annual subscription; or
 - (b) A pro rata annual subscription based on the remaining part of the financial year; or
 - (c) A fixed amount determined from time to time by the peak body.
- 8.4 The rights of a member (including but not limited to the right to vote) who has not paid any amount(s) due by the member to the peak body by the date on which such amount(s) are suspended until such monies are paid.

9. RIGHTS TO MEMBERS

- 9.1 The rights of a member are not transferrable and end when membership ceases.
- 9.2 SSA Members have the right to-
- (a) Receive notice of general meetings and proposed special resolutions in a timely manner; and
 - (b) Submit items of business for consideration at a general meeting; and
 - (c) Attend and be heard at general meetings; and
 - (d) Vote at a general meeting; and
 - (e) Have access to the minutes of general meetings and other documents of the peak body.
- 9.3 A SSA Member is only entitled to vote if-
- (a) More than 10 business days have passed since it became a member of the peak body; and
 - (b) The member's membership is not suspended for any reason.
- 9.4 Associate and Affiliate Members of the peak body may-
- (a) Attend but do not have any right to vote at general meetings; and
 - (b) May have other rights as determined by the resolution at a general meeting.

10. DISCLOSURE OF INTERESTS

- 10.1 A Committee member who has a material personal interest in a matter being considered at a committee meeting must disclose the nature and extent of that interest to the committee.
- 10.2 A Committee member with a conflict of interest–
- (a) Must not be present while the matter is being considered at the meeting; and
 - (b) Must not vote on the matter.

11. TERMINATION OF MEMBERSHIP

- 11.1 Any member's membership may be terminated by the following events:
- Resignation
 - Expulsion
 - A member's annual membership fee remains unpaid after 2 months falling due.
- 11.2 The Executive Committee shall have the power to suspend or expel any member of the peak body for:
- 11.2.1 False or inaccurate statements made in the member's application for membership of the peak body,
- 11.2.2 A breach of any rule, regulation, or by-law of the peak body; and/or
- 11.2.3 Any act detrimental to the peak body, after having undertaken due inquiry.
- 11.3 Any member who is expelled, suspended or has their membership terminated, shall have the right to appeal against their suspension or expulsion by presenting their case to a general meeting called for such purpose, and the decision of the general meeting shall be final.

12. EXECUTIVE COMMITTEE

- 12.1 Management of the peak body shall be vested in the Executive Committee elected by the members at the Annual General meeting and consisting of:
- 12.1.1 President
- 12.1.2 Vice President
- 12.1.3 Secretary
- 12.1.4 Treasurer
- 12.1.5 General Committee Members (up to 4)
- 12.1.6 SSA delegates (one per SSA)
- 12.2 No person shall hold more than one position on the Executive Committee at any one time. All positions on the Executive Committee will be re-elected at the Annual General meeting and all previous Office Bearers will be eligible for re-election.
- 12.3 A quorum of the Executive Committee shall be half of its Executive Committee plus one.
- 12.4 If the president or vice president is unable to attend, then a chairperson nominated by the meeting shall chair that meeting.
- 12.5 A member of the Executive Committee may lose their seat on the committee for either of the following;
- (a) Absence from three or more meetings without leave of absence; and/or
- (b) If found not to be a financial member.

13. POWERS OF EXECUTIVE COMMITTEE

- 13.1 The Executive Committee shall carry out the day-to-day running of the peak body and shall have the power to:
- 13.1.1 Administer the finances, appoint bankers, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account;
 - 13.1.2 Fix the manner in which such banking accounts shall be operated upon, providing the Executive Committee passes all payments;
 - 13.1.3 Fix fees and subscriptions payable by members and decide such levies, fines and charges as is deemed necessary and advisable, and to enforce payment thereof;
 - 13.1.4 Adjudicate on all matters brought before it which in any way affect the peak body.
 - 13.1.5 Cause minutes to be made of all proceedings at meetings of the Committee and general meetings of members;
 - 13.1.6 Make, amend and rescind rulings and by-laws;
 - 13.1.7 Have the power to form and appoint any sub-committee/s as required for specific purposes;
 - 13.1.8 May at their discretion employ a person or persons to carry out certain duties required by the peak body, at salaries or remunerations for such period of time, as may be deemed necessary.
 - 13.1.9 Should a vacancy occur on the Executive Committee during the season, the Executive Committee shall appoint a successor until the next Annual General meeting.
 - 13.1.10 Appoint an officer/s or agent of the Executive Committee to have custody of the peak body's records, documents and securities.

14. GENERAL MEETINGS

- 14.1 The Annual General meeting of the peak body must be held prior to the end of the calendar year.
- 14.2 The Secretary shall give at least fourteen (14) days' notice of the date of the Annual General Meeting, to members.
- 14.3 All financial members may attend the Annual General meeting.
- 14.4 The quorum at the Annual General meeting shall be a minimum of the Executive Committee. If, at the end of 30 minutes after the time appointed in the notice for the opening of the Meeting, there be no quorum the meeting shall stand and adjourn for one week. If at such meeting, there is no quorum those members present shall be competent to discharge the business of the meeting.
- 14.5 The agenda for an Annual General meeting shall be:
- Opening of Meeting
 - Apologies
 - Confirmation of Minutes of previous Annual General Meeting

- Presentation of Annual Report
- Adoption of Annual Report
- Presentation of Treasurer's statement
- Election of New Executive
- Vote of thanks to outgoing Executive
- Determination of Annual Membership Fee
- Notice/s of Motion
- Urgent general business
- Closure

15. VOTING

15.1 Voting powers at the Annual General meeting and general meetings:

- 15.1.1 The president shall be entitled to a deliberate vote, and, in the event of a tied vote, the president shall exercise a casting vote.
- 15.1.2 Each individual financial member present shall have one (1) vote.

16. FINANCE

- 16.1 The funds of the peak body may be derived from joining fees, annual subscriptions, fundraising activities, grants, interest and any other sources approved by the Committee.
- 16.2 All funds of the peak body shall be deposited into the peak body's accounts at such bank or recognised financial institution as the Executive Committee may determine.
- 16.3 All accounts due by the peak body shall be paid by direct debit or cash after having been passed for payment at the Executive Committee Meeting and when immediate payment is necessary, account/s shall be paid and the action endorsed at the next Executive Committee Meeting.
- 16.4 The secretary shall not spend more than a set amount Petty Cash without the consent of the Executive Committee and shall keep a record of such expenditure in a Petty Cash Book.
- 16.5 A statement showing the financial position of the peak body shall be tabled at each Executive Committee Meeting by the treasurer.
- 16.6 A statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General meeting. The auditor's report shall be attached to such financial report.
- 16.7 The financial year of the peak body shall commence on January 1st each year. The accounts, books and all financial records of the peak body shall be audited each year.
- 16.8 The signatories to the peak body's account/s will be the Treasurer and any one (1) from the following;
 - President
 - Vice President
 - Secretary
- 16.9 All property and income of the club will apply solely to the promotion of the objects of the club and no part of that property or income shall be paid or otherwise distributed, directly, or indirectly, to members, except in good faith in the promotion of these objects.

17. ALTERATIONS TO THE CONSTITUTION AND BY LAWS

- 17.1 No alteration, repeal or addition shall be made to the Constitution except at the Annual General meeting, or General meeting, called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to members fourteen (14) days prior to the Annual General meeting, or seven (7) days prior to a general meeting called for such purpose.
- 17.2 The secretary shall forward such notices of motion to each Executive Committee member at least fourteen (14) days prior to the Annual General Meeting or seven (7) days prior to a general meeting.
- 17.3 Alterations to the By-laws can be made only at Executive Committee Meetings provided notice of the proposed alteration/s has been duly notified to Committee Members.
- 17.4 Such motions, or any part thereof, shall be of no effect unless passed by a seventy five percent (75%) majority (special resolution) of those present and entitled to a vote at the Annual General Meeting, general meeting or Executive Committee Meeting, as the case may be.

18. DISSOLUTION

- 18.1 If, on the closure of the peak body, any property of the peak body remains after satisfaction of the debts and liabilities of the club and the costs, charges and expenses of that winding up, that property shall be distributed:
- (a) To another incorporated club having objectives similar to those of the peak body; or
 - (b) For charitable purposes, which incorporated club or purposes, as the case requires, shall be determined by resolution of the members.
- 18.2 If the peak body is wound up, each person who was, immediately before the peak body is wound up, a member of the peak body, and each person who was a member of the peak body within the 12 months immediately preceding the commencement of the winding-up, is liable to contribute:
- (a) To the assets of the peak body for payment of the liabilities of the peak body; and
 - (b) For the costs, charges and expenses of the winding-up; and
 - (c) For the adjustment of the rights of the contributors among themselves.
- 18.3 Personal liabilities will not exceed more than \$100 per member.