



## BY-LAWS OF THE OTAGO HOCKEY ASSOCIATION (1990) INC

### 1) THESE BY-LAWS

- (a) These By-laws are made by the Board in accordance with the Rules of the Association in order for the better administration of the Association, its teams and its competitions.
- (b) The Board shall have full power to deal with any matters which may arise and which are not specifically covered by the Rules of the Association or these By-laws.
- (c) These By-laws shall be made freely available online and in print at the Registered Office of the Association, and all affiliated Parties and Players, Officials, Umpires, Coaches, Managers and other Participants are deemed to be bound by their provisions.

#### (d) Definitions

These definitions are in addition to the definitions given in the Rules of the Association

- i. **“the Association”** or **“OHA”** means the Otago Hockey Association (1990) Inc.
- ii. **“the General Manager”** means the person employed from time to time by the Association with overall responsibility for managing the day to day operations of the Association.
- iii. **“the Competitions Manager”** means the person employed from time to time by the Association with responsibility for managing the Association’s competitions.
- iv. **“the Administrator”** means the person employed from time to time by the Association with responsibility for accounts and administration.
- v. **“OHA Staff”** means a person employed by the Association, and who is working at that time.
- vi. **“Player”** means a person who takes the field in any match organised by the Association, whose name appears on any match card, or who registers or is registered for a team taking part in any Association competition.
- vii. **“Party”** means a Club, School, Sub-Association Organisation or Team affiliated to the Association or entered in an Association competition, but does not mean an individual player or person.
- viii. **“Unfinancial Player”** has the meaning given to it in section 9(f) of these By-laws.
- ix. **“Financial Player”** has the meaning given to it in section 9(f) of these By-laws.
- x. **“Financially Suspended”** has the meaning given to it in section 9(l).
- xi. **“in writing”** means by letter, fax or email, but **not** a SMS or instant message.

### 2) COMMITTEES

- (a) For the better management of the affairs of the Association, the Board shall establish the following Committees:
  - i. **Appointments Committee**
    - (I) Which shall be chaired by the General Manager;
    - (II) May also contain the Competitions Manager, the Coaching Manager and the Southern Community Hockey Manager;
    - (III) Shall have responsibility for appointing the members of Match Committee and Umpires’ Committee; and
    - (IV) May remove a person from Match Committee or Umpires’ Committee at any time for behaviour it deems unacceptable.

**ii. Match Committee**

- (I) Which shall be chaired by the Competitions Manager, or the Appointment Committee's nominee; and
- (II) Shall deal with decisions required and requests made under the rules published in the Club Handbook

**iii. Umpires' Committee**

- (I) Which shall be chaired by the Appointment Committee's nominee;
- (II) Shall manage the appointment of umpires to all Association competitions; and
- (III) Shall advise the Board on umpiring and technical matters.

**iv. Judicial Committee**

- (I) Which shall be appointed by the General Manager in accordance with the Otago Hockey Association Code of Conduct 2015; and
- (II) Shall determine all Complaints or Protests in accordance with the Rules of the Association, the Otago Hockey Association Code of Conduct 2015, and these By-laws.

- (b) These Committees shall follow the Rules of the Association, these By-laws, and the policies determined by the Board.
- (c) The Board may, from time to time, establish additional Committees, as it deems necessary.

**3) CLUB COMPETITION**

**(a) The By-laws in this Section apply only to the Association's Club Competition.**

**(b) Club Officers**

- i. Each club must have a President, Secretary, and Treasurer and must provide contact details for these persons to the General Manager.
- ii. Each club must nominate a Match Committee delegate to the Appointments Committee. The delegate shall make themselves available for Match Committee meetings and shall complete assigned Match Committee duties.
- iii. Failure to nominate a Match Committee delegate, or failure to complete assigned duties shall result in the club concerned being ineligible to speak or vote at Match Committee meetings, Club Delegates meetings, and Season Debrief meetings.

**(c) Competition Handbook**

- i. Each year the General Manager shall publish, and make available on the OHA website, a Club Handbook which shall provide:
  - (I) The definitive rules and regulations for registrations, entries, and uniforms for club teams and players;
  - (II) The structure and dates for the Club Competition for that season;
  - (I) The definitive rules and regulations for deciding when and how matches should be abandoned or deferred, and how or when they are to be decided or rescheduled;
  - (II) A schedule of fees and levies that Clubs will be required to pay to compete in the Club Competition and due dates for these fees;
  - (III) A schedule of turf hire fees.

**(d) Divisions & Gender**

- i. Club Competition divisions shall be organised on a single gender basis.
- ii. Male and female divisions shall be treated equally by the Association.
- iii. Individuals shall be allowed to compete as their chosen gender.

- iv. An individual competing at an elite level may be apply to the Board for dispensation to play in a competition of the opposite gender.
- v. Such a competition must be at a higher standard than would normally be available to that person.
- vi. Written applications should be in the hands of the Board at least 14 full days prior to the commencement of that competition.
- vii. Consideration must be given to any Harassment Policy of the Association or Hockey New Zealand.

**(e) Player Registrations & Transfers**

- i. Players must register for a club in the format required in the Club Handbook.
- ii. A player does not register for any club in the form required, but takes the field in a match organised by the Association, by their conduct accepts to be bound by these By-laws and the rules in the Club Handbook.
- iii. A player who wishes to play for a club different to the club they have previously been registered with must complete the transfer provisions required by the Club Handbook.
- iv. An Officer of a Club may apply to deregister or regrade players in accordance with the provisions in the Club Handbook.
- v. An Officer of a Club may declare that any player as an Unfinancial Player by following the procedures set out in section 9(h) of these By-laws.
- vi. Failure to comply with the provisions in the Club Handbook for registering, transferring, regrading and deregistering players will cause the team and club involved to be liable for any penalties provided for in the Club Handbook, including warnings, defaults, fines and loss of competition points.

**(f) TOAST Cup**

- i. TOAST Cup is a preseason tournament for club teams and other teams invited by the Competitions Manager.
- ii. The application of the rules and regulations of the regular Club Competition in the Club Handbook are at the discretion of the Competitions Manager.
- iii. The Otago Hockey Association Code of Conduct 2015 shall apply to TOAST Cup. Penalty points accrued during TOAST Cup shall continue into the regular Club Competition season.

**4) SECONDARY COMPETITION**

**(a) The By-laws in this Section apply only to the Association's Secondary Competition.**

**(b) Entry**

- i. Only teams made up of players from Secondary School pupils may participate in the Secondary Competition.
- ii. Each Secondary School entering a Secondary Competition must have a designated Contact Person, and must provide contact details for these persons to the General Manager.

**(c) Competition Handbook**

- i. Each year the General Manager shall publish, and make available on the OHA website, a Secondary Handbook which shall provide:
  - (I) The definitive rules and regulations for registrations, entries, and uniforms for Secondary teams and players;
  - (II) The structure and dates for the Secondary Competition for that season;
  - (I) The definitive rules and regulations for deciding when and how matches should be abandoned or deferred, and how or when they are to be decided or rescheduled;

- (II) A schedule of fees and levies that Secondary Schools will be required to pay to compete in the Secondary Competition and due dates for these fees;
- (III) A schedule of turf hire fees.

**(d) Divisions & Gender**

- i. Secondary Competition divisions shall be organised by the Competitions Manager.
- ii. Male and female divisions shall be treated equally by the Association.
- iii. Teams and Divisions may be of mixed genders at the discretion of the Competitions Manager.
- iv. Individuals shall be allowed to compete as their chosen gender.

**(e) Player Registrations & Transfers**

- i. Players must register for a Secondary team in the format required in the Secondary Handbook.
- ii. A player does not register for any Secondary School in the form required, but takes the field in a match organised by the Association, by their conduct accepts to be bound by these By-laws and the rules in the Secondary Handbook.
- iii. The rules and regulations regarding eligibility for Secondary teams, transferring, deregistering or regrading Secondary players are set out in the Secondary Handbook.
- iv. A school Contact Person or Principal may declare that any player as an Unfinancial Player by following the procedures set out in section 9(h) of these By-laws.
- v. Failure to comply with the provisions in the Secondary Handbook for registering, transferring, regrading and deregistering players will cause the team and Secondary School involved to be liable for any penalties provided for in the Club Handbook, including warnings, defaults, fines and loss of competition points.

## **5) JUNIOR COMPETITION**

**(a) The By-laws in this Section apply only to the Association's Junior Competition.**

**(b) Entry**

- i. Only teams made up of players from Primary and Intermediate School pupils may participate in the Junior Competition.
- ii. Each School entering a Junior Competition must have a designated contact person, and must provide contact details for these persons to the General Manager.

**(c) Competition Handbook**

- i. Each year the General Manager shall publish, and make available on the OHA website, a Junior Handbook which shall provide:
  - (I) The definitive rules and regulations for registrations, entries, and uniforms for Junior teams and players;
  - (II) The structure, venues and dates for the Junior Competition for that season;
  - (I) The definitive rules and regulations for deciding when and how matches should be abandoned or deferred, and how or when they are to be decided or rescheduled;
  - (II) A schedule of fees and levies that Schools will be required to pay to compete in the Junior Competition and due dates for these fees;
  - (III) A schedule of turf hire fees.

**(d) Divisions & Gender**

- i. Junior Competition divisions shall be organised by the Competitions Manager.
- ii. Teams and Divisions may be of mixed gender.

**(e) Player Registrations**

- i. Players must register for a Junior team in the format required in the Junior Handbook.
- ii. A player does not register for any Junior team in the form required, but takes the field in a match organised by the Association, by their conduct accepts to be bound by these By-laws and the rules in the Junior Handbook.
- iii. The rules and regulations regarding eligibility for Junior teams, transferring, deregistering or regrading Junior players are set out in the Junior Handbook.
- iv. A school Contact Person or Principal may declare that any player as an Unfinancial Player by following the procedures set out in section 9(h) of these By-laws.
- v. Failure to comply with the provisions in the Junior Handbook for registering, transferring, regrading and deregistering players will cause the team and School involved to be liable for any penalties provided for in the Junior Handbook, including warnings, defaults, fines and loss of competition points.

**6) ADDITIONAL COMPETITIONS**

**(a) The By-laws in this Section apply to Competitions organised from time to time by the Association not covered by the Sections above.**

- (b) From time to time the Association may organise Additional Competitions not covered by the above sections. These competitions may be of a purely recreational nature, and may be activities or sports other than hockey.
- (c) These By-laws authorise the Board, General Manger, Competitions Manager or an additional Committee appointed by the Board to organise competitions other than those dealt with in the Sections above.
  - i. The General Manager shall publish rules and fees for any such competition prior to the calling for registrations for the competition.
  - ii. Parties and Players who register for any Additional Competition, or who takes the field in a match organised by the Association, by their conduct accepts to be bound by these By-laws and the rules rules published by the General Manager.
  - iii. Parties entered in an Additional Competition may be penalised for failing to comply with these By-laws or the Additional Competition rules.
  - iv. Parties entered in an Additional Competition may be Financially Suspended for failing to comply with these By-laws or the Additional Competition rules.
  - v. The Protests & Misconduct By-laws in Section 8 of these By-laws apply to Additional Competitions when stated in the Additional Competition rules.
  - vi. The General Manager is empowered to adapt or create a Code of Conduct or disciplinary system specific to an Additional Competition, provided that the Code or system is published prior to the competition beginning, and upholds the requirements of natural justice.

**7) PENALTIES**

- (a) The Competitions Manager and Match Committee are authorised by these By-laws to penalise a Party for failing to follow these By-laws, and/or the rules and regulations in the Club Handbook, Secondary Handbook, Junior Handbook or Additional Competition rules.
- (b) The Competitions Manager or Match Committee may only penalise a Party when these By-laws, the Club Handbook, Secondary Handbook, Junior Handbook or Additional Competition rules specifically states that a Party may be penalised for breaching that rule, and they may only penalise the Party to the extent stated in the rule.
- (c) Penalties may be:
  - i. A fine of up to \$100.00 per infringement; or
  - ii. Deeming a match to have been defaulted 5-0; or

- iii. Deduction of up to 3 competition points per infringement; or
  - iv. Any combination of the above penalties.
- (d) Penalties shall be applied fairly, with alike cases being treated alike, and with the seriousness and repeated offending being taken into account.
  - (e) The Competitions Manager or Match Committee shall inform a Party of the penalty and the reason for the penalty in writing (the "Penalty Notice").
  - (f) Parties shall pay all fines imposed by Match Committee or the Competitions Manager to the Administrator in accordance with the instructions and due date on the invoice.
  - (g) A Party failing to pay any fine by the due date on the invoice may be Financially Suspended by the General Manager.
  - (h) A Party disagreeing with any fine imposed by the Competitions Manager or Match Committee under these By-laws or the Club Handbook may appeal that fine to the Judicial Committee as if it were a Protest under the Otago Hockey Association Code of Conduct 2015. The appeal must be lodged the General Manager within 7 days of the receipt of the Penalty Notice.

## 8) PROTESTS & MISCONDUCT

- (a) This Association has adopted the Otago Hockey Association Code of Conduct 2014.
- (b) In the event of a red card being awarded or the accumulation of 12 penalty points by a player, the Competition Manager shall follow the Protest procedures set out for in the Otago Hockey Association Code of Conduct 2014.
- (c) In the event of a team protesting the outcome of a match, or the awarding of a red card or accumulation of penalty points the captain shall write 'Under Protest' on the match card, and the team shall follow the Protest procedures set out for in the Otago Hockey Association Code of Conduct 2014.
- (d) Any person may make a complaint of Misconduct against any other person by following the procedures set out for in the Otago Hockey Association Code of Conduct 2014.
- (e) No manager, coach or any other person connected with a team shall inappropriately instruct, coach or incite during the progress of any Association organised match or any Representative match. The umpires shall be invested with full power to suspend play until such time as they think that the interjecting has stopped.
- (f) The General Manager, the Competitions Manager, the Coaching Manager, the Southern Community Hockey Manager, any Board Member, any member of OHA Staff and the umpires of any match in progress are empowered to require that any person leave the McMillan Hockey Centre immediately.

## 9) FINANCIAL

- (a) The Board has full power and discretion to:
  - i. Set fees and levies for taking part in the Association's competitions, taking part in the Association's teams and using the Association's facilities; and
  - ii. Collect affiliation fees and levies on behalf of TOAST, Southern Hockey or Hockey New Zealand.
- (b) The amount of fees due to the Association or levied on behalf of TOAST, Southern Hockey or Hockey New Zealand, shall be sent to Parties in writing.
- (c) Fees and levies are to be paid to the Administrator in accordance with the information in the applicable competition Handbook, and by the due date on any invoice.
- (d) Any Party whose liability remains unpaid after the due date, may be Financially Suspended by the General Manager until such liability is paid.
- (e) Only Association Representative Teams attending Premier level National Tournaments may be subsidised by the Association.

**(f) Unfinancial Players**

An **Unfinancial Player** means a person who has been declared unfinancial by Hockey New Zealand, or any region, association, club or school within New Zealand for wrongful retention of property or non-payment of any required fee. That person cannot take part in any hockey activity in New Zealand until the unfinancial status is withdrawn, and the person is therefore redefined as a “**Financial Player**”.

**(g) Association Declaring an Unfinancial Player**

The General Manager may declare any person who has overdue money owing to the Association (including but not limited to fees for subscriptions, tournaments or coaching), or wrongfully retains property belonging to the Association, to be an **Unfinancial Player**.

- i. The General Manager shall promptly send written notice to the person declared to be an Unfinancial Player stating the amount of money owed or property retained and the date the money or property was due.
- ii. The General Manager shall promptly send written notice to Hockey New Zealand, Southern Hockey, Clubs, Sub-Associations and any relevant schools declaring the person to be an Unfinancial Player.

**(h) Party Declaring an Unfinancial Player**

Upon receipt of a written declaration from a Party that a person has overdue money owing to them, or has wrongfully retained property belonging to them, the General Manager shall declare that person to be an **Unfinancial Player**.

- i. The written declaration shall include the person’s full name, the amount of money owed or property retained and the date the money or property was due.
- ii. The General Manager shall promptly send written notice to the person declared to be an Unfinancial Player stating the name of the Party that has declared them to be an Unfinancial Player, the amount of money owed or property retained and the date the money or property was due.
- iii. The General Manager shall promptly send written notice to Hockey New Zealand, Southern Hockey, Clubs, Sub-Associations and any relevant schools declaring the person to be an Unfinancial Player.

**(i) Disputing Unfinancial Player Status**

Any person who believes they have been wrongly declared an Unfinancial Player may:

- i. In the first instance contact the Party who has declared them an Unfinancial Player, or in the case of the Association, may contact the General Manager, and
- ii. If unable to resolve the dispute may apply to the Disputes Tribunal of New Zealand, whose decision will be obeyed by the Association, the Party and the Unfinancial Player.
- iii. Failure to obey a decision of the Disputes Tribunal may result in:
  - (I) A person continuing to be deemed an Unfinancial Player.
  - (II) A Party being Financially Suspended.

**(j) Declaring a Financial Player**

Upon payment of the required money, the return of the retained property, or a Disputes Tribunal decision stating that the Unfinancial Player is not liable:

- i. the Party shall promptly inform the General Manager in writing that the person is now a **Financial Player**;
- ii. The General Manager shall promptly send written notice to the person, Hockey New Zealand, Southern Hockey, Clubs, Sub-Associations and any relevant schools declaring the person to be a Financial Player.

**(k) To ensure prudent financial management, the Board shall have the power to demand from any Club or Sub-Association;**

- i. Account Books;
- ii. Bank Statements;
- iii. Players lists, and

- iv. Other books and financial documents deemed relevant.
- v. Failure to promptly deliver up any documents demanded in accordance with this clause may result in the Club or Sub-Association being Financially Suspended by the Board.

**(I) Financial Suspension**

The Board or General Manager may Financially Suspend a Party for failure to comply with these By-laws

- i. The Board or General Manager may only Financially Suspend a Party when a By-law specifically states that a Party may be Financially Suspended for breaching that By-law.
- ii. The General Manager shall promptly send written notice to the Party declared to be an Financially Suspended stating the amount of money owed or reason for the Financial Suspension, and the consequences of the Financial Suspension.
- iii. The possible consequences of a Party being Financially Suspended are:
  - (I) Being ineligible to accumulate competition points; or
  - (II) Being ineligible for finals; or
  - (III)** Being withdrawn from the competition; or
  - (IV) Being ineligible to vote or speak at any meeting; or
  - (V) Any combination of the above possible consequences
- iv. Nothing prevents the addition or substitution of alternative consequences at a later date
- v. The use of these consequences do not prevent the Association from undertaking debt collection actions or seeking legal redress.

**10) REPRESENTATIVE**

- (a) The Otago representative uniform shall be set from time to time by the Board in a Uniforms Policy.
- (b) Any player or team official failing to return a representative uniform by a specified date, or to return it in the same condition as it was issued, will be liable to pay the replacement cost of all, or part of the uniform affected, or be declared an Unfinancial Player.
- (c) No player will be eligible to play in a Representative team unless they fulfil the requirements of the Representative Policy.
- (d) All players selected to represent the Association at New Zealand tournaments must report at tournament medically fit, otherwise any tournament cost subsidised by the Association must be reimbursed.
- (e) All players must abide by the Hockey New Zealand Anti-Doping Policy, the Hockey New Zealand Code of Conduct and any such policies as defined in the Hockey New Zealand Tournament Manual.
- (f) Once tournament accommodation and travel are booked by the Administrator, all team members, including managers & coaches are required to travel and stay together, with all team members sharing the cost. Any variation of this will arrangement requires approval from the Administrator, and any additional costs will be passed onto the player.
- (g) No alcohol is to be consumed by Otago representative players during or travelling to or from tournament:
  - i. By those under the legal drinking age;
  - ii. By players in an Under 18 representative age-group team or below; or
  - iii. While travelling in any public transport, including any hired private transport.
- (h) All coaching and management appointments for representative teams terminate following completion of the representative programme duties and for that season.