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**THE INTERNATIONAL POLOCROSSE  
COUNCIL CONSTITUTION**

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# THE INTERNATIONAL POLOCROSSE COUNCIL CONSTITUTION

AS AMENDED 17 AUGUST 2007

## PREAMBLE

This is the constitution of the International Polocrosse Council. The International Polocrosse Council shall be constituted of affiliated National Associations who have all their Members registered with their respective National Associations.

Wherever appearing in the Constitution, Objects, Rules or By-laws the following shall mean:

"**Amateur**" means a person who does not receive any money for playing polocrosse.

"**Club**" means an Amateur polocrosse club.

"**Committee**" means the management committee of the Council as provided for in **clause 12**.

"**Council**" means the International Polocrosse Council.

"**Delegates**" means a representative of a National Association that sits on the Council under clause 4.

"**Executive Committee**" means the President, the Vice-Presidents, Secretary and the Treasurer of the Council.

"**Financial Year**" means the financial year of the Council, being 1 January in each year to 31 December in the same year.

"**Member**" means a National Association, Club and any financial playing or non-playing member of a National Association or Club.

"**National Association**" means affiliated Amateur national Polocrosse association within the meaning of the Constitution.

"**Rules**" means International Polocrosse Playing Rules.

"**Secretary**" means the Secretary of the Council.

Words of the masculine gender mean and include the feminine gender and vice versa.

## 1. OBJECTS

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The Council is established to:

- 1.1 promote the formation of National Associations who shall control all polocrosse affairs within their respective countries;
- 1.2 promote, to teach, to stimulate, to encourage and further the interests of the game of Polocrosse throughout the world;
- 1.3 standardise the mode of play by drawing up a set of Rules;
- 1.4 encourage the application of the Rules and seek a common interpretation of these Rules throughout the world;

- 1.5 deal with all matters which concern the betterment and improvement of the game of Polocrosse throughout the world;
- 1.6 appoint a management committee for the purpose of conducting and controlling the affairs of the Council;
- 1.7 adjudicate upon any dispute referred to it arising between or amongst affiliated National Associations;
- 1.8 suspend or disqualify permanently or during the pleasure of the Council any National Association after it has been proved to the Council that the said National Association has been found guilty of conduct prejudicial to the game of Polocrosse;
- 1.9 hire, purchase, lease, exchange or otherwise acquire any real or personal property and any rights or privileges which the Council may think necessary or desirable for any of the purposes of the Council, and in particular, any land, buildings, easements or plant;
- 1.10 apply the income and property of the Council, wheresoever derived, solely towards the promotion of the objects of the Council as set forth in this Constitution;
- 1.11 undertake and do all things or activities which are necessary, incidental or conducive to the advancement of these objects.

## **2. POWERS**

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The Council shall have the capacity and power to act solely for furthering the objects in **clause 1**.

## **MEMBERSHIP**

### **3. MEMBERS**

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The Members shall abide by the constitution, objects, rules and by-laws of the Council.

### **4. NATIONAL ASSOCIATIONS**

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- 4.1 The Council shall recognise a National Association of a country that is established by more than three Clubs in such country. The National Association shall function for the control of all matters concerning Polocrosse in its country.
- 4.2 Subject to **clause 3**, the National Association shall affiliate with the Council and its constitution, objects, rules and by-laws shall not be inconsistent with the constitution, objects, rules and by-laws of the Council.
- 4.3 On the formation and affiliation of a National Association, all Clubs within that country shall be responsible for the payment of the prescribed affiliation fees to the said National Association and shall deal with the Council only through their National Association.
- 4.4 Each National Association shall forward at the beginning of each Financial Year a full list of its affiliated associations and Clubs to the Secretary and these lists shall be updated upon request.
- 4.5 A National Association shall forthwith forward to the Council a copy of any amendment made to its constitution, objects, rules or by-laws.

### **5. CONDITIONS FOR AFFILIATION**

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Applications from a National Association for affiliation with the Council shall be made in writing to the Secretary and shall be accompanied by a:

- (a) copy of the constitution of the National Association seeking affiliation;
- (b) copy of the rules of the game of the National Association seeking affiliation;
- (c) list of the National Association's office bearers and officials; and
- (d) certified statement as to the numbers of playing members and registered Clubs as at the date of application.

### **6. HONORARY LIFE MEMBERSHIP**

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The Committee at a meeting of the Council may confer honorary life Membership on a person or organisation who in the opinion of the Committee has made a significant contribution to the ideals and objects of the Council. Any person or organisation so elected may attend meetings of the Council but shall have no voting rights.

### **7. ASSOCIATE MEMBERS**

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- 7.1 The Committee shall have the power to grant Associate Membership to an organisation which in the opinion of the Committee has similar aims and objects for promoting horses and horse-sports.

7.2 One representative from any organisation granted Associate Membership may attend meetings of the Council but shall not take part in the business of the meeting without the permission of the Committee. They shall not be entitled to vote on any matter.

7.3 The Committee shall determine Associate Members' fees annually.

## **8. AFFILIATION FEES**

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8.1 All affiliation fees shall be payable in advance and shall be provided to the Secretary on or before the end of the Financial Year of the preceding year.

8.2 The affiliation fee to be paid to the Council shall be re-assessed by the Council or Executive Committee every two years.

## **9. DISCIPLINE**

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Where the Council considers that a Member has allegedly:

- (a) breached, failed, refused or neglected to comply with a provision of this constitution or any other by-law, rule or determination of the Council;
- (b) acted in a manner unbecoming of a Member or prejudicial to the objects and interests of the Council and/or Polocrosse; or
- (c) brought the Council or Polocrosse into disrepute;

the Council may commence or cause to be commenced disciplinary proceedings against that Member and that Member will be subject to, and submits unreservedly to the jurisdiction, procedures, penalties and appeal mechanisms (if any) of the Council set out in the By-Laws. For the avoidance of doubt, the Council shall have the power to disqualify or suspend any Member.

## **10. EXPULSION**

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Any affiliated National Association or Club participating in any Polocrosse activities with an unaffiliated Polocrosse club or National Association shall be liable to expulsion, unless participation is permitted by the Council or relevant National Association.

## **11. RIGHT OF APPEAL**

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Any Member disqualified, suspended, fined, expelled or otherwise disciplined under this Constitution may appeal to the Council against such decision. Procedures and penalties for such appeal process (if any) shall be set out in the By-Laws however the following minimum conditions must be met:

- (a) written notice of such appeal, stating the grounds and nature of the evidence to be furnished shall be given by the appellant Member to the Secretary within sixty days of the sanction;
- (b) on receipt of such notice, the Secretary shall forthwith notify the Council and any other bodies concerned; and
- (c) an appeal under this clause may come only from the Member that has been sanctioned.

**MANAGEMENT**

**12. COMMITTEE**

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- 12.1 The affairs of the Council shall be administered by the Committee consisting of three (3) Delegates for each National Association.
- 12.2 The Delegates shall be appointed by their National Associations from amongst members of its affiliated Clubs.
- 12.3 The Delegates appointed prior to a meeting of the Council and shall hold office from that next meeting of the Council until the meeting of the Council following unless removed under **clause 6** of this Constitution or the Secretary is otherwise advised by the relevant National Association.
- 12.4 Each National Association shall advise the Secretary not later than 60 days prior to each Council meeting of the address and particulars of membership of its Delegates for the ensuing period of the Council.

**13. OFFICE BEARERS**

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13.1 The general management of the Council shall be in the hands of the Executive Committee comprising the President, the Vice Presidents, the Secretary and the Treasurer, subject to the direction of the Committee.

13.2 Every 4 years the Committee shall elect the following office bearers.

- (a) President
- (b) Secretary }
- (c) Treasurer }.....or
- (d) Secretary/Treasurer
- (e) Chief Umpire

60 Days prior to the Council meeting the Secretary shall call for nominations for the above posts.

The nomination in writing, together with the written consent of the nominee, must be received by the Secretary no later than the time and date specified in the notice calling the nominations (APPENDIX 1).

If there is only (1) nomination for any of the Executive Offices positions, such person shall be declared to have been duly elected to such office. If there are more than one (1) nomination received for any of the positions of office the elections shall be conducted by secret ballot under ordinary preferential voting.

In the event of no prior nominations being received for a post, nominations can be taken from the floor for that post.

No person can be elected to more than one position. The positions shall be held for a period of 4 years. Office bearers may be elected for a second period of 4 years but any one person shall not stand for the same position beyond a continuous period of 8 years. A person having served a term as office bearer may only stand again for that same position after an interval of 4 years.

- 13.3 The National Association of the President shall be entitled to appoint a further Delegate to retain their voting representation.
- 13.4 Each National Association shall nominate to the Secretary 60 days prior to the meeting one of their Delegates to be a Vice President and so be a member of the Executive Committee, also indicating willingness to be nominated as Senior Vice President.
- 13.5 The Executive Committee shall elect one of the nominated Vice Presidents to be Senior Vice President who would officiate in the absence of the President. The position shall be held for a period of 4 years.
- 13.6 The Committee shall appoint an Auditor.

#### **14. PRESIDENT**

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- 14.1 The President shall preside at all meetings of the Council and sign all duly authorised warrants relating to the expenditure of the funds of the Council.
- 14.2 The President shall chair all meetings of the Council, Committee and the Executive Committee but he shall have the right of a casting vote only.

#### **15. SECRETARY**

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- 15.1 The address of the Secretary shall be the registered office of the Council.
- 15.2 The Secretary shall:
- (a) attend to all correspondence on behalf of the Council;
  - (b) prepare and furnish to the Committee such returns as may be required;
  - (c) keep all such books and registers in such form as may be prescribed by the Committee;
  - (d) keep a:
    - minute book;
    - petty cash book; and
    - register of Members which provides a system to record the particulars of all affiliated bodies and members of affiliated bodies together with such fees as may be payable by such National Association, Club or Member.
  - (e) discharge all such other duties and services as may be assigned to him by the Committee.
- 15.3 All correspondence received by any Officer on behalf of the Council shall be forwarded to the Secretary who shall table such correspondence so that it may be dealt with by the Committee. Such correspondence shall not be discussed with affiliated bodies or their members prior to being tabled.

**16. TREASURER**

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16.1 The Treasurer shall:

- (a) keep the accounts of the Council;
- (b) receive and issue proper receipts for all moneys due to or received by the Council and deposit such moneys to its credit at such bank as the Committee shall direct;
- (c) be prepared, at each Council meeting, to submit a statement of receipts and payments for the preceding period, accompanied by a list of accounts rendered to him up to and including the day of the meeting.

16.2 When audited, the Treasurer shall present or forward such documents to the Committee as soon as is practicable after the close of each Financial Year.

**17. COMMITTEE VACANCY**

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17.1 The seat of a Delegate shall automatically be declared vacant:

- (a) if he absents himself from two consecutive meetings either personally or by proxy without satisfactory explanation to the Committee;
- (b) if he resigns by notice in writing;
- (c) by death or becoming of unsound mind;
- (d) if he or his National Association becomes unfinancial;
- (e) if he brings discredit on the Council by his action;
- (f) if the National Association he represents ceases to be affiliated.

17.2 In the event of a casual vacancy occurring in the Committee, the National Association of the Delegate shall be forthwith notified in writing of the casual vacancy and shall be empowered to fill such casual vacancy. The Delegate appointed to fill such vacancy shall hold office until the next meeting of the Council following such appointment.

**18. SUB-COMMITTEES**

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18.1 The Committee shall have the power to appoint sub-committees to investigate and report on any matters that it deems necessary.

18.2 Each sub-committee shall not act so as to carry any of their decisions into effect unless specially authorised by the Committee to do so. Each sub-committee shall in every case make a written report to the Council on the matters referred to it for determination and each report shall be examined by the Committee before any finality is reached.

18.3 The Committee may by instrument in writing revoke wholly or in part any delegation made under this clause and may amend, repeal or veto any decision made by such sub-committee under this clause where such decision is contrary to this constitution, the by-laws, the object or the sub-committee's delegation.



## **MEETINGS**

### **19. COUNCIL MEETINGS**

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- 19.1 At any meeting of the Council, seven (7) Delegates shall form a quorum.
- 19.2 At all meetings, the President, and in his absence the Senior Vice President, shall occupy the chair. In the absence of both these officers a Chairman shall be elected.
- 19.3 All motions except those for which special provision is made shall require only a simple majority. A majority of three-fourths (75%) of the members of the Council shall be required to carry out the following motions:
- (a) to amend the Constitution, objects, rules or by-laws;
  - (b) to amend or rescind a resolution of the Council;
  - (c) to disqualify, suspend, expel, fine or otherwise discipline a Member;
  - (d) to reinstate a Member that has been disqualified, suspended or expelled.
- 19.4 Representation by proxy on the Council shall be permissible in the absence of a Delegate. Such proxy shall be nominated by and acceptable to the absentee Delegate. Only one such proxy to be permitted per country. Such proxy shall be a registered Club member of that country.
- 19.5 The Council shall meet at such places and at such times as the Committee may determine provided always that sixty days' notice be given to members of the Council and that the agenda be forwarded with each notice of meeting. There shall be a meeting of the Council at least once every four years for the purpose of conducting the Council's business and the election of officers under **clause 13**.
- 19.6 A meeting of the Council, Committee or the Executive Committee may be held where one or more Delegates is not physically present at the meeting provided that:
- (a) all persons participating in the meeting are able to communicate with each other effectively, simultaneously and instantaneously whether by means of telephone or other form of communication;
  - (b) notice of meeting is provided to all relevant persons in the usual manner;
  - (c) in the event that a failure in communications prevents condition (i) from being satisfied by that number of Delegates that constitutes a quorum, and none of such Delegates are present at the place where the meeting is deemed to be held, then the meeting shall be suspended until condition (i) is satisfied. If such condition is not satisfied within 15 minutes from the interruption the meeting shall be deemed to have terminated;
  - (d) any meeting held where one or more of the Delegates is not physically present shall be deemed to be held at the place specified in the notice of meeting provided a Delegate is there present and if no Delegate is there present the meeting shall be deemed to be held at the place where the chair is located.

- 19.7 The Committee shall cause correct minutes to be kept by the Secretary, in books provided for that purpose, of all Council meetings and business, together with the names of the Delegates present and voting at such meetings.

## **20. SPECIAL MEETINGS**

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Special meetings of the Council may, in addition, be summoned on the requisition stating the reason and signed by seven members of the Council and delivered to the President or Secretary at such dates as will allow sixty clear days' notice to be given.

## **21. BUSINESS AT MEETINGS**

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The business of the meetings shall be conducted as set by the Executive Committee

## **22. NOTICE OF MOTION**

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- 22.1 All notices of motions shall be in writing and sixty days' notice thereof shall be given to the Secretary, except as hereinafter provided. The following motions may be given without notice:
- (a) to elect a Chairman;
  - (b) for adjournment;
  - (c) of amendment;
  - (d) for leave to amend or withdraw a motion of amendment;
  - (e) for vote of thanks;
  - (f) for leave;
  - (g) dealing with business arising from the minutes or arising from any report or recommendation of a delegated body or Sub-Committee; or
  - (h) for suspension of standing orders.
- 22.2 Other than those motions that clause 22.1 specifies can be heard without notice, if due notice of a motion has not been given, it can only be discussed or voted upon with the sanction of three-fourths (75%) of Committee present and voting, but no motions shall be discussed or voted upon that purport to:
- (a) amend the Constitution, objects, rules or by-laws; or
  - (b) rescind or amend a previous resolution of Council.
- 22.3 In the event of a meeting lapsing, the business thereof, or, in the case of an adjournment of a meeting, such business as remains outstanding shall take precedence at the next meeting.
- 22.4 An adjourned meeting of the Council shall not deal with any business that was not on the business paper of the original meeting except as previously provided for.

**23. VOTING POWER**

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Subject to **clause 14.2**, each Delegate shall have only one vote on any one question.

**MISCELLANEOUS****24. AUTHORITY TO INTERPRET**

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The Council shall finally construe and determine any matter relating to the Council, National Association, Club or Member on which the respective Constitution, Objects, Rules or By-laws are silent.

**25. AMENDMENT OF CONSTITUTION**

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- 25.1 Before any amendment to the Constitution, Objects, Rules or By-laws of the Association is made, the Council shall submit the proposed amendment in writing to the affiliated National Associations for their consideration. Such notice shall be given at least sixty days before such amendment is decided by the Council.
- 25.2 Any amendment must be passed by a three-fourths (75%) majority of the Delegates present and entitled to vote at a Council meeting.

**26. ACCOUNTS AND AUDIT**

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- 26.1 There shall be prepared as at the end of each Financial Year, for submission to the Committee, a Balance Sheet together with Statement of Receipts and Payments, and of Income and Expenditure, for such year.
- 26.2 Immediately after the expiration of each Financial Year the Accounts of the Council shall be examined and the correctness of the Balance Sheet, Statement of Receipts and Payments and Statements of Income and Expenditure shall be ascertained and certified by the Auditor appointed by the Committee.
- 26.3 The Auditor shall:
- (a) Have access to and examine all books, papers, deeds, documents and Accounts of the Council; and they may examine any office bearer, officer or servant of the Council in regard to the accounts; obtain from any bank in which the funds of the Council are deposited or invested a written statement from the Banker or Bankers as to the balance of the account or accounts, and satisfy himself as to the number of the banking accounts used by the Council.
  - (b) Furnish to the Committee a written statement that all documents certified are kept and used in accordance with the Rules of the Council, or, if unable to certify, report in what respect they are incorrect.
  - (c) Place before the Committee any suggestions he desires to make concerning the financial affairs of the Council.
  - (d) Indicate to the Committee any improvement desirable to secure more effective control and economical administration.
  - (e) Check the records of all affiliation and registration fees.
  - (f) Report to Committee any inaccuracy, irregularity or breach of any of these Rules relating to the finances of the Council.

- 26.4 The President is authorised on behalf of the Council to sign cheques in conjunction with the Treasurer or Secretary for amounts up to and including AUS\$200.00. All payments above this amount must be passed for payment by the Committee.
- 26.5 All cheques authorised by the President must be confirmed at the next Council meeting.
- 26.6 No portion of any income or property of the Council shall be paid or transferred directly or indirectly by way of a dividend, bonus or otherwise howsoever by way of a profit to a persons or persons who at any time are or have been Members of the Council or to any member of them or any person claiming through any of them, provided that nothing herein contained shall prevent the payment in good faith of remuneration to any servants of the Council or to any member thereof or other person in return for any services actually rendered to the Council nor prevent the payment of interest at a rate not exceeding current bank overdraft rate on money borrowed for any of the purposes of the Council or reasonable or proper rent on premises demised or let to the Council.
- 26.7 The Secretary shall at the end of each Financial Year, in conjunction with the Treasurer, prepare a statement of income and expenditure together with a balance sheet and when audited shall forward a copy of such documents to the Secretary of each National Association.

## **27. CONFLICT OF INTEREST**

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- 27.1 A Delegate shall declare her or his interest in any:
- (a) contractual matter;
  - (b) selection matter;
  - (c) disciplinary matter; or
  - (d) other financial matter;
- in which a conflict of interest arises or may arise, and shall, unless otherwise determined by the Council or Executive Committee (as the case may be), absent herself or himself from discussions of such matter and shall not be entitled to vote in respect of such matter. If the Delegate votes, the vote shall not be counted. In the event of any uncertainty as to whether it is necessary for a Delegate to absent herself or himself from discussions and refrain from voting, the issue should be immediately determined by vote of the Council or Executive Committee, or if this is not possible, the matter shall be adjourned or deferred.
- 27.2 The nature of the interest of such Delegate must be declared by the Delegate at the meeting at which the contract or other matter is first taken into consideration if the interest then exists or in any other case at the first meeting after the acquisition of the interest. If a Delegate becomes interested in a contract or other matter after it is made or entered into the declaration of the interest must be made at the first meeting held after the Delegate becomes so interested.
- 27.3 A general notice that a Delegate is a member of any specified firm or company and is to be regarded as interested in all transactions with that firm or company is sufficient declaration under **clause 27.2** as regards such Delegate and the said transactions. After such general notice it is not necessary for such Delegate to give a special notice relating to any particular transaction with that firm or company.

- 27.4 The Secretary shall ensure that the minutes record any declaration made or any general notice given by a Delegate in accordance with **clauses 29.2 and 29.3**.

**28. BY-LAWS**

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The Committee shall be empowered to make By-laws within the limits of the objects of the Council; provided that such By-laws when made do not conflict with this Constitution. Such By-laws shall be binding on all Members.

**29. DISSOLUTION OF COUNCIL**

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If upon dissolution of the Council there remains after satisfaction of all its debts and liabilities any assets or property the same shall not be paid to or distributed amongst the Members but shall be given or transferred to some body or bodies having objects similar to the Objects in **clause 1** and which prohibits the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Council by this Constitution and which is also not carried on for profit and which is similarly exempt (or entitled to be exempt) from income tax. Such body or bodies to be determined by the Members of the Council at or before the time of dissolution.

**APPENDIX 1**  
**INTERNATIONAL POLOCROSSE COUNCIL**  
**MEETING [ INSERT DATE OF MEETING ]**  
**NOMINATION FORM**

Nomination for President \_\_\_\_\_ (Print full name)

Signature of nominee - .....

Nomination for Secretary \_\_\_\_\_ (Print full name)

Signature of nominee - .....

Nomination for Treasurer \_\_\_\_\_ (Print full name)

Signature of nominee - .....

**OR**

Nomination for Secretary/Treasurer \_\_\_\_\_ (Print full name)

Signature of nominee - .....

Nomination for Chief Umpire \_\_\_\_\_ (Print full name)

Signature of nominee - .....

Nomination for Vice-President \_\_\_\_\_ (Print full name)

Signature of nominee - .....

Willingness to be nominated as Senior Vice President  Yes  No

Endorsement of Member country putting forward the above nomination/s:

\_\_\_\_\_ (Signature of President)

\_\_\_\_\_  
 (Name of member country association)

\_\_\_\_\_  
 (Date)

Please ensure any written nomination your country wishes to make for any position is completed with signature/s and is returned to the Secretary no later than [ **INSERT TIME & DATE** ] to ensure that it is received before the closing date. Details of all nominations will be sent out with the final Agenda to all member countries.

Any incomplete written nominations received after [ **INSERT TIME & DATE** ] will not be accepted.

**POST TO:** [ INSERT NAME & ADDRESS OF SECRETARY ]  
**OR FAX TO:** [ INSERT NAME & FAX NUMBER OF SECRETARY ]  
**OR EMAIL TO:** [ INSERT EMAIL ADDRESS OF SECRETARY ]

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