

**HILLS FOOTBALL LEAGUE INCORPORATED**  
**CONSTITUTION**

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# **HILLS FOOTBALL LEAGUE INCORPORATED** **CONSTITUTION**

## **1. NAME**

The name of the league shall be the '**HILLS FOOTBALL LEAGUE INCORPORATED**'.

## **2. DEFINITIONS**

2.1. In this Constitution unless the context implies differently:-

**'AFL'** means the Australian Football League Incorporated;  
**'Affiliated Leagues Constitution'** means the special Constitution adopted by the SANFL for the purpose of regulating matters involving the control and administration of leagues or associations affiliated with the SANFL;  
**'AGM'** means the Annual General Meeting of the League  
**'Board'** means the Board of Directors of the League;  
**'By-Laws'** means the by-laws made by the Board and ratified by the League as provided for in this Constitution;  
**'Director'** means any member of the Board elected as a Director.  
**'Delegates'** means the President, Secretary, Football Director or an approved proxy.  
**'Football'** means the game known as "Australian Rules Football";  
**'League Officials'** Includes the President, Vice President, Financial Director, Public Officer and Directors of the League;  
**'League meeting'** shall include any Annual General and Special Meeting of the League and any other meeting of the member clubs of the League;  
**'Member Club'** means any club or other group of football players (whether an incorporated associated or not) which has been admitted as a member of the League;  
**'Month'** shall mean a calendar month;  
**'Player' or 'players'** means persons who play football for any member club of the League;  
**'Special General Meeting'** means a special meeting of the League called at any time convened as the result of a request of the Board, the President, or a requisition in writing signed by five (5) or more member clubs  
**'SANFL'** means the South Australian National Football League;  
**'The Act'** refers to the 'Association Incorporations Act 1985'.  
**'The Commission'** refers to the Corporate Affairs Commission;  
**'The League'** means the Hills Football League Incorporated which is constituted by those clubs which form the membership of the League at that time;

### **2.2. Interpretation:**

In the interpretation of these By-Laws, unless the context requires otherwise:

- Words importing the singular shall be deemed to include the plural and vice versa
- Words importing any gender shall be deemed to include the other gender
- Including and similar words are not words of limitation

### 2.3 Rules and Matters not provided for:

In all matters not provided for by these rules, the laws of the Australian Football League, the South Australian National Football League, and the Affiliated Leagues Constitution shall apply.

## 3. OBJECTS

The objects of the League shall be:-

- 3.1. To promote, encourage, foster and advance the Australian national game of football;
- 3.2. To arrange, manage, control and regulate day or night inter-club football competitions; inter-club matches; interstate, inter-association and inter-league football matches and all matters incidental thereto;
- 3.3. To set standards for the playing and conduct of football by member clubs of the League;
- 3.4. To consider and decide on all disputes in which the League or any member of the League shall be interested or concerned directly or indirectly.

## 4. CONTROL

- 4.1 The controlling body and authority of the League shall be the League in general meeting.
  - 4.1.1 A general meeting of the League shall comprise of one representative from each of the member clubs of the League.
  - 4.1.2 That representative shall be the President, Secretary, or Football Director.
- 4.2 The League shall have complete authority to act in any matter permitted by the Constitution.
- 4.3 There shall be a President, Vice President, Financial Director and Public Officer (*the "League Officials"*) who each shall have the powers and duties set out in this constitution.
- 4.4 There shall be a Board of Directors ("the Board"), which shall be responsible for the management of the affairs of the League, but shall be subject to the overall authority of the League.
  - 4.4.1 The Board shall be comprised of the **League Officials**, plus not less than two (2) and not more than six (6) ordinary **Directors**.
  - 4.4.2 The Board shall have the powers and duties as set out in this Constitution, together with any other powers or duties delegated to it by the League.
  - 4.4.3 The Board shall meet at least once per month or more frequently as the Directors may decide

## **5. POWERS**

The League shall, as well as having all the powers conferred by Section 25 of the Act, have the following powers: -

- 5.1.** To purchase, lease, exchange, hire or otherwise acquire and maintain any real or personal property;
- 5.2.** To erect, improve, repair, renovate, demolish and rebuild buildings and other structures on any land owned by the League or which is under its control;
- 5.3.** To sell, exchange, lease, mortgage, hire, dispose of or otherwise deal with all or any part of the real and personal property of the League;
- 5.4.** To borrow or raise money in such a manner as the League considers appropriate with power to issue debentures, grant mortgages, charges or any other form of security over all or any of the real or personal property of the League as security for the repayment of any loan and to redeem any existing or future security
- 5.5.** To invest any surplus funds of the League, not immediately required, in any investments authorised by law for the investment of trust funds or in any real property situated in South Australia;
- 5.6.** To appoint, employ and pay officers and employees and to dismiss or suspend any officer or employee;
- 5.7.** To affiliate the League with the South Australian National Football League (or its successor) or in any other similar organisation and to renew or terminate that affiliation;
- 5.8.** To join, merge or affiliate with any other association or body, having objects similar to those of the League, for the purpose of playing, promoting and organising football matches;
- 5.9.** To make by-laws and rules governing the playing of football in any competition conducted by the League and the general management of the affairs of the League and its member clubs;
- 5.10.** To impose penalties for contravention of the provisions of this constitution or the By-laws and any other rules, regulations or By-laws of any other organisation which have been adopted by the League, or which otherwise apply to the competition conducted by the League;
- 5.11.** To grant loans to member clubs with or without interest and on such other terms as the board considers desirable;
- 5.12.** To perform any other functions which are incidental or conducive to the attainment of its objects;
- 5.13.** To appoint patrons of the League.

## **6. SEAL**

- 6.1.** The persons from time to time holding the positions of President, Vice President, Public Officer and Administration Officer, shall be the seal holders.
- 6.2.** The common seal of the League shall be kept in the custody of the Administration Officer and shall only be affixed to any document pursuant to a resolution of the League.
- 6.3.** The common seal shall not be affixed to any document except in the presence of at least two (2) seal holders who shall both sign any document to which the seal is affixed.

## **7. MEMBERSHIP**

- 7.1.** Membership of the League shall be limited to clubs whose objects are devoted to the playing of football and which comply with any membership criteria imposed by the League.
- 7.2.** The League may admit or reject any application for membership of the League.
- 7.3.** Any eligible club may apply for admission as a member of the League. Such application shall be considered by the Board, which shall then recommend to the League that it accepts or rejects the application.
- 7.4.** All applications for membership shall be made in accordance with the provisions of the By-laws relating to such applications.
- 7.5.** The approval of any application may be conditional, and may be confined to only one or more of the teams nominated by the applicant club.
- 7.6.** The Board shall from time to time determine the application fee to be paid by any applicant club and also the annual membership fee to be paid by all member clubs.
- 7.7.** Any club admitted to membership of the League shall continue as a member club until it is suspended or expelled or that member club withdraws its membership by notice in writing to the Administration Clerk. Any member club shall not give notice of withdrawal after the date set in the Affiliated Leagues Constitution.
- 7.8.** Member clubs wishing to transfer to another League shall lodge a written application to do so with the Administration Officer who shall forward it immediately to the Investigation Committee of the SANFL for consideration by that Committee.
- 7.9.** Any member club which is expelled, withdraws, disbands or for any other reason ceases to be a member shall forfeit all the interest in the assets of the League and shall not be entitled to receive a refund in respect of all or any part of its membership fee or other amounts paid by that member club to the League.
- 7.10.** The League may impose such conditions of entry to membership, as it may from time to time consider appropriate.

- 7.11.** The League requires each club to take out Insurance to a level set by the Hills Football League before being accepted as a competition club for the current year. This is to be finalised by 1<sup>st</sup> January of each year.

## **8. EXPULSION**

Any member club may be expelled from membership of the League if it breaches any provisions of this Constitution or the By-laws.

- 8.1.** The expulsion can only be made by a special meeting of the League called specifically for the purpose.
- 8.2.** The motion for expulsion may only be initiated by one or more directors and written notice of that motion must be handed to the Administration Clerk who shall then convene a general meeting of the League and advise the particular member club of the motion.
- 8.3.** Any motion for expulsion shall be carried only if approved by a majority of two thirds of the member clubs present and voting.
- 8.4.** The member club, which it is proposed to expel, must be given the right to state its case at that meeting prior to any vote being taken.

## **9. BOARD OF DIRECTORS – General Provisions**

- 9.1** The Board may delegate or assign specific tasks or duties to individual directors and in any such case that director shall assume responsibility for that task or duty but subject to the authority of the Board at all times.
- 9.2** Directors of the Board who shall be elected at an AGM of the League and hold office for a term of (2) years. One half of the Directors shall retire at each alternate AGM but any retiring director shall be eligible for re-election.
- 9.3** Directors must not be involved in the management or administration of any member club, nor hold any other position which could generally be seen as a conflict of interest in respect to their position as League Official.
- 9.4** Any Director having a direct or indirect pecuniary interest in a contract or proposed contract with the League, must disclose the nature and extent of that interest as required by the Act and shall not vote with respect to that contract or proposed contract. The League Official / Director must disclose the nature and extent of their interest in the contract at the next AGM of the League.
- 9.5** A person who is an insolvent under administration or is disqualified under the Act, must not, without leave of the Commission, hold a position as Director or League Official, or be in any way (whether directly or indirectly) concerned in or take part in the management of the League.

- 9.6** The position of a Director or League Official shall become vacant if the person holding that position,
- Resigns their position held,
  - Are disqualified by the Act,
  - Is expelled under the Constitution or By-Laws,
  - Is permanently incapacitated by ill health, or is
  - Absent without apology from more than four meetings in a financial year.

## **10 BOARD OF DIRECTORS - Functions, Powers & Duties**

- 10.1** To supervise and manage the conduct of the affairs and operation of the League officials in the performance of their duties;
- 10.2** To control the finances of the League and for such purpose to operate and to authorise the operation of bank accounts by not less than two (2) of its members in each case;
- 10.3** To uphold the provisions of this Constitution, the By-laws and the Rules of Australian Football as adopted by the League and to that point shall have power to report any player, Club official, Club member or spectator, for having infringed against this Constitution and By-Laws, any law of the game of football, or for having acted in an insulting or other manner detrimental to the interests of the game of football;
- 10.4** To call special general meetings of the League;
- 10.5** To make, alter, amend or repeal the By-laws to assist with the general management and conduct of the League's competition and the playing of football and for the regulation of interclub relations and any other matter which the Board considers appropriate provided that it is not inconsistent with this Constitution. Any new or amended By-law must be ratified at the next ensuing general meeting of the League;
- 10.6** To appoint and dismiss coaches, captains, vice-captains, training staff and selection committees of teams appointed to represent the League, and otherwise to have and exercise full control over teams representing the League;
- 10.7** To fill any casual vacancy in the League Officials and the directors which occurs between annual general meetings of the League;
- 10.8** To delegate all or any of its powers to a sub-committee or sub-committees comprised of at least one director together with any other persons appointed by the Board and revoke at its pleasure any such delegation or appointment;
- 10.9** To appoint agents or others to represent the League at any meeting or in any legal or other proceedings;
- 10.10** To appoint a full or part time Administration Clerk or any other employee;
- 10.11** To appoint the members of the Disciplinary Tribunal, the Independent Appeals Tribunal, the Permit Committee, the Umpires Board and Umpires Match Appointment Committee.

- 10.12** To regulate the registration of players, establish qualification and eligibility requirements and set standards for the transfer of players between clubs (whether such clubs are members or not);
- 10.13** To determine protests, disputes and other disagreements affecting member clubs (or their members), to impose fines for the contravention of any provisions of this Constitution or the By-laws;
- 10.14** To fine, suspend, reprimand or censure any member clubs (or their members) or give any order or direction which the Board considers appropriate in the circumstances and which is within its authority;
- 10.15** To set affiliation fees and the time for payment of those fees and any other conditions the Board considers appropriate;
- 10.16** To nominate persons for life membership of the League whether as a result of a suggestion from a member or made by the Board of its own volition;
- 10.17** To prepare prior to each football season a programme of inter-club matches in such form, zones, grades or divisions as the board considers necessary and to set times and places for matches and the conditions of play (including dress);
- 10.18** To consider any matters not provided for in this Constitution and, if necessary to refer such matters to any organisation to which the League is affiliated for their advice;
- 10.19** To recommend the appointment of patrons of the League;
- 10.20** To take any action which may from time to time, seem appropriate in respect of any unfinancial member club. (For this purpose a member club shall be unfinancial if the member club has not paid its affiliation fees, or any other amount which may be payable, by the due date);
- 10.21** To exercise or carry out any other powers and duties which may be delegated to it by the League.

## **11 LEAGUE OFFICIALS**

### **The League Officials shall comprise of the following:**

- 11.1** **President:** The President shall preside over all meetings of the League and the Board. The President shall also represent the League and the Board on all official occasions and whenever it is necessary for the League to be represented. The President may delegate to the Vice President or another Director any of his duties in representing the League.
- 11.2** **Vice President:** The Vice President shall act as a deputy to the President and consequently shall preside at any meeting of the League and the Board in the absence of the President. The Vice President shall also represent the League at any



occasion where the President is unable to attend or which the President, the League or the Board has requested him to attend.

**11.2.1** The President and Vice President of the League shall:

- a) Each hold office for a period of two (2) years, being elected at each alternate annual general meeting of the League and shall also be eligible for re-election at the annual general meeting at which they retire.
- b) Have full voting rights at each Board meeting.
- c) If there is an equality of votes at any Board meeting the President shall have a casting vote in addition to his deliberative vote.

**11.3** **Financial Director:** The Financial Director shall:-

**11.3.1** Assist the Administration Clerk in the oversight of duties as to the management and coordination of monies for the League.

**11.3.2** Authorise the payment of all debts and all other amounts due by the League as presented by the Administration Clerk or which the Board authorises or directs for payment.

**11.3.3** Assist the Administration Clerk to keep proper and correct records of accounts, detailing all amounts received and paid on behalf of the League;

**11.3.4** Assist the Administration Clerk in presenting regular reports to the Board detailing the financial affairs of the League;

**11.3.5** Present an audited financial report for the preceding financial year to each annual general meeting of the League (including a profit and loss statement and balance sheet).

**11.4** **Public Officer:** The Public Officer shall be the person nominated by the League as the person who receives documents and notices served on the League. The Public Officer shall also perform any other duties, which may be assigned by the Board or the League

**11.5** The League Officials may attend every League meeting but shall not have any voting rights at those meetings, except that if there is an equality of votes at any League meeting, the President shall have a casting vote.

**11.6** The League Officials shall be members of the Board and shall have full voting rights at each Board meeting. If there is an equality of votes at any Board meeting the President shall have a casting vote in addition to his deliberative vote.

## **12 ADMINISTRATION**

To assist with the overall administration duties associated with the operation of the League, the following positions will be made available:

**12.1** **Administration Clerk:**

The Administration Clerk shall be appointed by the Board and shall be a full time or part time employee of the League. The Board shall determine the salary of the Administration Clerk.

The duties of the Administration Clerk shall be: -

**12.1.1** To supervise the day to day administration of the League;

- 12.1.2 To advise member clubs of and to attend all meetings of the League and the Board and to prepare minutes of the proceedings of each meeting;
- 12.1.3 To convene special meetings of the League when required;
- 12.1.4 To carry out all directions given by the League or the Board;
- 12.1.5 To prepare, forward and receive all correspondence of the League or the Board;
- 12.1.6 To prepare a report of the Administration Clerk activities during the preceding year and present that report to each annual general meeting of the League;
- 12.1.7 To carry out the clerical and secretarial requirements of the Board under the supervision of the President
- 12.1.8 To comply with any other directions given to the Administration Clerk by the Board.
- 12.1.9 Receive all monies due to or belonging to the League and shall pay that money into the bank account of the League;
- 12.1.10 Pay all debts and all other amounts due by the League, which the Board authorises or directs for payment;
- 12.1.11 Keep proper and correct records of accounts, detailing all amounts received and paid on behalf of the League;
- 12.1.12 Prepare and present regular reports to the Board detailing the financial affairs of the League;

**12.2 Financial Auditor:** The Financial Auditor shall present an audited financial report for the preceding financial year to each annual general meeting of the League (including a profit and loss statement and balance sheet) and perform any other duties, which may be assigned to him by the Board.

12.3 .

### 13 UMPIRES APPOINTMENTS

13.1 The Umpires Appointment Board shall consist of the President, Vice-President, Umpire Director and or the Board of Directors Nominee and 2 members of the Umpires Committee.

13.2 The Umpires Match Appointment Committee shall consist of the Umpires Director, Umpires Coach and 2 Umpire representatives.

### 14 MEETINGS

- 14.1 **The Annual General Meeting** of the League shall, unless otherwise decided by the Board be held in the month of December in each year. Written notice shall be forwarded by the Administration Clerk to the member clubs at least two (2) weeks prior to the AGM. Business to be conducted at the Annual General Meeting shall be:-
- 14.1.1 To receive an annual book of reports from the Administration Clerk.
  - 14.1.2 To receive an audited balance sheet from the Financial Auditor.
  - 14.1.3 To affiliate or disaffiliate with the SANFL or any other body.
  - 14.1.4 To elect a Patron or Patrons.

- 14.1.5 To elect a Board of Directors to consist of President, Vice President, and Directors of which the number shall not be less than two (2) or more than six (6).
- 14.1.6 To elect a Public Officer.
- 14.1.7 To elect a Financial Auditor or Auditors.
- 14.1.8 The consideration of Divisions and Constitution thereof;
- 14.1.9 Age limits for underage competitions;
- 14.1.10 A notice of motion circulated or advertised with the notice of meeting;
- 14.1.11 Matters of reference from the Board of Directors;
- 14.1.12 To elect life members.

**14.2 A Special General Meeting** of the League may be convened by the Administration Clerk as the result of a request of the Board, the President, or a requisition in writing signed by five (5) or more member clubs. Notice of each special meeting shall be posted to each member club at least seven (7) days prior to the date of the meeting and no business other than that specified in the notice shall be transacted at the meeting. Unless otherwise provided all decisions of a special meeting shall be determined by a simple majority vote of the members present and voting.

**14.3 League and Board meetings** - Any meetings of the League or of the Board may be adjourned from time to time and from place to place at the discretion of the President.

## 15 CHAIRPERSON

- 15.1 All meetings of the League and of the Board shall be presided over by the President, or in their absence, by the Vice President.
- 15.2 Should neither be present within ten (10) minutes of the time nominated, a Chairperson shall be elected from the member clubs or Directors present.
- 15.3 Should that Chairperson also be a member representative he shall have a deliberative as well as a casting vote

## 16 QUORUM

- 16.1 A quorum at any meeting of the League shall be two thirds of the member clubs (through their representatives).
- 16.2 A quorum at any meeting of the Board shall be one half, plus one (1), of the Directors.
- 16.3 In the absence of a quorum at any meeting of the League or the Board or if a quorum ceases to be present (for whatever reason), no business shall be transacted and the meeting shall be adjourned to a date to be decided by the President.

## 17 VOTING

Voting at any meeting shall be by show of hands unless a poll shall be conducted by secret ballot. Any dispute over any vote cast shall be decided by the President, whose decision shall be final and binding.

### **17.1 League meetings**

- 17.1.1** Each member club shall have one vote, that vote to be cast only by that club's nominated representative.
- 17.1.2** Any resolution put to a vote shall be carried if approved by a simple majority of clubs representatives present and voting, subject however to the voting requirements of this Constitution in respect of certain special motions.
- 17.1.3** All representatives present must vote on any motions put to them by President, who shall not declare the result of any vote, until all votes have been cast.
- 17.1.4** In the case of an equality of votes, the President shall have a casting vote, but the President shall not have a deliberative vote.

### **17.2 Board Meetings**

- 17.2.1** Each Director shall have one (1) vote;
- 17.2.2** Any resolution put to a vote shall be carried if approved by a simple majority of the Directors present and voting;
- 17.2.3** Any Director who abstains for any reason shall be deemed to have voted in the negative.

## **18 RESCINDED RESOLUTIONS**

A motion to rescind or vary a resolution of the League may be put, subject to the following conditions:-

- 18.1** If the resolution was passed in the current year, then notice of intention to move such rescission or variation must be given at the previous meeting of the League, and such motion shall only be carried if approved by a majority of two thirds of the member clubs present;
- 18.2** If the resolution was passed in any previous year, then notice of intention to move such rescission or variation must be given at the previous meeting of the League, and such motion shall only be carried if approved by a simple majority of the member clubs present.

## **19 LIFE MEMBERS & CERTIFICATES**

The League may on the recommendation of the Board of Directors:-

### **19.1 Appoint Honorary Life Members:**

From those who have rendered distinguished service to the League over a minimum ten (10) year period whether as an official servant or representative (other than a player) commissioner member or other person approved by the Board of Directors. Elections shall be in the same manner as for officials of the League. Not more than two (2) Life Members shall be appointed in any one year. They shall not have the right to vote at all, but may attend any meeting of the General Committee of the League and shall be notified in writing of annual meetings or general meetings.

**19.2 Grant Merit Award Certificates: -**

**19.2.1** To be eligible for a Hills Football League Merit Award a person may not be a current Board Member or Commissioner

**19.2.2** This award is to be for persons such as H.F.L. Trainers, Timekeepers, Selectors, Umpire Observers, Independent Tribunal Members, Permit Committee Members, and Coaches, Junior Directors or any other persons who have given in some other capacity outstanding service to the Hills Football League.

**19.3 Appoint Player Life Membership** to persons who have:

**19.3.1** Played a minimum of twelve (12) years of senior football including a minimum of 250 A Grade matches;

**19.3.2** Played a minimum of five (5) senior matches in the season prior to being granted Life membership.

**19.3.3** A person appointed a Player Life member shall receive a medallion and a season ticket to attend all League matches in the season following being granted Player Life Membership but shall not have any of the other privileges of an Honorary Life Member.

**19.4 Award Umpire Life Membership** to any umpire who has:

**19.4.1** Umpired 200 A Grade games over a 10 year period.

**19.4.2** An umpire appointed Umpire Life Membership shall receive a medallion and a season ticket to attend all League matches in the season following being granted Umpire Life Membership but shall not have any of the other privileges of an Honorary Life Member.

## **20 TRIBUNALS AND COMMITTEES**

**20.1** In order to assist with the administration of the League there shall be the:-

- Independent Appeals Tribunal
- Disciplinary Tribunal
- Permit Committee
- Umpires Board
- Umpires Match Appointment Committee

**20.2** In respect of each of those bodies the Board shall appoint as members of each tribunal, those persons who the Board considers suitable for appointment provided that those persons are not during the period of their appointment, an official of the League or are in any way associated with the management or administration of any member club;

- 20.3** In respect to Tribunals, Committees and the Umpires Board, the following provisions shall apply:-
- 20.3.1** The period of office of each member of those Tribunals, Committees and Umpires Board shall be stipulated by the Board at the time of their appointment, but each member may be re-appointed at the end of that period of office if the Board so decides.
  - 20.3.2** The Board may impose whatever conditions or stipulations on the appointment of any member of any of the Tribunals, Committees or Umpires Board, as it considers necessary.
  - 20.3.3** Each Tribunal, Committee and Umpires Board may decide when and where to meet and determine how its hearings should be conducted.
  - 20.3.4** Each shall exercise the powers and duties and be subject to the provisions set out in the By-laws in respect of the particular Tribunal, Committee or Umpires Board.
  - 20.3.5** The presiding officer of each Tribunal or Committee shall be appointed by the Board from time to time and the Board may also revoke that appointment at any time without giving any reason. The presiding officer shall preside at any hearing but shall have no other authority and shall have a deliberate vote at hearings but no casting vote.

## **21 THE INDEPENDENT APPEALS TRIBUNAL**

The Independent Appeals Tribunal shall be comprised of not less than Six (6) members, any three (3) of whom must be present at any hearing by the Tribunal.

The Tribunal shall:

- 21.1** Hear all appeals made by players against the refusal of any member club to grant that player a clearance.
- 21.2** Hear and determine any dispute between players of member clubs, between players and a member club or between member clubs concerning the registration, eligibility and qualifications of players to play for a member club or in the League competition.
- 21.3** Have the responsibilities set out for bodies such as the Tribunal (provided any such responsibility is not inconsistent with this Constitution) in the Associated Leagues Constitution.

## **22 DISCIPLINARY TRIBUNAL**

- 22.1** Each tribunal hearing of the Disciplinary Tribunal must be presided by at least (3) members.
- 22.2** If the members of the Tribunal disagree then a decision concurred in by two of the members shall prevail.
- 22.3** The Tribunal shall inquire into, hear and adjudicate any charge made in respect of an infringement against the laws and rules of Australian Football, on or adjacent to a

playing arena and committed by any player, club official or member club. That charge may be laid by any person authorised to do so by the Board.

## **23 PERMIT COMMITTEE**

The Permit Committee shall be comprised of at least three (3) persons and shall hear all applications made by players regarding their eligibility to play in finals. Any two or more members shall be present at any hearing; any decision of the Committee must be agreed upon by at least two members.

## **24 DISCIPLINARY PROVISIONS**

- 24.1** Any member club, or any person who is a member of a member club, who fails to abide by any decision of the League, the Board, the Permit Committee or the Independent Appeals Tribunal, may be suspended or fined by the Board.
- 24.2** The Board may also order that member club or person, to perform or refrain from performing certain actions, or impose such other penalty as the Board considers appropriate.
- 24.3** The Board shall have the following powers in respect to discipline:-
- 24.3.1** If considered appropriate, the Board may refer any complaint, protest or report to any of the Independent Appeals Tribunal, Disciplinary Tribunal or the Permit Committee to determine the matter; but in the case of any such referral the ultimate decision shall remain with the Board;
  - 24.3.2** The Board may itself initiate any charge or action against any of the member clubs or their members without there having been any prior complaint or protest to the Board;
- 24.4** Any penalties imposed by the Board shall be determined in accordance with the By-laws;
- 24.5** In respect of any unfinancial member club, the Board may:-
- 24.5.1** Prevent any or all teams fielded by that member club from playing in the League competition;
  - 24.5.2** Fine the member club;
  - 24.5.3** Suspend the member club until it pays the amount due. Any member club owing money to the League shall not vote at or be represented at any League meeting while it remains in default.

## **25 APPEALS AGAINST THE BOARD**

- 25.1** Any member club, which is aggrieved by any decision of the Board relating to any disciplinary matter (but not in respect of any decision of the Board relating to any financial or administrative matter), may appeal in writing to the League to have that decision reviewed.
- 25.2** In the event of notice of any such appeal being received by the Administration Clerk, the notice of appeal shall be placed on the agenda for the next League meeting, or if

no League meeting shall be held within a reasonable period of receipt of that notice, the Administration Clerk shall convene a Special General Meeting of the League. The Special General Meeting of the League shall consider the appeal and may:-

- 25.2.1** Dismiss the appeal;
- 25.2.2** Amend or revoke the Board's decision; or
- 25.2.3** Require the Board to reconsider the subject matter of the original decision.
- 25.2.4** The decision of the League shall be final and binding.

## **26 HEARING PROCEDURE**

- 26.1** The League, The Board, The Independent Appeals Tribunal and The Disciplinary Tribunal shall all have power to summon any persons, who are members of any member club or who are otherwise connected with the League, to give evidence in respect of any matter being heard by them. Any such person who refuses, without good reason, to give evidence shall be deemed to have contravened this Constitution and shall be dealt with accordingly.
- 26.2** The rules of evidence shall not apply to any such hearing.
- 26.3** The procedure to be followed at any hearing conducted by the Independent Appeal Tribunal, the Permit Committee or any hearing of any disciplinary appeal matter by the Board or the League shall be as follows:-
  - 26.3.1** Any member club or other person charged with any contravention of this Constitution, the By-laws or any other relevant rule, or against whom a complaint is made, shall be given at least seven (7) days written notice of the date of the hearing.
  - 26.3.2** That member club or person shall be entitled to attend the hearing at which the charge or complaint is heard and must be given an adequate opportunity to answer the charge or complaint and to put his case and any other relevant information before the hearing.
  - 26.3.3** Any member club or person appearing before a hearing may be represented or assisted by an adviser who may be a friend or a member or official of a member club. No such member club or person shall be represented or assisted by a legal practitioner at any hearing.
  - 26.3.4** The Tribunal, Committee, League or Board hearing the matter must give full consideration to any matters put to the hearing by the member club or person before making any decision.
  - 26.3.5** The member club or person shall be notified in writing of any decision made as a result of the hearing.
- 26.4** At any hearing of the League, the Board, the Permit Committee or the Independent Appeal Tribunal which is held to determine any dispute between member clubs or between member clubs and their members, or a hearing to determine the interpretation of any rule or to resolve the problem arising in respect of football generally, the procedure shall be: -
  - 26.4.1** If the matter involves a dispute then each of the disputing parties must be given at least seven (7) days written notice of the date of the hearing.
  - 26.4.2** Each of the disputing parties must be given an adequate opportunity to address the hearing and present any relevant information.



**26.4.3** The relevant Tribunal, Committee, the League or Board must then give full consideration to all matters placed before it before reaching a decision, and shall then give written notice of its decision to each of the interested parties

**26.5** The Disciplinary Tribunal shall not be required to give the seven days written notice before hearing any charge of a breach of the rules by any player in a League match. Instead the Administration Clerk shall advise the charged player of the date and time set for the hearing of the charge by the Disciplinary Tribunal (which shall be as soon as practicable after the relevant match) and the player must attend that hearing to answer the charge.

## **27 MISCELLANEOUS**

**27.1** If there shall be any inconsistency or contradiction between the provisions of this Constitution and the By-laws, the provisions of this Constitution shall prevail and the inconsistent or contradictory By-law shall be deemed null and void.

**27.2** All notices required to be given under this Constitution or the By-laws shall be made in writing and forwarded to the League, Board or the relevant member club or person by pre-paid post addressed to their last known address. The notice shall be deemed to be served on the recipient two (2) clear business days after posting. Failure to receive such notice shall not invalidate any meeting or other matter, which is the subject of that notice.

**27.3** If a matter arises which is not provided for in this Constitution then any appropriate rule of the SANFL, or other appropriate organisation, which has relevance to the matter shall apply as if that rule were part of this Constitution. If there is no such rule having application, then the matter shall be determined by the League at a special meeting called for the purpose and its decision shall be final.

**27.4** All present member clubs of the League, and any applicant clubs shall on signing their application for membership, be deemed to have accepted the provisions of this Constitution and shall be bound by them at all times.

**27.5** Racial vilification will not be tolerated in the Hills Football League. If any player, official or spectator is reported by an umpire or league official for an act of racial vilification and subsequently found guilty by tribunal, they will be harshly dealt with. The Hills Football League will use their full powers to punish any offender. The Hills Football League has a policy of zero tolerance towards racial vilification.

## **28 AMENDMENT**

This Constitution, or any part of it, may only be amended, varied or revoked at a Special General Meeting of the League called specifically for that purpose.

**28.1** Written notice of any motion proposing amendment, variation or revocation must be handed to the Administration Clerk who shall then convene a Special Meeting of the League to be held not less than one month after receipt of the notice, and the

Administration Clerk shall also advise each member club of the contents of the notice of motion.

- 28.2** The motion shall be carried at the special meeting only if approved by a majority of at least two thirds of the member clubs.

## **29 DISSOLUTION**

The League may only be dissolved at a special meeting of the League called specifically for the purpose.

- 29.1** Written notice of any motion proposing dissolution of the League must be handed to the Administration Clerk, who shall then advise all member clubs of the contents of the motion.
- 29.2** The Administration Clerk shall then convene a Special General Meeting of the League to be held not less than two months after the member clubs have been advised of the motion.
- 29.3** The motion for dissolution shall be carried at the Special General Meeting only if approved by a majority of at least three quarters of the member clubs. If the meeting approves the motion the Board shall:-
- 29.3.1** Sell or realise all assets of the League as soon as practicable and from the proceeds of realisation pay all debts and liabilities of the League;
  - 29.3.2** Pay all expenses incurred in dissolving the League including making provision for the payment of any contingent liabilities;
  - 29.3.3** Distribute any remaining assets between those member clubs who are themselves incorporated associations, in proportions equivalent to the number of teams which each such member club fields in the League competition at that time. No distribution shall be made to any member club which is not an incorporated association; or, alternatively,
  - 29.3.4** Distribute the remaining assets to any other incorporated association or associations having objects similar to those of the League.