

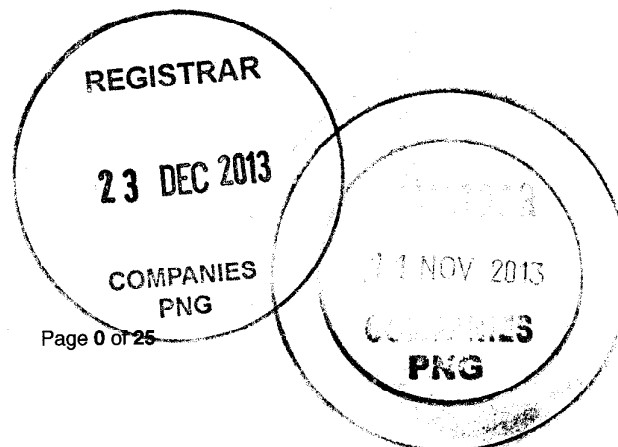


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# PAPUA NEW GUINEA HANDBALL FEDERATION INC.

## Constitution



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### 3. Interpretation

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3.1 In these Rules, except in so far as the context or subject-matter otherwise indicates or requires:

**Committee** means the Executive Committee of the Federation established pursuant to Rule 16.1.

**Congress** means the general meetings of members of the Federation as provided for under Part 5 of these Rules.

**Extraordinary Congress meeting** means a special congress meeting of members of the Federation other than a Congress meeting.

**Federation** means the federation incorporated under the Act.

**ordinary member** means a member of the committee who is also an office-bearer of the Federation as referred to in Rule 16.2.

**Secretary** means:

- (a) the person holding office under the Rules as a Secretary of the Federation; or
- (b) where no such person holds that office, the Public Officer of the Federation.

**PNG Statute and Regulations** means the Statute and Regulations adopted by the federation and registered with the International Handball Federation.

**the Act** means the *Associations Incorporation Act 1966* (Chapter No. 142).

**the Regulations** means the *Associations Incorporation Regulations* made under the Act.

3.2 The provisions of the *Interpretation Act* apply to and in respect of these Rules in the same manner as those provisions would so apply if these Rules were an instrument made under the Act.

### Part 2 – Organisation

4. The Federation is a union of provincial associations in PNG promoting the sport of Handball in PNG. The Federation is a member of the International Handball Federation (IHF) and the Oceania Continental Handball Federation. Handball is played and governed in accordance with the IHF Statues and Regulations and the PNG Statute and Regulations. All members accepted by the Federation have an

## **7. Cessation of membership**

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An association ceases to be a member of the Federation if the association:

- (a) resigns that membership;
- (b) is expelled from the Federation; or
- (c) ceases as an incorporated association pursuant to the Act.

## **8. Membership entitlements not transferable**

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A right, privilege or obligation, which an association has by reason of being a member of the Federation:

- (a) is not capable of being transferred or transmitted to another association; and
- (b) terminates upon cessation of the association's membership.

## **9. Resignation of membership**

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- 9.1 A member of the Federation is not entitled to resign that membership except in accordance with this Rule and the federation's Statute and Regulations.
- 9.2 A member of the Federation who has paid all amounts payable by the member to the Federation in respect of the member's membership may resign from membership of the Federation by giving notice (being not less than 1 month or not less than such other period as the committee may determine) in writing to the Secretary of the member's intention to resign and upon the expiration of the period of notice, the member ceases to be a member.
- 9.3 A member of the Federation who has not paid all fees and subscriptions due under Rule 11.2 by the date specified in Rule 11.2(a) is deemed to have resigned one month after the date specified in Rule 11.2(a).
- 9.4 Where a member of the Federation ceases to be a member pursuant to Rule 9.2 or 9.3, and in every other case where a member ceases to hold membership, the Secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## **10. Register of Members**

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- 10.1 The Secretary of the Federation shall establish and maintain a register of members of the Federation specifying the name and address of each Association who is a member of the Federation together with the date on which the Association became a member.

later than one month after service on the member of a notice under Rule 13.3, confirms the resolution in accordance with these Rules.

- 13.3 Where the Committee passes a resolution under Rule 13.1, the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member:
- (a) setting out the resolution of the Committee and the grounds on which it is based;
  - (b) stating that the member may address the Committee at a meeting to be held not earlier than 14 days and not later than one month after service of the notice;
  - (c) stating the date, place and time of that meeting; and
  - (d) informing the member that the member may do either or both of the following:
    - (i) attend and speak at that meeting;
    - (ii) submit to the Committee at or prior to the date of that meeting written representations relating to the resolution.
- 13.4 At a meeting of the Committee held as referred to in Rule 13.3, the Committee shall:
- (a) give to the member an opportunity to make oral representations;
  - (b) give due consideration to any written representations submitted to the Committee by the member at or prior to that meeting; and
  - (c) by resolution determine whether to confirm or to revoke the resolution.
- 13.5 Where the Committee confirms a resolution under Rule 13.4, the Secretary shall, within 7 days after that confirmation, by notice in writing inform the member of the fact and of the members' right of appeal under Rule 14.
- 13.6 A resolution confirmed by the Committee under Rule 13.4 does not take effect:
- (a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
  - (b) where, within that period, the member exercises the right of appeal unless and until the Federation confirms the resolution pursuant to Rule 14.4.

the office-bearers of the Federation; each of whom shall be elected at the annual general meeting of the Federation pursuant to Rule 17.

16.2 The office-bearers of the Federation shall be:

- (a) the President;
- (b) the Vice-president;
- (c) the Treasurer;
- (d) the Secretary; and
- (e) two(2) Ordinary Committee members.

16.3 Each member of the inaugural Committee shall hold office for a term of four (4) years until the conclusion of the second Congress held in 2017 and subject to the Federation's Statute and Regulations and these Rules, every other Committee shall hold office for a term of three (3) years following the date of the member's election. Each member is eligible for re-election.

16.4 In the event of a casual vacancy occurring in the membership of the Committee, the Committee may appoint another person to fill the vacancy and the member so appointed shall hold office, subject to these Rules, until the conclusion of the Congress next following the date of the appointment.

## **17. Election of members**

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17.1 Nominations of candidates for election as office-bearers of the Federation:

- (a) shall be made in writing, signed by one member of the Federation and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
- (b) shall be delivered to the Secretary of the Federation not less than 7 days before the date fixed for the holding of the Congress at which the election is to take place.

17.2 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected with effect from the conclusion of the Congress and further nominations in respect of the unfilled vacancies shall be received at the Congress.

17.3 If insufficient further nominations are received, any vacant positions remaining on the Committee after the conclusion of the Congress shall be deemed to be casual vacancies.

17.4 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected with effect from the conclusion of the Congress.

## **24. Voting and decisions**

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- 24.1 Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be determined by a majority of the votes of members of the Committee or sub-committee present at the meeting.
- 24.2 Each member present at a meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of a quality of votes on any question, the person presiding may exercise a second or casting vote.
- 24.3 In the event of a conflict of interest, the Chairman will request any member with a conflict of interest to refrain from voting and/or leave the room during the relevant agenda.
- 24.4 Subject to Rule 22.5, the Committee may act notwithstanding any vacancy on the Committee.
- 24.5 Any act or thing done or suffered, or purporting to have been done or suffered, by the Committee or by a sub-committee appointed by the Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-committee.
- 24.6 A circular resolution can be passed when a document setting out the terms of a resolution and signed by all the members who are entitled to receive notice of a meeting of the Committee and to vote on that resolution, is for all purposes, treated as if that resolution had been passed at a duly convened meeting of the Committee held on the date and at the time when the last member signed the document.

## **Part 5 – Congress**

### **25. Holding of Congress meetings**

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- 25.1 With the exception of the first Congress of the Federation, the Federation shall convene a Congress meeting of its members every two years.
- 25.2 The Federation shall hold its first Congress meeting:
- (a) within the period of 18 months after its incorporation under the Act; and
  - (b) within the period of 6 months after the expiration of the first complete financial year of the Federation.

### **26. Calling of and business at Congress meetings**

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- 26.1 The Congress meeting of the Federation shall, subject to the Act and to Rule 25, be convened on such date and at such place and time as the Congress thinks fit.
- 26.2 In addition to any other business, which may be transacted at a Congress meeting, the business of a Congress meeting shall be:

26.4 The Congress shall not make a decision on any point not included in the Agenda.

## **27. Calling of Extraordinary Congress meetings**

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27.1 The Committee may, whenever it thinks fit, convene an Extraordinary Congress meeting of the Federation.

27.2 The Committee shall, on the requisition in writing of not less than 5% of the total number of members, convene an Extraordinary Congress meeting of the Federation.

27.3 A requisition of members for an Extraordinary Congress meeting:

(a) shall state the purpose or purposes of the meeting;

(b) shall be signed by the members making the requisitions;

(c) shall be lodged with the Secretary; and

(d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

27.4 If the Committee fails to convene an Extraordinary Congress meeting to be held within 1 month after the date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene an Extraordinary Congress meeting to be held not later than 3 months after that date.

27.5 An Extraordinary Congress meeting convened by a member or members as referred to in Rule 27.4 shall be convened as nearly as is practicable in the same manner as general meetings are convened by the Committee and any member who thereby incurs expense is entitled to be reimbursed by the Federation for any expense so incurred.

## **28. Notice**

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28.1 Except where the nature of the business proposed to be dealt with at a Congress meeting requires a special resolution of the Federation, the Secretary shall, at least 30 days before the date fixed for the holding of the Congress meeting, cause to be sent by prepaid post and or by email to each member at the member's address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

28.2 Where the nature of the business proposed to be dealt with at a Congress meeting requires a special resolution of the Federation, the Secretary shall, at least 30 days before the date fixed for the holding of the Congress meeting, cause notice to be sent to each member in the manner provided in Rule 28.1 specifying, in addition to the matter required under Rule 28.1, the intention to propose the resolution as a special resolution.

28.3 No business other than that specified in the notice convening the Congress meeting shall be transacted at the meeting except, in the



- 31.3 Except as provided in Rule 31.1 and 31.2, notice of adjournment of a Congress meeting or of the business to be transacted at an adjourned meeting is not required to be given.

## **32. Making of decisions**

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- 32.1 A question arising at a Congress meeting of the Federation shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Federation, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- 32.2 At a Congress of the Federation, a poll may be demanded by the chairperson or by not less than 3 members present (through their authorised representative) at the meeting.
- 32.3 Where a poll is demanded at a Congress, the poll shall be taken:
- (a) immediately in case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or
  - (b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

## **33. Special Resolution**

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A resolution of the Federation is a special resolution if it is passed by a majority which comprises not less than three-quarters of such members of the Federation as, being entitled under these Rules so to do, vote (by authorised representative) at a Congress meeting of which not less than 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these Rules.

## **34. Voting**

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- 34.1 Upon any question arising at a Congress of the Federation, a member has one vote only.
- 34.2 All votes shall be given by authorised representative in attendance present and entitled to vote but no member may by proxy or by letter.
- 34.3 In the case of an equality of votes on a question at a Congress, the chairperson of the meeting is entitled to exercise a second or casting vote.

#### **40. Audit and accounts**

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The financial affairs of the Federation shall be audited at least once in every period of 12 months by the auditor appointed by the Congress.

#### **41. Powers and duties of the Auditor.**

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The Auditor shall:-

- (a) certify to the correctness of the financial statements or the profit and loss account;
- (b) have free access to all books of accounts and records of the federation;
- (c) inspect and audit the accounts and records of financial transactions and draw the attention to the Committee to any irregularities;
- (d) state in his or her report in his or her opinion whether:-
- (e) the financial statements or the profit and loss account are properly drawn up so as to give a fair view of the federation's financial affairs;
- (f) that the books of accounts and other records examined by him or her have been properly kept; and
- (g) that he or she has obtained all the information and explanations he or she required.

The Auditor may be removed from office by a special resolution of the Federation at the Congress or at the expiration of his or her tenure of office.

#### **42. Common seal**

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- 42.1 The common seal of the Federation shall be kept in the custody of the Secretary.
- 42.2 The common seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal shall be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the Secretary.
- 42.3 The common seal of the Federation shall:-
  - (a) bear the name of the Federation in full;
  - (b) shall state that it is the common seal; and
  - (c) subject to the Act, be in a form, size and shape as approved by the Committee from time to time.

**Appendix 1**

(Rule 6.1)

**Application for Membership of Federation**

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Papua New Handball Federation Inc. (incorporated under the *Associations  
Incorporation Act*)

I, .....

(full name of applicant)

of .....

(address)

.....

(occupation)

hereby apply to become a member of the above named incorporated Federation. In the event of my admission as a member, I agree to be bound by the Rules of the Federation as well as the IHF and PNG Statue and Regulations for the time being in force.

.....

(Signature)

For and on behalf of

.....

(Name of association)

Date: .....

**Appendix 3**

**(Draft Statute and Regulation to be inserted below and adopted by the  
Member Association)**

(See Rule 6.1)