

# ST COLUMBAS SOCCER CLUB CONSTITUTION



## **1: NAME**

1.1 The name of this Club shall be the St Columbas Soccer Club Inc, and will herein after be referred to as “the Club”.

1.2 The headquarters of the Club shall be located within the boundaries of the Churches Football Association and the Hills Football Association, herein after referred to as “CFA Sydney” and “Hills Football”.

1.3 The official colours of the competitive teams of the Club are orange and black and the alternate color’s are orange and white

## **2: OBJECTS**

2.1 The Club shall have the following objects:

- a. To foster, promote, teach and develop the game of soccer.
- b. To help individuals to build and develop their character as resourceful and responsible Members of their community by providing opportunities, through the game of soccer, for their mental, physical, social and leadership development.
- c. To encourage sportsmanship.

2.2 The Club is a not for profit organisation.

2.3 Any financial gain made by the Club shall be used to further promote the above objectives, and shall not be used for direct or indirect gain of its Members, either individually or collectively. However, the Executive, may engage, hire or contract individuals with skills or training needed to assist in the functioning of the Club or to carry out the operations of the Club, providing compensation at prevailing rates of payment. Members of the Club or their immediate families are eligible to seek such engagements, so long as their Membership is disclosed to the Executive Committee.

## **3: AFFILIATIONS**

3.1 The Club shall be a Member of CFA Sydney & Hills Football and shall follow the published rules of the CFA Sydney and Hills Football Associations.

3.2 The Club is subject to the published rules in declining order of authority of the following governing organizations to which it is affiliated:

- A. the Club;
- B. the CFA Sydney and Hills Football;

3.3 The Club shall participate in the CFA Sydney & Hills Football and be affiliated with its approved leagues, and such further leagues, clubs or associations as the Executive Committee determine will further benefit the game of soccer and be within the guidelines of the governing bodies.

#### **4: MEMBERSHIP**

4.1 There are three classes of Member, namely, regular Member, honorary Member and life Member.

##### **Regular Member**

4.2 A Regular Member is either:

- a. an annual registered player in the current fiscal year, whose fees are fully paid or waived and otherwise in good standing, hereinafter referred to as “a Registered Player” or the parent or legal guardian of a Registered Player;
- b. the team and Club officials in the current fiscal year, including coaches and other team officials;
- c. the sponsors in the current fiscal year;
- d. Other persons engaged in the administration and direct operations of the Club.

4.3 Although an individual may qualify for, and be registered under, more than one of the above categories, each individual holds only one Membership in the Club, and is entitled to one vote at Members' meetings.

4.4 A coach shall become a Regular Member upon acceptance by the Executive Committee of the Club. A coach is an individual who is registered with the St Columbas Soccer Club to teach, instruct, train and guide players to play the game of soccer.

##### **Honorary Member**

4.5 The Executive Committee may designate an individual as an Honorary Member for a specific period of time.

4.6 An Honorary Member is afforded all rights of Membership, including the right to attend and speak at Members' meetings, but is not entitled to vote.

##### **Life Member**

4.7 The Executive Committee may designate an individual as a Life Member.

4.8 A Life Member is afforded all rights of Membership, including the right to attend and speak at Members' meetings, but is not entitled to vote.

### **Discipline of Member**

4.9 A Member may be fined, censured, suspended or expelled from Membership for cause and only after charges have been laid in accordance with the Club's published rules and a hearing held in accordance with the published rules of the CFA Sydney & Hills Football , and the Club, as provided in 3.2. An individual whose Membership has been suspended loses all rights of Membership until the suspension has been terminated.

4.10 Player, team and team official discipline for game infractions is governed in accordance with the procedures published by the CFA Sydney & Hills Football and the Club, as provided in 3.2.

4.11 Any Member, who infringes the Constitution or rules of the Club or brings the Club into disrepute, may be reprimanded, suspended or expelled from the Club after a hearing by the Executive of the Club at which hearing the Member is entitled to attend.

### **Termination of Membership**

4.12 Membership in the Club shall be deemed to have been terminated if:

- A. if the Member submits a signed letter of resignation to the Club;
- B. if the Member is expelled by the Club's Executive;
- C. if the Member is no longer registered with the Club.

### **5: Executive Committee**

5.1 The Club shall be governed by the Executive Committee which shall consist of at least 3 individuals, as may be determined by the Club and amended from time to time. The Executive Committee will determine the Operating Structure of the Club.

5.2 The Executive Committee shall be comprised of the positions of:

President  
Secretary  
Vice President  
Treasurer

5.3 A Committee member shall be a Regular Member of the Club, 18 years of age or older.

## **Nominations and Elections**

5.4 Nominations for positions on the Executive committee may be made by any Member at the Annual General Meeting or at a Special General Meeting called for that purpose.

### **Nominations for a special position on the Committee**

5.5 Nominations and elections for positions open shall be held in the order of the positions listed in the Constitution.

5.6 Election shall be by secret ballot, but in the event only one candidate is nominated, no vote is required and the nominated candidate shall be declared elected by acclamation.

5.7 A majority of the votes cast shall be required to elect the Executive Committee. In the event no candidate receives a majority, the candidate with the least votes shall be dropped from the ballot and another vote shall be held.

5.8 A Executive Committee member shall serve for a term of one year or until his or her successor is elected or appointed.

5.9 After an initial Executive Committee has been appointed/elected, the positions of

Junior Development Officer  
Sponsorship Co-Coordinator  
Canteen Co-Coordinator  
Club Coach

Shall be elected at the Annual General Meeting to conclude the year and continue in the next year.

### **Executive Committee Vacancy**

5.10 A Executive Committee members has the right to resign her or his position by submitting a signed letter of resignation to the Club.

5.11 A vacancy on the Executive Committee and their respective position(s) held, caused by death, or resignation which has been accepted, shall be filled by a majority vote of the Executive Committee. The successor shall hold his or her incumbent's position(s) for the remainder of the term being filled.

### **Removal of Executive Committee**

5.12 No Member of the Executive shall be removed for arbitrary reasons but may be removed if:

1. the Executive member is unable to perform the duties expected of the position due to, but not limited to, any of the following reasons:

- if she/he becomes incapable of performing the business of the Club
  - if she/he is absent from three or more meetings of the Board without satisfactory reason
  - if she/he no longer resides in reasonable proximity to the Club
2. the Executive member has compromised the integrity of the Club due to, but not limited to, any of the following reasons:
- 3.
- if she/he has been found guilty of an offence involving violence under the Discipline Policy
  - if she/he has failed to properly account for monies or other property belonging to the Club
  - If she/he has been found guilty of a criminal offence regardless of whether or not the offence directly affected the Club.

### **Duties of the Executive Committee**

5.16 The Executive Committee shall conduct the business of the Club during the periods between general meetings of the Club and in accordance with the authority granted to it in the published rules of the Club.

5.17 The Executive Committee shall be responsible for the appointment and renewal of appointments of all positions within the Club except for those positions elected by the Membership of the Club. This shall include the appointment of volunteer and paid positions for coach and administrator positions within the Club's operations. The selection process and the appointments shall be based on procedures outlined in the Club's published rules.

5.18 The Executive Committee may also revoke, for cause, any appointment providing that it has followed the procedures for the revoking an appointment as outlined in the Club's published rules.

### **Executive Committee**

#### ***President***

5.19 The President shall preside at all meetings of the club.

5.20 The President shall be ex officio a member of all committees, except any nominations committee; shall appoint all chairs of standing and special committees; and shall be the spokesperson for the Club.

5.21 Actively participate as club delegate representative at Association meetings

#### ***Vice-President***

5.22 The Vice President shall act in the absence of the President

### ***Treasurer***

5.23 Treasurer shall ensure that full and accurate records are kept of the accounts of the Club; shall report to the Executive Committee at least once per quarter; and shall submit an Annual Report to the Annual General Meeting. Prepare the Dept of Fair trade submission.

### ***Secretary***

5.24 Secretary shall maintain a record of all minutes of the organization, maintain copies of all committee reports, notify officers and committee Members of their election or appointment, furnish committees with those documents required to perform their duties, sign all certified copies of acts of the organization (unless otherwise specified in the Club's published rules), maintain records in which the Constitution, published rules and minutes . Provide notice to the Membership of each general meeting as prescribed by the Constitution and rules, conduct the general correspondence of the organization, prepare, , and, in the absence of the president and vice-president, preside until the immediate election or appointment of a new presiding officer.

### ***Other Positions***

5.25 the duties of other Positions shall be determined by the Executive Committee

## **6: MEETINGS**

### **General Meetings:**

6.1 An official notice of each General, Special General or Annual General Meeting shall be given to all Members at least 10 days before the meeting is to be held, identifying the place, date and time as the Executive Committee may determine and direct. Such notification shall be by email, website notice, or any other method determined by the Members

6.2 Four (4) voting Members of the voting Membership, whichever is less, shall form a quorum at all General, Special and Annual General Meetings of the Club.

6.3 Any question, (except for Amendments to the Constitution) shall be decided by a majority of the votes unless otherwise required by this Constitution

6.4 Amendments to the Constitution require a 2/3 majority of votes to be accepted

### **Annual General Meeting:**

6.5 The Club shall hold its Annual General Meeting in the month of October, the date to be set no later than September 30<sup>th</sup> of the year.

6.6 The agenda of the Annual General meeting shall include:

1. Introduction of Guests and Executive
2. Minutes of Previous Annual General Meeting
3. President's Report
4. Treasurer's Report
5. Auditor's Report
6. Appointment of Auditors
7. Other Reports
8. Unfinished Business
9. Amendments to the Constitution
10. Election of Executive Committee
11. Any Other Business

6.7 The sequence of the Agenda for the Annual General Meeting may be changed with the approval from the attendees at the Annual General Meeting.

**Special General Meeting:**

6.8 A Special General Meeting of the Club may be called by the Executive Committee, or upon receipt of a written request submitted to the Club e-mail, signed by not less than 50 Members or 25% of the voting Membership, whichever is less, setting out the items of business to be conducted at the Special General Meeting. The Special General Meeting shall be called within 14 days of receiving a written request and held within 30 days of receipt of the written request from the Members.

6.9 Only the business set out in the notice of the Special General Meeting shall be considered.

**Voting at General Meeting:**

6.10 every regular Member aged 18 and over shall have the right to attend, speak and cast one vote at a General, Special General or Annual General Meeting of the Club.

6.11 Every regular Member under the age of 16 shall have the right to attend and speak at Members' meetings, but any vote must be cast by a parent or guardian who shall also have the right to attend and speak on behalf of that Member at Members' meetings.

**Proxy Voting at General Meeting**

6.12 Every regular Member, or parent or guardian of a regular Member under the age of 16, is entitled to vote at a General, Special General or Annual General Meeting of Members may by means of a proxy appoint a person, who need not be a Member, as the Member's nominee to attend and act at the meeting in the manner, to the extent and with the power conferred by the proxy.

6.13 Each Regular Member may only grant one proxy.

6.14 A person may only hold one proxy

6.15 The format for the proxy, and the issue, or issues, for which the proxy may be cast are as defined in the Rules and Regulations.

### **Executive Committee Meeting**

6.16 The Executive Committee shall meet a minimum of four times per year to carry out the business of the Club.

6.17 The Executive Committee is normally chaired by the President of the Club.

6.18 All members of the Executive Committee shall be notified of the place, date and time of the meeting at least seven (7) days in advance.

6.19 A majority of the Executive Committee shall constitute a quorum. Voting may only be conducted when there is a quorum.

6.20 Questions arising at a meeting shall be decided by a simple majority vote. The Chair of the meeting shall cast a deciding vote in the event of a tie vote. Proxy votes are not permitted.

## **7: COMMITTEES**

7.1 The Executive at any general meeting may establish a standing committee or special committee to carry out specific business or programs of the Club.

## **8: PROCEDURES GOVERNING MEETINGS**

8.1 All meetings of the Club shall be conducted as stipulated in this Constitution or other Rules and Regulations of the Club.

8.2 Minutes of all meetings shall be taken by the Secretary or that of a nominated person and such Minutes shall be filed with the Club's business records.

## **9: CONSTITUTION AND AMENDMENTS**

9.1 Constitution amendments may be proposed by the Executive Committee, or submitted by a Member to the Club, in writing at least 21 days prior to the Annual General Meeting of the Club, or a Special General Meeting called to deal with such amendments; Board proposed changes must be approved by a majority vote of the Board of Directors; constitution changes require a 2/3's majority vote of the Membership voting in person or by proxy at the Annual General Meeting of the Club or the Special General Meeting duly called for that purpose.



9.2 All Members entitled to vote shall be notified by the Club's notice of the said Members' meeting about Constitutional amendments. Such notification shall be by way of posting on the website of the Club.

## **10: RULES AND REGULATIONS**

10.1 The Club shall have Rules and Regulations which shall include, but is not limited to, the following:

- a) discipline of a Member: summary of charges regarding misconduct;
- b) discipline of a Member: procedures for discipline hearing;
- c) duties of Board of Directors: authority granted to Board regarding the business being conducted;
- d) duties of Board of Directors: selection process and appointment process for the appointment and renewal of appointments to the Club's paid and volunteer positions;
- e) duties of Executive Committee process for revoking appointments;
- f) voting at General Meeting: format for the proxy, and the issue, or issues, for which the proxy may be cast;
- g) the deadline for submitting nominations is 10 days prior to an AGM or SGM.

10.2 The Executive Committee shall have the power to propose, approve, pass and publish such Rules and Regulations, which are not inconsistent with this Constitution and are not inconsistent with the Rules and Regulations of a higher level governing organization.

10.3 Amendments to the Rules and Regulations may be made by a majority vote of the Executive Committee or the Members at a General Meeting.

## **11: INDEMNITY**

11.1 Members of the Executive Committee or other servants to the Club, their heirs, executors, administrators and estate and effects respectively shall be indemnified and saved harmless at all times by the Club against all costs, losses and expenses incurred by them respectively in or about the discharge of their respective duties, except such as might arise from their own respective willful neglect or willful default.

## **12: FINANCE**

12.1 The accounts of the Club shall be completed annually including a financial summary for tabling at the Annual General Meeting.

12.2 The Financial Statement shall be presented to the Annual General Meeting for adoption.

12.3 In conjunction with the completed annual report, the completed Form A12-T2 or equivalent required by the Department of Fair Trading will be tabled for signing prior to lodging for the year.

12.4 The fiscal year of the Club shall end on September 30<sup>th</sup> of each year, unless otherwise ordered by the Board of Directors.

## **13: DISPUTE RESOLUTION**

13.1 The Club shall adhere to the Dispute Resolution process as published and approved by the CFA Sydney & Hills Football Association from time to time.

13.2 Any Member of the Club may initiate the Dispute Resolution process by communicating in writing to the CFA Sydney or Hills Football, with a copy to the Club, the nature and facts of the dispute. CFA Sydney or Hills Football, at its discretion, may proceed with the Dispute Resolution process by assigning one or more neutral persons to the dispute.

13.3 The Dispute Resolution process shall not to be used for game discipline which follows the normal discipline and appeals process.

13.4 The Club shall make available to any Member the Dispute Resolution process when requested.

#### **14: HARASSMENT**

14.1 The Club shall adhere to the Harassment Policy as published and approved by the CFA Sydney and Hills Football from time to time.

14.2 The Harassment Policy shall apply to all officers, volunteers, coaches, game officials, administrators, players, Members and registrants of the Club.

14.3 Harassment is defined as any comment, conduct, or gesture directed toward an individual or group of individuals which is insulting, intimidating, humiliating, malicious, degrading or offensive. It includes, but is not limited to, sexual harassment.

14.4 The Club shall make available to any Member the Harassment Policy when requested.

#### **15: APPEALS**

15.1 Any Member or registrant of the Club directly affected by a decision of the Club may appeal such decision. The denial or termination of Membership in the Club may be appealed by a non-Member.

15.2 A decision of the Club may be appealed to CFA Sydney and Hills football and the appeal shall be conducted in accordance with the published rules.

15.3 An individual shall not appeal a decision made by the Executive Committee regarding the appointment, non-appointment, re-appointment or revocation of an appointment of an individual to any coach or administrator position within the Club's operations, except where the selection, appointment and revocation process outlined in the Club's published rules has not been followed.

15.4 An individual shall not appeal a decision made by the Club regarding a player's team assignment.

#### **16: DISSOLUTION**

16.1 In the event of dissolution of the Club, and after payment of all debts and liabilities, its remaining property shall be distributed or disposed of by the Executive Committee to one or more not-for-profit soccer related organizations, or any not-for-profit athletic community organizations, which operate solely in Sydney.

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