

Riversdale Soccer Club (Inc)

Constitution

As adopted unanimously in accordance with club rules at club AGM 15/10/2009

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CONSTITUTION
Riversdale Soccer Club

1. Club Name

1.1 The name of the Club shall be Riversdale Soccer Club (Incorporated)

2. The Purposes of the Club

2.1 The purposes for which the Club is established are to:

(a) Be the member Club of FFA and to comply with the constitution and by-laws of FFA and FFV;

(b) Prevent infringement of the constitution and by-laws of FFA and FFV and protect Football from abuse;

(c) Foster friendly relations among the officials and players of Football by encouraging Football games;

(d) Prevent racial, religious, gender or political discrimination or distinction among Football players;

(e) Promote, provide for, regulate and ensure effective management of Football competitions, tournaments and games under the control of or authorised by the Club;

(f) co-operate with FFA, FFV and other bodies in the promotion and development of, or otherwise in relation to, Football, the Statutes and Regulations and the Laws of the Game;

(g) facilitate the provision and maintenance of grounds, playing fields, materials, equipment and other facilities for Football; and

(h) Act in the best interests of the Club and Football.

2.2 Alteration of objects and Constitution

Subject to rule 22.1, an addition, amendment or alteration of the objects in rule 2.1 or of any other rule contained in this Constitution must be approved by Special Resolution.

3. Club Colours

3.1 The colours of the Club shall primarily be blue and white. Where appropriate alternate colours approved by the Management Committee will be worn.

4. Membership

Membership shall normally be open to any person who:

4.1 In the opinion of the Management Committee will be capable and committed to participating in, or contributing to the interests of the Club, and

4.2 Pays a membership fee (where provided) and annual subscription, except where specifically exempted or lowered by resolution of the Management Committee.

4.3 Membership Categories shall be:

Playing Member Any member who is over 18 years of age and is a financial playing member of the club, may vote at Annual General Meetings and Special Meetings.

Social Member Any person, other than a Playing Member, who is interested in promoting the Club but does not wish to participate in playing activities of the Club, may vote at Annual General Meetings and Special Meetings.

Junior Member Junior Members under the age of 18 years who, subject to this Constitution, are not entitled to hold any office, but shall have the right to be present, debate and vote at General Meetings through the Junior Member's parent or other legal guardian.

Life Member Any person who is voted to life membership, as set out in the Club's By-Laws, may vote at Annual General Meetings and Special Meetings.

4.4 Each person admitted to membership of the Club agrees to be bound by and observe

(a) This Constitution

(b) The Laws of the Game

(c) The Statutes and Regulations and those of the By-Laws expressed to apply to or in relation to Members

(d) The Statutes and Regulations and the Constitution and By-Laws of FFS and FFV as enforced from time to time.

(e) The FFV Codes of Behaviour and Rules of Competition, as amended from time to time; and

(f) The FFA Code of Conduct, as amended from time to time.

4.5 Membership of the Riversdale Soccer Club shall be for a period of 12 months for a membership fee decided by the Management Committee. The Club's financial year shall end on the last day of October each year.

4.6 Membership applications received after the end of the Club's financial year shall be held over until after the Annual General Meeting.

4.7 All new membership applications shall be presented to the Management Committee before membership fees are accepted..

4.8 The Club reserves the right to deny membership to any person whilst reserving the right to withhold the reason or reasons why such membership was denied.

4.9 A member may resign from the Club by notifying the secretary in writing.

4.10 Members admitted to membership

The Club must procure that each Member admitted to membership agrees to be bound by and observe:

- (a) This Constitution;
- (b) The Laws of the Game;
- (c) The Statutes and Regulations and those of the By-Laws expressed to apply to or in relation to Members;
- (d) The Statutes and Regulations and the constitutions and by-laws of FFA and FFV as enforced from time to time;
- (e) The FFV Codes of Behaviour and Rules of Competition, as amended from time to time; and
- (f) The FFA Code of Conduct, as amended from time to time.

5. Subscriptions and Fees

5.1 Fees for all memberships will be set by the Management Committee. To avoid doubt the Directors or Club must not strike or impose any fee, subscription or other amount on any Member:

- a) Which relates solely or principally to the right to attend, debate or vote in general meeting.
- b) In addition to the Association's regular membership fee, for the right of a Member of attend, debate or vote in general meeting: or
- c) In any other ways, disassociates attendance, participation or voting rights at general meetings from the usual rights of Members whether they participate in the Club as players, administrators, officials or otherwise.

5.2 Playing fees will be set before the commencement of each season.

5.3 Fees may be altered or waived at the discretion of the Management Committee.

6. Management Committee

6.1 The Club shall be run by a Management Committee and the Management Committee shall be responsible to the club.

6.2 The Management Committee shall comprise a:

President

Secretary

Treasurer

And up to seven (7) ordinary members.

6.3 All members of the Management Committee shall be elected at the Annual General Meeting each year by those members of the Club who are entitled to vote.

6.4 All officials of the Club shall normally hold office for the year in which they are appointed and until the succeeding Annual General Meeting, where they may stand for re-election.

6.5 The Executive of the committee shall comprise the President, Secretary and Treasurer.

6.6 No person may hold more than one executive position, but a person may act temporarily in the capacity of more than one executive position.

6.7 A quorum shall comprise no fewer than four members providing at least two members of the executive are present.

7. Nominations for Management Committee

7.1 To be eligible for nomination for the Management Committee a person must have been a member of the club for a minimum of two years.

7.2 Nominations for the Executive positions of President, Secretary and Treasurer must be received by the Secretary no later than 7 days prior to the AGM.

7.3 In the event of no nominations being received by the due date for any or all of the Executive positions nominations may be made at the AGM for any such position.

7.4 If the number of nominations exceeds the number of vacancies a ballot will be called and decided by simple majority of those present and eligible to vote.

7.5 If the number of nominations exceeds the number of vacancies a ballot will be called and decided by simple majority of those present and eligible to vote.

8. Conduct by Committee Members

8.1 All committee members must conduct themselves in a way not likely to prejudice the Club's interests.

8.2 Any committee member deemed guilty of conduct prejudicial to the Club's interests may be removed from office by a majority of committee members present who are entitled to vote at any General Meeting.

8.3 Any official wishing to resign their position should do so by giving written notice to the Secretary, or in the case of the Secretary, to the President.

8.4 In the event of a vacancy occurring during the year, the Management Committee shall endeavour to fill the office and confirm the nomination at the next Committee Meeting.

9. Suspension and Expulsion

9.1 Any member may be expelled or suspended from membership of the club at the discretion of the committee provided that such a member shall have a right of appeal to a general meeting.

9.2 Notice of suspension shall be given either verbally or in writing, setting out the charge and notifying the time and place of a hearing.

9.3 In all cases of alleged infringement a hearing will be held by the Executive Committee or an appointed Sub-Committee.

9.4 The length of suspension is at the discretion of the Executive Committee or Sub-Committee appointed to consider the offence.

9.5 Expulsion of a member may only be made by a special general meeting of members called for that specific purpose where there is a two-thirds (2/3) majority of members present and entitled to vote approving the expulsion.

10. Attendance at Committee Meetings

10.1 Committee members shall be required to attend meetings of the Committee and to notify the Secretary of his/her non-attendance at a meeting on or before the date of that meeting.

10.2 Should any member absent him/herself from three consecutive meetings without reasonable excuse the Committee may vote to declare the office vacant. However acceptance of an apology shall be deemed grant of such leave.

11. Powers of the Management Committee

11.1 The Management Committee shall carry out the day to day running of the Club and shall have power to:

- a) Exercise control over the finances of the Club, appoint bankers, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close such accounts;
- b) Fix the manner in which such banking accounts shall be operated upon, providing the Management Committee approves all payments;
- c) Make such By-Laws as it deems necessary for the good conduct of the Club's affairs and the proper use and control of the Club's property;

- d) Fix fees and subscriptions payable by members and decide such levies, fines and charges as is deemed necessary and advisable, and to enforce payment thereof;
- e) Cause minutes to be made of all proceedings at meetings of the committee and general meetings of the members and kept in a book provided for that purpose;
- f) Make, amend and rescind By-Laws;
- g) Appoint such sub-committees as deemed necessary to assist with the running of the Club.
- h) At their discretion employ a person or persons to carry out certain duties required by the Club, at salaries or remunerations for such period of time, as may be deemed necessary;
- i) Appoint a successor to a Committee position should a vacancy occur, until the next Annual General Meeting;
- j) Appoint a/n officer(s) or agent(s) of the Management Committee to have custody of the Club's records, documents and securities.
- k) Adjudicate on all matters brought before it, that in any way affect the club, not covered by these Rules of By-Laws.

11.2 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the committee.

12. Meetings of the Committee

12.1 The committee shall meet monthly unless otherwise agreed and meet no fewer than eight times during any one year.

13. Proceedings of General Meetings

13.1 Four members personally present (being entitled under this Constitution to vote at a General Meeting) constitute a quorum providing two such members are from the executive.

13.2 If within 30 minutes after the appointed commencement time for a meeting a quorum is not present, the meeting shall be postponed and rescheduled for a day and time not more than 14 days away.

13.3 If at the adjourned meeting there is not a quorum, then three members will constitute a quorum, providing one is a member of the executive.

13.4 If the President is absent from a meeting then the remaining members present will elect a member to chair the meeting.

14. Proxy Votes

14.1 Members who are unable to attend an Annual General Meeting or Special General Meeting of the Club may appoint another member to act as a their proxy and to vote on their behalf.

14.2 Each member shall be entitled to cast no more than two (2) proxy votes.

14.3 Written notice of non-attendance of the member, and the name of their chosen proxy, must be received by the secretary 24 hours before the meeting to which the proxy has been appointed.

15. Sub-Committees

15.1 The Committee may appoint Sub-Committees to assist with the running of the Club

15.2 Sub-committees shall comprise one or more members of the Management Committee and may also comprise others from outside the Committee, who it deems will work in the best interest of the Club.

15.3 Such Sub-Committees will periodically report their proceedings to the Management Committee and shall conduct their business in accordance with directions from the Management Committee.

15.4 The Committee may co-opt to a sub-committee anyone who is not a financial member of the Club.

15.5 Where a vacancy is created in a Sub-Committee the General Management Committee may fill this vacancy.

16. Voting

16.1 At the Annual General Meeting and Special General Meetings:

- b) All members as outlined in section 4.4 are entitled to vote;
- c) Each member shall be entitled to have one (1) vote;
- d) Each member entitled to vote may cast a maximum of two (2) proxy votes;
- e) The President shall be entitled to a deliberate vote and, in the event of a tied vote; the President shall exercise a casting vote.

16.2 At Management Committee Meetings:

- a) Each individual committee member present shall have one vote (1) vote;
- b) The President shall be entitled to a deliberate vote and, in the event of a tied vote; the President shall exercise a casting vote.

16.3 Voting will be by a show of hands. On a show of hands each Member entitled to vote under rule 4.3 (and not otherwise disqualified from voting) and present at a general meeting has one vote provided always that a parent or legal guardian of a Junior Member has one vote for each Junior Member he or she represents. If any member present requests a vote by way of secret ballot then such a vote will be undertaken in the ordinary way.

17. Special General Meetings

17.1 Special General Meetings shall be open to all persons entitled to be present at an Annual General Meeting.

17.2 14 days notice shall be given in writing to all such persons prior to such a meeting.

17.3 Notices shall state the business to be considered, and no business other than that for which the meeting has been held shall be considered.

17.4 Special General Meetings shall be convened only as follows:

- a) By a decision of a majority of the Executive Committee, or
- b) By a requisition to the Secretary in writing from at least five (5) person entitled to be present and vote at an Annual General Meeting.

17.5 A quorum shall be the same as for an Annual General Meeting: ten (10) members who are entitled to vote.

17.6 Special Meetings shall lapse if there is no quorum by 30 minutes subsequent to the time set down for the start of the meeting.

17.7 At all Special General Committee Meetings the accepted rules of debate shall apply.

18. Annual General Meetings

18.1 The Annual General Meeting shall be held by the end of November each year.

18.2 The order of business at the Annual General Meeting shall be:

1. Apologies
2. Reading of minutes of the previous Annual General Meeting
3. Business Arising
4. Presentation and adoption of the Annual Report and Financial Statement
5. Life Memberships
6. President's Report
7. Appoint returning officer
8. Election of officials
9. Alterations to the Constitution
10. General Business

18.3 The accepted rules of debate will apply at the Annual General Meeting.

18.4 A quorum for the Annual General Meeting will comprise ten (10) members entitled to vote.

19. Alterations to the Constitution

19.1 The Management Committee shall have the right to apply for a variation, alteration, or amendment to this Constitution. Any such application shall be made in writing to financial members and shall be heard and determined at the following Annual General Meeting or at a Special General Meeting.

19.2 Variation to the Constitution will require a vote of three quarters (3/4) of all persons present and entitled to vote and all nominated valid proxies.

19.3 Twenty-one (21) days notice in writing shall be given for any proposed constitutional changes.

20. Dissolution

20.1 If at a Special Meeting of the Club, a majority of financial members decide to dissolve the Club and wind it up, the property and assets of the Club shall be sold and proceeds will be used to discharge debts and liabilities, and any surplus monies will be donated to a nominated charity.

21. Gambling Regulations

In accordance the legislation relating to gambling, The Victorian Commission for Gambling and Regulations has asked that in order for the club to run future gambling functions, the club constitution be amended to include the following clause:

'All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the committee'.

22 FFA and FFV

22.1 Constitution

The Club must:

- (a) Be a body corporate or incorporated association to be recognised by FFA and/or FFV and must have the following characteristics:
 - (i) It organises teams to participate in competitions sanctioned by FFV or FFA;
 - (ii) All members of its teams are entitled to membership;
 - (iii) Members may vote in an election for any officeholders (whether directly if over 18 years of age or indirectly through a proxy, the Junior Member's parent or other legal guardian if under 18 years of age);
 - (iv) agrees to be bound by the Statutes and Regulations, the Laws of the Game and those FFA or FFV rules (including the respective constitutions) and by-laws expressed to apply to it; and
 - (v) Prevent infringement of the constitutions and by-laws of FFA and FFV and protect Football from abuse;
- (b) Amend:
 - (I) This Constitution; or
 - (II) The By-laws,

To promptly adopt changes in the constitutions and by-laws of FFA and/or FFV made from time to time to the extent that they are applicable to the Club. In this clause the reference to changes to by-laws includes additional or replacement by-laws;
- (c) Not otherwise amend or vary this Constitution without the consent of FFV and in accordance with the Act; or

(d) Not otherwise amend or vary any of its By-laws without the consent of FFV.

FFV must consent to any amendment to this Constitution or those By-laws which are required by law.

22.2 Enforcement of rules

Subject to applicable law, the Club must:

- (a) promulgate and comply with, and do everything within its power to enforce compliance with, the Statutes and Regulations and the Laws of the Game; and
- (b) Co-operate with FFA and FFV in all matters relating to the organisation of competitions, the Club's own competitions and Football in general.