



Lynwood United Football Club Inc

CONSTITUTION

1. The name of the Club shall be **LYNWOOD UNITED FOOTBALL CLUB "Inc"** hereinafter referred to as "the Club". This document is available for inspection by members of the Club at www.lynwoodunitedfc.com
2. **OBJECTS...** The objects of the Club shall be as follows:
 - a. To be a credit to the community in which it functions
 - b. To foster the growth and development of the game of football for all persons/players.
 - c. To encourage fellowship and good sporting behaviour amongst it's members.
 - d. To make available recreational and sporting facilities to it's members.
 - e. To provide tuition in the skills and knowledge of football to any person/player as provided in 2 (b), who expresses a desire to comply with Club requirements and receive the benefits of Club membership.
3. **POWERS...** The powers of the Club shall be as follows:
 - a. To purchase or otherwise acquire real or personal property for the purpose of the Club.
 - b. To make such agreements with, **Government Departments**, whether State or Federal, **Government Institutions, Municipal Council** or other bodies for the purpose of leasing or otherwise hiring of the Club.
 - c. To borrow by way of loan or overdraft for the purpose of carrying out the work and activities of the Club and to invest in any of the investments authorised by law, any surplus funds of the Club not immediately required for the purposes of the Club.
 - d. To enter into such agreements as are necessary and reasonable or are considered advisable for proper utilisation of the Club's assets and for the proper carrying out of the other objects herein detailed.
4. **AFFILIATION...** The Club shall be affiliated with FOOTBALL WEST or any other body whose aims will foster the objects of the Club.
5. **COLOURS...** The colours of the Club shall be, GOLD, WHITE AND RED.
6. **UNIFORMS...**The design and uniform of the Club shall be such as the Committee shall from time to time determine.
7. **INCOME:**
 - a. The income and property of the Club howsoever derived shall be applied solely towards the promotion of the objects of the Club. No portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise to any member or to any person claiming through any member by way of profit. PROVIDED THAT nothing herein contained shall prevent a payment in any person whose assistance to the Club shall in the unanimous opinion of the Committee warrant a payment of a reasonable remuneration.
 - b. All monies or securities for monies received by the Club shall be paid in to the general bank account of the Club as and when the same are received, and such monies shall be used for the general purpose of the Club.
 - c. The financial year of the Club shall close **two weeks after the end of the playing season. Being the last day of September.**

8. MEMBERSHIP:

- a. Persons eligible for membership of the Club as ordinary members are: any person/player of any gender.
- b. Persons eligible to become associate/social members: The Committee may accept any person as an associate/social member of the Club upon receipt of his or her signed application.
- c. Both ordinary and associate/social members are herein referred to by the expression 'the members' unless appears any indication to the contrary.
- d. **Application for membership:**
 - i) Any person will be eligible for membership of the Club in accordance with **8(a)** or **8(b)** on payment of such sum as may be decided by the Committee, and upon approval by the Committee. Be a Club member for a period expiring at the close of the current registration year from time determined by the Committee.
 - ii) Upon them being accepted as a member of the Club the member shall forthwith pay the annual subscription, set by the Committee, for the time being determined by the Committee.
 - iii) Team Coaches shall be deemed to be members of the Club and liability for payment of any monies ordinarily payable by Club members shall at the discretion of the Committee, and any team coach shall be deemed an ordinary member during the term of appointment and not otherwise.
 - iv) The Committee shall have the right to refuse to admit any person to membership.

9. MEMBERSHIP CARD :

Every member, upon paying their subscription shall be supplied with a membership card in such form as the Committee shall from time to time prescribe and each such membership card shall admit them to the Club premises.

Such membership cards shall not be transferable. **Also each member shall receive a copy of the constitution and rules of the association, which shall be adhered to at all times.**

10. MEMBERSHIP REGISTER:

The registrar shall keep the **Register of Members**, which shall record the **name, address and nature of membership of each member.**

a. Fees

All fees must be paid on or before Round 1 of each season and members whom have not paid their fees shall have their membership withdrawn, if then he/she shall not play until fees are fully paid. Social members shall not be offered any entry. In special circumstances members can approach the Committee in writing, who shall take the final decision.

11. CESSATION OF MEMBERSHIP

- a. any member desiring to resign his or her membership shall notify the Secretary in writing of his or her desire to resign. The secretary shall refer such notification to the Committee who shall accept such resignation subject to payment of overdue subscriptions by the resigning member.
- b. Such person shall continue to be a member of the Club until his/her resignation is accepted by the Committee or until the conditions subject to which it is accepted shall be fulfilled.

- c. Subject to the rule 11 (a) hereof, no member shall cease to be a member save as aforesaid or until he/she is expelled, by the Committee under the provisions hereinafter contained.
- d. Every member shall be under a continuing liability for subscriptions until he or she shall cease to be a member.
- e. If any member in the opinion of the Committee be guilty of misconduct or conduct prejudicial to the integrity of the Club, the Committee may expel such offending member from the Club. Such member may appeal to a Special General meeting and the decision of the Committee shall not be interfered with unless by a vote of three fourths majority of the members present at such meeting. Written notice of such appeal must be made to the secretary within seven days of notification of expulsion being given to such member. **A \$20 fee is applicable with appeal letter.**
- f. The Club has implemented a 'Three Strikes' policy. Under the policy, any player or member who engages in conduct or behaviour on or off the pitch that brings the Club or the FFA into disrepute, will be entered into a Disciplinary Register and given a verbal warning. On the second instance a written warning and on the third they will be suspended from the Club altogether.
This will come in the form of a suspension letter from the Club Committee which the player in question will be required to sign to accept the terms of suspension. However if they refuse to sign, in accordance with the constitution they have the right to appeal within 7 days. At which time, they may offer evidence in their defence to a board of no more than 3 representatives from the Club, who in turn will approach the Committee on the offender's behalf.
The onus is then on the Committee as a whole to decide if the final decision should be total expulsion from the Club, or a brand of suspension/punishment suitably agreed upon, with the understanding that should the offender at any time during the suspension, break the trust and indeed again bring the Club or FFA into disrepute, then they will be expelled indefinitely.
- g. Any member causing loss or damage to the Club or its equipment or property through failure to observe and comply with these Rules and By-Laws of the Club or the Directions or orders of the Committee or any officer of the Club shall be liable for costs.
- h. Consumption of alcohol: no Amateur player will be permitted to consume alcohol during a league/Cup game until their respective team's match has finished. This policy includes injured/suspended players. Any player seen to be in violation of this rule will, in the first instance, receive a verbal warning from the respective Coach. If the infraction occurs a second time, a 'first strike' letter will be drawn up for the player. *See section 11.f of this document.*

12. OFFICERS OF THE CLUB

The Committee of the Club shall consist of the following officers:

President
Vice President
Secretary
Treasurer
Liaison/ Publicity Officer
Registrar

13. POWERS FOR COMMITTEE MEETINGS:

- a. The Committee shall carry out general business and daily matters concerning the running and management of the Club and be responsible for formulating Club Policies and have sole management of such. **The Committee will set all fees by the end of January each year.**

- b. The Committee shall meet at least once every calendar month, or when need arise.
- c. Introduction of new policies/rules into the Club Constitution, or any alteration or rescinding of existing policies must first be put to a majority-rule vote during a quorate Committee meeting. Upon official ratification of this change/addition, the Secretary will update the Constitution accordingly. The document will then be circulated to the Committee and to the Department of Consumer Protection.

14. POWERS OF THE COMMITTEE ctnd...

- d. The Committee shall form and direct sub Committees to assist the officers of the Club in the carrying out of the Club work and shall provide such sub Committee so formed with terms of reference in writing and the sub Committee shall continue until its specified task is completed or until the termination of office of the Committee. Each sub Committee shall consist of members of the Club and shall report to and be responsible to the Committee.
- e. In the event of any vacancy in any office during the term of office of such members of the Committee then the remaining shall elect a member of the Club to fill any such office and such person shall hold office until the next AGM when such person shall be eligible for re-election. Otherwise than as herein provided all members for a term of office not being less than twelve months
- f. If the majority of the members of the Committee shall be of the opinion that any member of the Committee is not satisfactorily discharging his or her duties or otherwise not acting in the best interests of the Club, the Committee may, by majority of its members, expel such a member from the Committee and the Committee may appoint another person to stand in the place of the member so expelled until the next AGM. Member has same rights of appeal as laid out in 11(e).
- g. The President shall reside at all meetings and functions of the Club, in absence the Vice President shall reside at all meetings. The President shall be an ex officer member of all Sub Committees. *(Refer to Position Description)*
- h. The Secretary shall record minutes all Committee meetings, shall carry out such duties as the Committee determine, and shall be custodian of the common seal. If the Secretary is unavailable then, a person authorised by the Committee shall be the custodian. The Secretary shall be in custody of all records, books (not relating to financial matters), archives and securities relating to the Club. All Club records, books and archives are to be made available for inspection by its members at any time. *(Refer to Position Description)*
- i. The common seal may not be used without the authority of the Committee, and when used must be recorded in the minute book. Affixing the common seal must be witnessed by two persons, being, the President, Secretary or Treasurer. The Secretary shall be the custodian of the common seal.
- j. The Treasurer shall receive the contributions of Members and any other monies due to the Club; issue official receipts for same; keep correct account of the income and expenditure; pay all monies into a bank account in the Clubs name and have all cheques for disbursement signed by themselves and such person or persons who may be appointed from the Committee whose signatures have been lodged with the bank. He/She shall submit progressive statement of receipts and expenditure together with statement of liabilities to each Ordinary meeting of the Committee and shall prepare Balance Sheet up to the end of September each year and present same duly audited to the AGM. The Treasurer will be the custodian of all records and archives relating to financial matters associated with the Club. All Club records, books and archives are to be made available for inspection by its members at any time.
(Refer to Position Description)

15. NOMINATION AND ELECTIONS OF COMMITTEE

- i) Nomination for the positions enumerated in clause 12 (a) must be signed by the candidate and two members of the Club and delivered to the Secretary at least 28 days before the AGM or General Meeting called for the purpose of conducting the election, except as provided in (c) hereof. A person may nominate for more than one position. No person may stand for re-election to the same office after three consecutive years.
 - ii) In the event of one or more of the positions enumerated in clause 12(a) not having received any nomination as laid out in clause 17 a.(i) the only those positions will be eligible to be nominated for from the floor of the AGM and on a form provided for that purpose and signed by the candidate and two members.
- a. The General Committee shall be elected annually and hold office for one year.
- b. In the event of an AGM taking place the following provisions shall apply:
- i) Every member present thereat shall upon giving their name to the Registrar, have such name ruled off the roll of members and shall thereupon be given a ballot paper by the Returning Officer who shall be appointed by the Committee prior to the commencement of the meeting.
 - ii) The President shall explain at the meeting the method of voting for the candidates as in the preceding rule.
 - iii) Each member will mark their ballot paper accordingly and will place the same in ballot box provided.
 - iv) Two scrutineers will count the votes in accordance with the preceding rule and report verbally to the meeting the names of officers elected.
- c. **Continued...**
- v) Each member shall so vote by writing that persons name on the election proforma. A ballot paper that does not comply with this requirement shall be null and void
 - vi) Such ballot paper shall be forwarded in a sealed envelope addressed to care of the Secretary or shall be so handed to the Secretary not less than twenty four hours before the time fixed for AGM

16. COACHES

The appointment of coaches shall be in the hands of the Committee to appoint a coach or coaches at such remuneration and upon such terms and conditions as the Committee shall think fit. At any time the Committee may dismiss or suspend such coach and to reappoint them or appoint any other person in their place.

- a. The Club is required to advertise all coaching positions as vacant on the Football West website (amongst other means) at the conclusion of each season. Application must be received in writing by the Secretary by a given closure date. In the event that more than one applicant is shortlisted for a coaching position, a panel will convene and interviews will be conducted. Similarly, the Committee reserves the right interview any applicant, even if that person is the sole contender.

18. REPORTING STRUCTURE

No player, coach, parent or affiliate of the Club is permitted to contact or approach Football West directly (on behalf of Club or themselves) in regard to official, league-related matters. Only officers of the Club (see *section 12*) shall liaise with the governing body directly. All queries, concerns or grievances shall be filtered through officers of the

Club in the first instance, the forwarded to Football West for resolution. The penalty imposed upon those in breach of this policy is at the discretion of the Committee.

19. FOOTBALL SPECIFIC POLICIES

- a. In the event that a team reaches premiership status, the players originally involved in the team's league advancement are given first priority for re-registration into said team for the following season. When pre-season trials are conducted for this team, the coach plus two external parties must be present to avoid any bias.
- b. Reporting of match results to Football West; the Club will cover the fines issued by Football West for failure to report match results one occasion per each team. Coaches who continue to fail to report match results to Football West after this occasion will pay the fines themselves.
- c. Players injured during official league game-play are responsible for the management of their own insurance claims through Football West and Sports Cover. The Committee and its key officers may assist the player in collection of official documentation if requested, but are not accountable for any lodgement or administration of insurance claims.
- d. Any Football West fines for red and yellow cards received by the Club shall be paid in full by the offending player.

20. AUDITORS

The accounts of the Club shall be audited by one Auditor and submitted to the AGM in each year. The auditor to be appointed annually at the AGM or as otherwise directed by a majority of the vote of members present at the meeting.

21. RULES INTERPRETATION

The interpretation of these rules or any questions arising out of them shall be at the discretion of the Committee whose decision thereon shall be final and binding on all members.

22. MEETINGS

- i) The date of the AGM shall be notified to members 31 days before the event each year for the purpose of receiving the annual report of Committee of management, the balance sheet, the election of officers of the Club for the upcoming season and any other general business which may be submitted to the meeting.
- ii) Special General Meeting shall be called by the Secretary whenever directed by the President or Committee or upon receiving a requisition signed by fifteen members of the Club setting out the objects of the proposed meeting. At a Special General Meeting no business shall be transacted other than that specified in the notice convening such meeting and other relevant thereto.
- iii) **The AGM shall be called within four months from the 30th of September of each year being no later than January of the following year.**
- iv) The AGM and all Special General meeting shall be called by circular addressed to each member at least seven days previous to each meeting.
- v) The attendance of half plus one of the total number of current Committee members at a Committee meeting shall be the quorum.

Meetings contd...

Standing orders for the conduct of meetings shall be observed

23. MEMBERS VOTING:

Members over the age of 16 years shall have the right to vote as long as they are fully paid members and have no outstanding monies owing to the Club, whether fees, fines or for equipment. A parent or guardian of a member under the age of 16 years shall have the right to vote on their behalf as long as they have no outstanding monies owing to the Club, whether fees, fines or for equipment

24. ORDER OF BUSINESS

The business of the Club at Ordinary Meetings shall be conducted in the following order:

- a. Consideration and confirmation of the Minutes of previous Meeting
- b. Correspondence and business arising from previous minutes
- c. Secretary's Report
- d. Treasury Report
- e. President's Report
- f. Discussion of agenda items forwarded
- g. General Business

The AGM procedure to be followed should be as follows:

- a. Presentation of Annual Report/s
- b. General Business
- c. Election of Officers
- d. Social

25. DISPUTES

Any dispute between members may be referred in writing by either disputant to the Committee whose decision thereon subject to these rules shall finally settle the matter. The complainant shall with his/her complaint deposit two dollars with the Secretary or Treasurer and if the Committee consider the complaint to be frivolous they may order the amount to be forfeited to the Club funds.

26. DISSOLUTION

The Club may be dissolved by a resolution constituted by 75% of the members of the Club present at the Special General Meeting summoned for that purpose. In the event of the dissolution of the Club, the assets of the Club shall be applied firstly in payment of its just debts and liabilities, secondly any surplus assets shall be distributed to an incorporated association or incorporated associations having objects of similar to those of the Club or any Charitable Purpose or as determined by resolution of the members.