



## **CONSTITUTION**

### **1. Club Name**

The name of the club shall be EAST GOSFORD FOOTBALL CLUB INCORPORATED (hereinafter to be referred to as the club)

### **2. Affiliation**

The CLUB shall be affiliated to Central Coast Football (hereinafter to be referred to as C.C.F.)

### **3. Colours**

The CLUB colours shall be GREEN and WHITE, the arrangement of which may be decided and changed at any Annual General Meeting (hereinafter referred to as A.G.M) or Extraordinary Meeting subject to the approval of the C.C.F.

### **4. Home Ground**

The home ground of the club shall be the grounds on the corner of Althorpe and Russell Streets, East Gosford, known as and referred to as Hylton Moore Park.

### **5. Laws of the Game**

The CLUB shall adopt the laws of football as laid down by time to time by the C.C.F.

### **6. Objects of the Club**

The objects of the CLUB shall be:

- a) To foster, promote and develop football in the East Gosford and surrounding districts
- b) To acquire, prepare and maintain football grounds and other facilities deemed desirable for the promotion of the objects of the CLUB
- c) To print and publish any periodical, brochure, programme or any other promotional material that the CLUB believes desirable for the promotion of the CLUB
- d) To control football by adhering to the rules and laws of the game as laid down by the international football board (hereinafter referred to as FIFA) or as amended and approved by the C.C.F.
- e) To give permission for the exclusive, non exclusive or limited right to use the CLUB name or emblem providing it directly or indirectly benefits the CLUB

- f) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workman or other persons as may be necessary or convenient for the purposes of the CLUB
- g) To borrow or raise or secure the payment of money in such manner as the club may think fit and to secure the repayment of performance of any debt, contract, guarantee or other engagement incurred or to be entered into by the CLUB in any way and in particular by the issue of debentures, perpetual or otherwise charged upon all or any of the CLUB'S property (both present and future) and to purchase, redeem or pay off any such securities.
- h) In furtherance of the objects of the CLUB to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the CLUB
- i) The income and property of the CLUB whencesoever derived shall be applied solely towards the promotion of the objects of the CLUB as set forth in this memorandum of association and no portion thereof shall be paid to, transferred directly or indirectly by way of dividend, bonus or otherwise whosoever, by way of profit to or amongst the members of the CLUB. Provided that nothing herein contained shall prevent the payment in good faith of interest to any such member in respect to monies advanced by him/her to the CLUB or otherwise owing by the CLUB to him/her or of remuneration to any officers or servants of the CLUB or to any member of the CLUB or other person in return for any services actually rendered to the CLUB
- j) The liability of the Members of the CLUB is limited.
- k) Every member of the CLUB undertakes to contribute to the assets of the CLUB in the event of the same being wound up during the time that he/she is a member, for payments of the debts and liabilities of the CLUB contracted before the time at which he/she ceases to be a member and the costs, charges and expenses of winding up the CLUB and for the adjustment of the rights of the contributors amongst themselves, such amount not to exceed twenty dollars (\$20.00).
- l) If upon the winding up or dissolution of the CLUB there remains after satisfaction of all it's debts and liabilities any property whatsoever, the same shall be donated or transferred to some other institution or institutions having similar objects to those of the CLUB.
- m) True accounts shall be kept of the sums of money received and expended by the CLUB and the matters in respect of which such receipt and expenditure takes place and of the properties, credits and liabilities of the CLUB and shall be open to inspection by any office bearer of the CLUB, or at the discretion of the management committee, by any member of the CLUB. Once at least every year the accounts of the CLUB shall be examined and the correctness of the balance sheet ascertained by one or more qualified members of a recognised institute, association or body of accountants.

# **RULES**

## **7. AMENDMENTS TO THE CONSTITUTION**

The constitution and rules may be altered or amended only at an Annual General Meeting (hereinafter to be referred to as AGM) an adjourned AGM or an extraordinary Meeting. Any such alterations shall be in writing and reach the club secretary not less than twenty-one (21) days prior to the AGM or extraordinary meeting so that the club secretary can give the necessary fourteen (14) days notice to members. A majority of two-thirds of the members present at the AGM, an adjourned AGM or an Extraordinary meeting shall be required before any alterations or amendments to the CLUBS constitution and/or rules shall be accepted

## **8. MEMBERSHIP AND FEES**

### ***I Member***

A member of the CLUB shall be:

- a) Any registered financial player of the CLUB who is at least 18 years of age
- b) Any parent or guardian of a registered financial player of the CLUB where the said player has not attained the age of 18
- c) Any other person who pays an annual subscription which shall be determined at the AGM each year
- d) Any life member of the CLUB
- e) A person not being defined in section 8 part I paragraphs (a), (b), (c) or (d) who is a coach, manager or Office Bearer of the CLUB
- f) Any other person who in the opinion of the Management Committee (hereinafter to be referred to as MC) by virtue of his/her interest in the CLUB'S activities should be regarded as a member

### ***II Membership Fees***

Annual registration fees shall be decided by the MC. Registration fees must be paid in full before a player shall be regarded as being a financial player of the CLUB. The MC shall have the power to alter or waive such subscription if it is deemed by the MC that payment of such would cause hardships.

### ***III Refusal, Suspension or Exclusion of a Member***

The MC reserves to itself the right to refuse membership in particular cases where it is considered the applicant has an undesirable background or in the opinion of the MC would not benefit the CLUB.

The MC reserves to itself the right to accept membership in particular cases where it is considered the applicant has an undesirable background or history with the CLUB upon

that member entering into a bond of obligation to abide by conditions that seem appropriate to the MC.

If any member by his/her conduct or by his/her association shall be in the opinion of the MC undesirable as a member or if the MC shall consider that any member should be excluded permanently or temporarily from the CLUB or from the use of its property or from any part of its activities then the MC shall have the power to suspend the membership of such member permanently or temporarily provided that the member shall have the right to appeal to the executive Committee (hereinafter to be referred to as EC)

#### ***IV Period of Membership***

The period of membership for each member shall be:

- a) The first day of February in one year to the thirty first day of January the Following year for those members defined in section 8 Part I paragraphs (a), (b) and (c)
- b) From the time of election or appointment until the next immediate AGM for those members defined in section 8 Part 1 Paragraph (e)
- c) For a period of time as deemed necessary by the MC or until the next immediate AGM whichever period shall expire first, for those members defined in section 8 Part 1 Paragraph (f)

#### ***V Member Privileges***

Every member shall be entitled to use the premises of the CLUB and its facilities and to enjoy all the rights and privileges from time to time afforded to members of the EC but subject to strict observance of these rules and compliance with the By Laws of the CLUB for the time being in force and to the directions and orders of the MC

### ***9. LIFE MEMBERSHIP***

A life member shall be one who is selected as such for outstanding service to the CLUB over a minimum period of 5 years by a two thirds majority at any AGM. No more than one (1) life member shall be selected during any year. Such a person shall be entitled to a special badge which will provide entry to all CLUB functions, subject to the payment of any entry fees decided upon by the organising committee, and will provide privileges of membership to the CLUB for life

### ***10. PATRONS***

A patron is one who is elected at the AGM. He/she shall be entitled to attend all the CLUB'S committee meetings and speak from the floor but will not have any power to vote unless a committee member. The number of Patrons at any one time shall not exceed three (3)

## **11. OFFICE BEARERS**

### **I Committee Members**

The office bearers of the MC should number Eighteen (18) and shall comprise of:

- President
- Vice President (Seniors)
- Vice President (Juniors)
- Secretary
- Treasurer
- Registrar (Seniors)
- Registrar (Juniors)
- Fixtures Officer
- Fixtures Officer
- Women's Co-ordinator
- Coaching Co-ordinator
- MPO (member protection officer)
- Merchandise Manager
- Equipment Manager
- Promotions Officer
- Canteen Co-ordinator
- Gala Day Officer
- Webmaster

The office bearers of the EC are to number six (6) and shall comprise of:

- President
- Vice President (Seniors)
- Vice President (Juniors)
- Secretary
- Treasurer
- Registrar

### **II Election of Office Bearers**

At the AGM all office bearers of the CLUB shall retire and all retiring office bearers shall be eligible for re election. **A returning officer shall be appointed to conduct the business of the election.** Any Member shall be eligible for election as an office bearer of the MC. They shall hold their respective offices until the next AGM. following their election. All appointments shall be honorary. Written nominations shall be accepted. The MC of the CLUB shall have the powers to appoint any member to fill a vacancy. Such appointee shall hold office until the next general meeting and shall then be eligible for re election.

All contested elections for office shall be decided by secret ballot.

The general meeting reserves the right to refuse appointment of the office bearer to any person or persons.

A person shall be entitled to hold more than one (1) concurrent office bearer position on the MC providing the holding of more than one office bearer position by any one person is deemed by the MC to directly or indirectly benefit the CLUB.

No one person shall be entitled to hold more than one concurrent office bearer position on the EC

### ***III Vacation of Office and Suspension***

- a) The position of an Office Bearer shall be vacated if he/she resigns his/her office by notice in writing to the Club Secretary. Where deemed necessary, the MC shall demand that specific audits be conducted by an authorised body, approved by the MC, before accepting the resignation of the office bearer.
- b) An office bearer who in the opinion of the EC is found guilty of conduct detrimental to the good name or reputation of the CLUB may be suspended or removed from office by the EC to be endorsed at the next general meeting. Any such suspension of an Office Bearer shall be effective when the office Bearer is officially notified and shall remain in force until a final decision is made at the following General Meeting.
- c) If any Office Bearer of the MC fails to attend three (3) consecutive meetings without approval of the MC, the EC shall have the right to declare the seat vacant and must notify the said Office Bearer accordingly.

### ***IV Responsibility of the Management Committee***

The control and management of the CLUB shall be in the hands of the MC and without limiting the generality of such management control, it shall have in particular the following powers:

- a) Maintain a set of by laws on the running of the CLUB
- b) To manage, control and maintain all building works and conveniences which in the opinion of the MC shall be necessary for the purpose of the CLUB and to the furtherance's of it objects.

### ***V Responsibility of the Executive Committee***

- a) To oversee all the workings of the CLUB
- b) To liaise with private individuals and public bodies in regard to sponsorship of Monies for the benefit of the member's of the CLUB
- c) To deal at the Presidents discretion with anything occurring outside the normal Running of the CLUB and to report to the next General meeting
- d) To appoint a person to fulfil the position of an Office Bearer of the M.C in his/her temporary absence. This temporary appointment shall apply until the appointed office bearer returns from their temporary absence or unless section 8 Part III paragraph (a), (b) or (c) is enforced. Any such temporary appointment must be confirmed at the next General Meeting

## **12. MEETINGS**

### ***I Voting Rights***

- a) Only members defined in section 8 Part I shall be eligible to vote at CLUB meetings
- b) If a person satisfies more than one (1) of the criteria for being deemed to be a member, then that person shall be entitled to one (1) vote only at all CLUB meetings
- c) If a member defined in section 8 Part I paragraph (e) ceases to be a member through having to vacate his/her position at the A.G.M, then that person shall be entitled to vote at the A.G.M
- d) No proxy votes shall be accepted at any CLUB meetings

### ***II Quorum at Meetings***

- AGM 10 CLUB members
- Extraordinary 8 CLUB members
- General meeting 8 CLUB members of which 4 must be MC office bearers
- MC Meeting 8 Office Bearers of which 3 must be Office Bearers of the EC
- EC Meeting 3 Office Bearers of the EC of which one must be either the President or CLUB Secretary

### ***III Procedure at Meetings***

At all meetings the President shall preside and if he/she shall not be present a Vice President shall preside and if there shall not be a Vice President present, the meeting shall appoint it's own chairperson. The chairperson shall have a casting vote only unless otherwise provided within this memorandum of association. The procedure shall be such as is usual at meetings of members of the CLUB and the ruling and decision of the chairperson on any question of procedure shall be final. The chairperson shall appoint a secretary at the commencement of each meeting. This secretary shall record and distribute precise minutes of the meeting, with a copy being forwarded to the CLUB Secretary. Every motion must be seconded. The chairperson shall have the right to limit the time during which each person may speak. Except as otherwise provided within this memorandum of association, the decision of the meeting shall be recorded by resolution and shall be by the majority of votes of those present. The declaration by the chairperson as to the votes shall be final. Voting shall be by a show a hand's, unless a secret ballot is called for or as otherwise provided within this memorandum of Association

### ***IV Notice to Members of AGM and Extraordinary Meeting***

- a) The CLUB Secretary shall be responsible to personally notify each member of the M.C
- b) The CLUB Secretary shall publish the notice in a newspaper not later than Fourteen (14) days clear before the meeting, and provided that in cases which Shall consider urgent action is necessary, the notice shall be such as the President shall consider sufficient

## ***V Annual General Meeting***

The AGM of the CLUB shall be held as soon as possible after the thirtieth (30<sup>th</sup>) day of September and not later than one (1) month from that date. The business of the meeting shall be as set out in the following agenda

- a) reading of minutes of the last AGM
- b) adoption of these minutes
- c) reading of annual reports
- d) adoption of these annual reports
- e) reading of annual balance sheets
- f) adoption of annual balance sheets
- g) vacation of all Office bearer positions
- h) installation of a returning officer
- i) election of Office Bearers
- j) formation of committees and sub committees
- k) election of alternate Association delegates (2)
- l) election of patrons
- m) election of CLUB auditors
- n) Election of life members
- o) Motions of notice
- p) General business

The Office Bearers to be elected at the AGM and the sequence in which voting shall take place is:

1. President
2. Vice President (Seniors)
3. Vice President (Juniors)
4. Secretary
5. Treasurer
6. Registrar (Seniors)
7. Registrar (Juniors)
8. Fixtures Officer
9. Fixtures Officer
10. Women's Coordinator
11. Coaching Co-ordinator
12. MPO (member protection officer)
13. Merchandise Manager
14. Equipment Manager
15. Promotions Officer
16. Canteen Co-ordinator
17. Gala Day Officer
18. Webmaster

Failure to elect any one of the six (6) Office Bearers who comprise the EC shall result in the Returning Officer declaring the AGM void. The returning officer shall then reinstate the retiring Office Bearers and adjourn the AGM to a date to be fixed



## ***VI Extraordinary Meeting***

Extraordinary meetings may be convened by the President or by the MC or any ten (10) or more members to consider any special business concerning or affecting in any way the CLUB or its activities or progress including the passing or alteration of the constitution or any matter affecting in any way Office Bearers or Members of the CLUB. The meeting shall be held within 14 days of receipt of request given to the Club Secretary in writing, stating the objects for which the meeting is called and briefly but not substantially the business to be brought before the meeting.

## ***VII Monthly General Meeting***

A General Meeting of the CLUB shall be held each month during the football season and thereafter as required. This meeting shall be held on the fourth Monday of the month and shall commence at 7.00pm. The business of the meeting shall be set out in the following agenda:

- Apologies
- Reading and confirmation of the minutes of previous meeting
- Business arising out of previous minutes
- Correspondence and Secretary's report
- Reading and confirmation of financial statement
- Reports by EC Office Bearers
- Reports by Association delegates
- Motions of notice
- General business
- Date of next meeting

## ***VIII Management Committee Meeting***

The MC shall hold a regular meeting at least once each calendar month during the Football season, on such day or night as from time to time the committee shall determine.

## ***IX Executive Committee Meeting***

The EC shall hold a meeting when necessary as determined by the President or a quorum of the EC. The Chairperson at an EC meeting shall be entitled to a deliberate vote.

# **13. FINANCE**

## ***I Bank Account***

The funds of the CLUB shall be banked at such accounts as may be determined from time to time by the MC. In the name of the CLUB, with any two (2) of the President, Secretary or Treasurer to operate co-jointly thereon. Provided that any cheque, bill or any other similar document may be endorsed by any one of the President, Club Secretary or Treasurer or person appointed as aforesaid for the purposes of the payment of such Cheque, bill or other document to the credit of the CLUB'S account

## ***II Books of Accounts***

The CLUB shall cause proper books of accounts and or records to be kept with respect to:

- a) All sums of monies received and expended by the CLUB and the matter and manner in respect of which the receipt and expenditure takes place
- b) All purchases and disposal of property of any kind of the CLUB
- c) The assets and liabilities of the CLUB
- d) The books of accounts and relevant records of the CLUB shall be closed no later than the 30<sup>th</sup> day of September in each year and be duly audited by a qualified accountant (elected at the previous AGM) in readiness to be presented at the AGM

## ***III Inspection of Books of Accounts***

The accounts, books, documents and records of the CLUB shall be available for inspection by any member of the MC or at the discretion of the MC, by any Member of the CLUB. All accounts shall be presented and passed for payment at a monthly General Meeting and the minutes of such approval shall be included in the minute book. The EC shall have the power to authorize payment of any accounts that cannot be held over for approval until the next General Meeting. Details of these accounts and subsequent payments must be detailed and included in the minute book at the following General Meeting

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