



East Gosford Football Club Constitution

27 August 2023

This version adopted by a unanimous vote at an EGM prior to the 2023 AGM

CONTENTS

1	Club Name	4
2	Affiliation	4
3	Colours.....	4
4	Home Ground	4
5	Laws of the Game	4
6	Objectives of the Club	4
7	Amendments to the Constitution.....	6
8	Membership and Fees	6
8.1	Member	6
8.2	Membership Fees	6
8.3	Refusal, Suspension or Exclusion of a Member.....	6
8.4	Period of Membership.....	7
8.5	Member Privileges.....	7
9	Life Membership.....	7
10	Patrons.....	7
11	Office Bearers	7
11.1	Committee Members	7
11.2	Election of Office Bearers	8
11.3	Vacation of Office and Suspension.....	9
11.4	Responsibility of the Committee	9
11.5	Responsibility of the Executive Committee.....	9
11.6	Responsibility of the Football Committee.....	9
12	Meetings.....	10
12.1	Voting Rights.....	10
12.2	Quorum at Meetings	10
12.3	Procedure at Meetings	11
12.4	Notice to Members of AGM or EGM	11
12.5	Annual General Meeting	11
12.6	Extraordinary General Meeting.....	12
12.7	Monthly General Meeting	12
12.8	Executive Committee Meeting	12
13	Finance.....	13
13.1	Bank Accounts	13
13.2	Books of Accounts	13
13.3	Inspection of Books of Accounts	13

14 Other Governance Matters 13

14.1 Conflict of Interest..... 13

1 CLUB NAME

The name of the club shall be EAST GOSFORD FOOTBALL CLUB INCORPORATED (ABN 49 846 349 454) (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 CCF).

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 AGM) or Extraordinary General Meeting (hereinafter referred to as EGM) subject to the approval of CCF.

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 from time to time by the CCF.

6 OBJECTIVES OF THE CLUB

The objectives of the CLUB shall be:

- a) To foster, promote and develop football in East Gosford and the surrounding districts;
- b) To acquire, prepare and maintain football grounds and other facilities deemed desirable for the promotion of the objectives of the CLUB;
- c) To print and/or publish any periodical, brochure, program 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 CCF;
- 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 objectives 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 wherever derived shall be applied solely towards the promotion of the objectives of the CLUB as set forth in this Constitution 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 its debts and liabilities any property whatsoever, the same shall be donated or transferred to some other institution or institutions having similar objectives to those of the CLUB; and
- 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. Following the completion of the CLUB's financial year and any other time deemed necessary by the Executive Committee, the accounts of the CLUB shall be examined and the correctness of the financial reports ascertained by a qualified member 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 AGM, an adjourned AGM or an EGM. Any such alterations shall be in writing and reach the CLUB Secretary not less than twenty-one (21) days prior to the AGM or EGM so that the Secretary can give the necessary fourteen (14) days' notice to members. A majority of two-thirds of the members present at the AGM, adjourned AGM or EGM shall be required before any alterations or amendments to the CLUBS constitution and/or rules shall be accepted.

8 MEMBERSHIP AND FEES

8.1 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 life member of the CLUB;
- d) A person not being defined in 8.1 paragraphs (a), (b), or (c) who is a coach, or manager;
- e) An Office Bearer of the CLUB; or
- f) Any other person who in the opinion of the Executive Committee (hereinafter to be referred to as EC) by virtue of his/her interest in the CLUB'S activities should be regarded as a member.

8.2 MEMBERSHIP FEES

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

8.3 REFUSAL, SUSPENSION OR EXCLUSION OF A MEMBER

The Committee 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 Committee would not benefit the CLUB.

The Committee 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 deemed appropriate to the Committee.

If any member by his/her conduct or by his/her association shall be in the opinion of the Committee undesirable as a member or if the Committee 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 Committee 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.

8.4 PERIOD OF MEMBERSHIP

The period of membership for each member shall be:

- a) The later of either the first day of January or the day of registration in one year to the thirty first day of December the same year for those members defined in 8.1 paragraphs (a), (b) and (d);
- b) From the time of election or appointment until the next immediate AGM for those members defined in section 8.1 Paragraph (e);
- c) For a period of time as deemed necessary by the Committee or until the next immediate AGM whichever period shall expire first, for those members defined in section 8.1 Paragraph (f);
- d) From the date of bestowal henceforth, for a life member of the CLUB.

8.5 MEMBER PRIVILEGES

Every member shall be entitled to use the premises of the CLUB and its facilities on request to the Executive Committee and subject to strict observance of this Constitution and compliance with the By Laws and Policies of the CLUB for the time being in force and to the directions and orders of the Committee.

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 10 years by a two thirds majority at any AGM.

Nominations for life membership shall be submitted to the Executive Committee at least 21 days before any AGM. The Executive Committee shall be required to review all submissions and provide guidance to the membership on the suitability of nominated persons for acceptance as a life member at the 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

11.1 COMMITTEE MEMBERS

The Office Bearers of the Committee shall comprise of:

1. President
2. Secretary
3. Treasurer
4. Registrar
5. Football Manager
6. Coaching Coordinator(s)
7. Age Group Coordinator(s)
8. Fixtures Officer

9. Communications Officer
10. Canteen Manager
11. Gear and Merchandise Manager
12. Member Protection Information Officer (MPIO)
13. Ordinary Committee Member(s)

The following roles are not considered to be Office Bearers of the Committee as they are roles required to be appointed from time to time by the Committee. Each role is ongoing unless the person holding the role is removed or steps down from the role:

14. Liquor Licensee
15. Public Officer
16. The Office Bearers of the Executive Committee (hereafter referred to as EC) are a subset of the Committee and shall comprise of:
 1. President
 2. Secretary
 3. Treasurer
 4. Registrar
 5. Football Manager

The Office Bearers of the Football Committee (hereafter referred to as FC) are a subset of the Committee and shall comprise of:

5. Football Manager
6. Coaching Coordinator(s)
7. Age Group Coordinator(s)

The Office Bearers of the Management Committee (hereafter referred to as MC) are a subset of the Committee and shall comprise of:

8. Fixtures Officer
9. Communications Officer
10. Canteen Manager
11. Gear and Merchandise Manager
12. Member Protection Information Officer (MPIO)
13. Ordinary Committee Member(s)
 - a. Election of Office Bearers

At the AGM all Office Bearers of the CLUB shall retire and all retiring Office Bearers shall be eligible for reelection. ***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 Committee. They shall hold their respective offices until the next AGM following their election. All appointments shall be honorary. Written nominations shall be accepted. The Committee of the CLUB shall have the powers to appoint any member to fill a vacancy at any meeting of the CLUB in accordance with this Constitution. Such appointees shall hold office until the next AGM and shall then be eligible for reelection.

All contested elections for Office Bearers shall be decided by either a show of hands from eligible members at the AGM or, if called for by a simple majority of members present at the meeting, by secret ballot.

The AGM reserves the right to refuse appointment of an Office Bearer position to any person or persons by a two-thirds majority of eligible members present at the AGM.

A person shall be entitled to hold more than one (1) concurrent Office Bearer position on the FC or MC providing the holding of more than one Office Bearer position by any one person is deemed by the Committee 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.

Office Bearer roles on the Football Committee and Management Committee may be held by more than one person where it is considered to be of benefit to the CLUB.

11.2 VACATION OF OFFICE AND SUSPENSION

- a) The position of an Office Bearer shall be vacated if they resign their office by notice in writing to the Secretary. Where deemed necessary, the Committee shall demand that specific reviews be conducted by an authorised body, approved by the Committee, 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 notification of inability to attend, the EC shall have the right to declare the seat vacant, if it is determined by the EC that such action is to the benefit of the CLUB, and must notify the said Office Bearer accordingly.

11.3 RESPONSIBILITY OF THE COMMITTEE

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

- a) Develop, implement and maintain a set of by laws and policies as required on the running of the CLUB;
- b) Develop, implement, modify or revoke policies and procedures from time to time that are deemed to directly or indirectly benefit the CLUB;
- c) To manage, control and maintain all building works and conveniences which in the opinion of the Committee shall be necessary for the CLUB and to the furtherance's of its objectives.

11.4 RESPONSIBILITY OF THE EXECUTIVE COMMITTEE

- a) To oversee all the workings of the CLUB;
- b) To liaise with private individuals and public bodies regarding sponsorship of Monies for the benefit of the members of the CLUB, in consultation with other Committee members assisting with such activities;
- 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 Committee in their 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.

11.5 RESPONSIBILITY OF THE FOOTBALL COMMITTEE

- a) Be responsible for the organisation, management and efficient control of all matters directly related to playing of football within the CLUB;

- b) Accept or reject all applications by a person for registration as a player with the CLUB in conjunction with the Registrar;
- c) Determine the number of CLUB teams and their recommended grading for submission to CCF, in consultation with the Registrar;
- d) Prepare and submit in consultation with and via the Registrar, a nomination form to the CCF by the nomination date;
- e) Ensure the Coaching Coordinator(s) establishes a timely campaign for the selection and training of coaches;
- f) Interview, select and appoint all Coaches and Managers;
- g) Select and determine the grading of all players into correct age groups and grade as per the CLUB Grading Policy;
- h) Be responsible for the organisation and efficient running of all CLUB teams registered to play for the CLUB within all sanctioned competitions and tournaments;
- i) Make arrangements for pre-season games and venues;
- j) Ensure all Coach and Managers are made aware of the CLUB materials and supply any additional material at the pre-season Coach & Managers meeting;
- k) Arrange for representation of players at both Judiciary hearings and Appeal Board hearings, in conjunction with the EC;
- l) Ensure the Secretary is advised immediately of any injuries to registered players and Team Officials;
- m) Make recommendations to the Committee regarding end of season presentation days for all age groups;
- n) Keep a record of all CLUB trophies (perpetual and otherwise) and collect same when required, in conjunction with the Communications Officer;
- o) Develop and implement a team training schedule.

12 MEETINGS

12.1 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 their position at the AGM, then that person shall be entitled to vote at the AGM;
- d) No proxy votes shall be accepted at any CLUB meetings.

12.2 QUORUM AT MEETINGS

- 1) AGM
 - a) 10 CLUB members;
- 2) EGM
 - a) 10 CLUB members;
- 3) General meeting
 - a) 5 CLUB members of which 3 must be Committee Office Bearers and one must be an Executive Committee Officer Bearer;
- 4) FC Meeting
 - a) 3 FC Office Bearers of which one must be the Football Manager;
- 5) EC Meeting
 - a) 3 Office Bearers of the EC of which one must be either the President or Secretary.

12.3 PROCEDURE AT MEETINGS

At all AGM, EGM, EC Meeting or General Meetings the President shall preside and if they shall not be present an EC Office Bearer shall preside. At all FC Meetings, the Football Manager shall preside and if they shall not be present the President shall determine who shall preside. The chairperson at all meetings shall have a casting vote only unless otherwise provided within this Constitution. 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 Constitution, the decision of the meeting shall be recorded by resolution and shall be by a simple majority of votes from eligible members present at the meeting. The declaration by the chairperson as to the votes shall be final. Voting shall be by a show of hands, unless a secret ballot is called for or as otherwise provided within this Constitution.

12.4 NOTICE TO MEMBERS OF AGM OR EGM

- a) The Secretary shall be responsible to notify each member of the Committee by any means as is considered generally acceptable practice;
- b) The Secretary shall appropriately inform the membership not less than Fourteen (14) days prior to 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.

12.5 ANNUAL GENERAL MEETING

The AGM of the CLUB shall be held no later than 31 October each year, unless a delay is deemed to be to the benefit of the club in the opinion of a majority of the EC. Such decisions shall be recorded in a formal note from the EC to all members of the Committee. The AGM shall be conducted no later than 30 November each year. 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 financial reports
- f) Adoption of annual financial reports
- g) Motions of notice for the current Committee
- h) Vacation of all Office Bearer positions
- i) Installation of a Returning Officer
- j) Election of Office Bearers
- k) Formation of committees and sub committees
- l) Election of patrons
- m) Election of CLUB auditors
- n) Election of life members
- o) Consideration of proposed changes to the CLUB Constitution (where submitted in accordance with this Constitution)
- p) Notice of Motions
- q) General business

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

1. President

2. Secretary
3. Treasurer
4. Registrar
5. Football Manager
6. Coaching Coordinator(s)
7. Age Group Coordinator(s)
8. Fixtures Officer
9. Communications Officer
10. Canteen Manager
11. Gear and Merchandise Manager
12. Member Protection Information Officer (MPIO)
13. Ordinary Committee Member(s)

Failure to elect any two of the five (5) 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.

12.6 EXTRAORDINARY GENERAL MEETING

Extraordinary General Meetings may be convened by the President, or at least 2 members of the EC, or by at least 6 members of the Committee or any twenty (20) or more CLUB 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 21 days of receipt of request given to the 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.

12.7 MONTHLY GENERAL MEETING

A General Meeting of the CLUB shall be held each month during the football season and thereafter as required. The business of the meeting shall be set out in the following agenda:

- a) Apologies
- b) Reading and confirmation of the minutes of previous meeting
- c) Business arising out of previous minutes
- d) Correspondence and Secretary's report
- e) Reading and confirmation of financial statement
- f) Reports by EC Office Bearers
- g) Reports by Committee members
- h) Motions of notice
- i) General business
- j) Date of next meeting

12.8 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

13.1 BANK ACCOUNTS

The funds of the CLUB shall be banked at such accounts as may be determined from time to time by the Committee. The accounts shall be in the name of the CLUB, with the President, Secretary, Treasurer and any one of the other Committee members as determined appropriate by the Executive Committee from time to time to operate co-jointly thereon. Payments shall be authorised by any two of the aforementioned Officers, for example, through the authorisation of internet banking transfers or the drawing of a cheque.

13.2 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 30th day of September in each year and a qualified accountant (elected at the previous AGM) shall be requested to complete a review engagement in readiness to be presented at the AGM.

13.3 INSPECTION OF BOOKS OF ACCOUNTS

The accounts, books, documents and records of the CLUB shall be available for inspection by any member of the Committee or at the discretion of the Committee, by any Member of the CLUB. All accounts shall be presented and passed for payment approval to the EC and a record of such approvals shall be maintained by the Treasurer. A summary of such transactions shall be presented at the following General Monthly Meeting and noted in the meeting minutes.

14 OTHER GOVERNANCE MATTERS

14.1 CONFLICT OF INTEREST

A Committee Member shall declare his interest in any contractual, selection, disciplinary, or financial matter in which a conflict of interest arises or may arise. He shall, unless otherwise determined by the EC, absent himself from discussions of such matters and shall not be entitled to vote in respect of such matters. If the Committee Member casts a vote, the vote shall not be counted. In the event of any uncertainty as to whether it is necessary for a Committee Member to absent himself from discussions and refrain from voting, the issue should be immediately determined by vote of the relevant Committee. If this is not possible, the matter shall be adjourned or deferred.