

# **SEAFORTH FOOTBALL CLUB**



## **OBJECTS & RULES OF THE SEAFORTH FOOTBALL CLUB**

**ADOPTED ON  
31 MAY, 2004**

# **OBJECTS & RULES OF THE SEAFORTH FOOTBALL CLUB**

1. **NAME:** The name of the club shall be “Seaforth Football Club” hereinafter referred to as “the club”.
  
2. **OBJECTS:** The objects of the club shall be:-
  - a) To engender and encourage the youth of the area in socially desirable attitudes of sportsmanship by providing good, healthy competition in association football, which is also sometimes referred to as “soccer”.
  - b) To provide opportunities for children and youth to be active during their leisure hours.
  - c) To work for the provision of adequate playing fields in the area and a football club building to facilitate promotion of objects (a) and (b).
  - d) To foster parental interest in the activities of the youth of the club and participation at managerial, administrative and coaching level.
  - e) To guide the youth of the area generally in the principles of good citizenship and to awaken local citizens to their responsibility in this respect.
  - f) To encourage the development of leadership ability among the youth of the club.
  - g) To remain non-political and non-sectarian.
  - h) To give special assistance to any young people who by physical or other handicaps may be deemed under-privileged and in any way denied normal opportunities.
  - i) To affiliate, from time to time, with the Manly Warringah Soccer Association or other such organisation (herein referred to as the “Affiliated Association”), as may be required in the interests of promoting football.  
Delete Soccer Now known as Manly Warringah Football Association
  
3. **COLOURS:** The colours of the club shall be black and white.  
The colours of the Club shall be Black, White and Red
  
4. **AREA:** The club’s area is defined as Balgowlah, Balgowlah Heights, North Balgowlah, Seaforth and Clontarf.

5. **MEMBERSHIP:**

- a) All parents with a child who is a financial member of the club shall automatically become members of the club.
- b) Any person who completes and submits an application for registration and pays his or her subscription at any time during the season will be a member of the club from acceptance of the registration until commencement of the next season.
- c) Any coach or office bearer of any activity of the club shall automatically become a member of the club from acceptance of the position until commencement of the next season.
- d) Other interested people may be granted club membership on payment of a nominal annual fee determined by the Committee which may be varied at a properly constituted meeting of the Committee from one year to another.
- e) Membership costs are to be reviewed on an annual basis and must be ratified at a Committee meeting.
- f) The Committee is empowered to negotiate payment by instalment of membership subscription in cases of hardship and in these instances partial payment is equivalent to fully paid up membership.
- g) The Committee may determine whether to accept an application for membership and shall not be bound to supply reasons for accepting or rejecting an application for membership.
- h) The Committee may decline a membership application from any person living outside the club's area.
- i) Persons living outside the club's area may be accepted as members of the club but not to the exclusion of members from within the club area.
- j) Subject to clause 7, life membership may be granted to an individual adult member by the Annual General Meeting in recognition of outstanding service to the club over such period as the Committee in its absolute discretion may think fit. Remove j and Add to Life membership to create Section 7.3
- k) The club Registrar shall be responsible for maintenance of a register of members.

- l) The Committee is empowered and will have the discretion to waive and/or discount membership subscription in special cases of financial hardship or when it deems that a member is in the category defined in Item (h), Clause 2 and in these instances such membership is equivalent to fully paid up membership. The Committee may also exercise this discretion in the following circumstances -
  - a) Club members who coach Premier League (Men's and Ladies) and Amateur League Division 1 teams.
  - b) Senior players who coach Junior teams – these players shall have their registration fees discounted by a value, as determined by the Committee each year as an encouragement to coach a junior team
  - c) Committee members and their family members.

6. **APPLICATION FOR MEMBERSHIP:**

Annexure (A) of this constitution is a pro-forma application for annual registration which shall also be deemed to be an application for club membership. Any changes to this application can only be altered under authority by the Committee.

7. **LIFE MEMBERSHIP:**

- a) The members of the Club, at an Annual General Meeting, may elect as Life Members any person(s) who has rendered service to the club. No more than two life members may be elected each year.
- b) Nominations for Life Membership, in writing and duly seconded, shall be lodged with the Secretary no later than 21 days prior to the Annual General Meeting. In the event that more than two nominations are received, the Committee shall decide which two go forward for consideration at the Annual General Meeting.
- c) To be elected as a Life Member, there must be at least a 75% majority vote of the members present at the Annual General Meeting in favour of the nominee.

This must include nominees who have been members of the Club for at least ten (10) years and who have also

- (i) held a position on the Committee for five (5) years, or
- (ii) held the position of Coach and/ or Manager in the Club for at least ten (10) years.

- d) Life membership may be granted to an individual adult member by the Annual General Meeting in recognition of outstanding services to the club over such period as the Executive Committee/ Committee in its absolute discretion may think fit

8. **MEMBERS' LIABILITY:**

The members of the Club shall have no liability to contribute towards the payment of debts and liabilities of the Club, or the costs, charges and expenses of the winding up of the Club except to the extent of any unpaid membership fees.

9. **SUSPENSION OR EXPULSION:**

- a) The Committee may at any of its regular meetings determine temporary suspension or permanent expulsion of a club member if other means have repeatedly failed to correct any situation whereby the conduct of the member concerned is considered detrimental to the interest of the club. Such suspension or expulsion must firstly be verbally conveyed to the member concerned by a member or members of the Committee and secondly confirmed in writing within 7 days immediately thereafter and such decision shall be final, provided that the member shall be eligible to reapply for membership the following season, without prejudice to the rights of the Committee to accept or reject such application, as the Committee thinks fit.
- b) The suspension or expulsion of the parent of a member shall have no effect on the membership of the child of such parent.
- c) Every person ceasing to be a member of the club whether by retirement, expulsion, resignation, death, non payment of subscription or otherwise shall also forfeit all club rights and privileges whatsoever.

10. **COMMITTEE MANAGEMENT:**

- a) All club officers shall be strictly honorary.
- b) The following shall be appointed at the annual general meeting each year and become a member of the club's Committee.
  - i. The President
  - ii. The Vice President
  - iii. The Secretary
  - iv. The Treasurer
  - v. The Registrar
  - vi. The Promotions Officer
  - vii. And at least three (3) other members of the club to fill various other positions as deemed necessary

- c) Retiring members of the Committee are eligible for re-election.
  
- d) Should there be a failure on the part of membership to nominate for the number of positions on the Committee, members may nominate, and if so elected, hold, more than one position on the Committee and in any vote on any resolution, cast a vote in relation to each position held by that Committee member.
  
- e) The Committee shall meet as often as is necessary to conduct the business of the Club and not less than ten meetings per annum.
  
- f) The quorum for meetings of the Committee shall be 5 of the current Committee members elected in the most recent ballot provided that if there shall be less than 5 members, but members holding 5 positions attend, that shall constitute a quorum.
  
- g) Notice of such Committee meetings shall be given to members at the previous Committee meeting or by such other means as the Committee may agree upon.
  
- h) A member of the Committee shall cease to hold office upon resignation in writing; removal as a member of the Club; or absence from three consecutive Committee meetings without approval by the Committee.
  
- i) Should Committee numbers fall below the quorum for 3 consecutive meetings, the remaining Committee members may vote to remove such members who have failed to attend any of the previous 2 meetings and the meeting at which the vote is taken and call for fresh nominations for membership of the committee to replace those removed.
  
- j) The majority of votes of those present shall decide questions arising at any meeting of the Committee. In case of an equality of votes the person appointed to chair the meeting should have a second or casting vote.
  
- k) Subject to subclause i hereof, if within half an hour of the time appointed for a Committee meeting a quorum is not present the meeting shall be dissolved.
  
- l) The President or any two members of the Committee may, upon proper notice being given, or in the case of urgent business where there is insufficient time for notice, convene additional meetings of the Committee.
  
- m) In the case of urgent business between meetings of the Committee which urgent business cannot reasonably await the next meeting of the Committee, the business of the Club shall, only in relation to such urgent business and subject to clause m, be conducted by an Executive Committee, comprising the President, Vice President, Secretary and Treasurer.

- n) In the absence of the availability of any one or more of the President, Vice President, Secretary or Treasurer, the remaining available Executive Committee members may, by majority, (and in the event of a tied vote, the longest serving Executive Committee member shall have a casting vote) appoint 2 such other members of the Committee to the Executive Committee on a temporary basis until the next meeting of the Committee.
- o) The quorum for the Executive Committee shall be three, as long as at least two of the following office bearers, being the President, Vice President, Secretary or Treasurer, are present at the meeting.
- p) The Committee shall have the right to determine any appointment made by it or to suspend the appointees and such determination or suspension shall be effective when notified to the person affected
- q) The decision of the Committee shall be final and binding on all concerned with respect to all matters affecting the club, the management thereof and the control and discipline and entertainment of members and all persons in or about any premises or area under the club's jurisdiction.

11. **MEETINGS:**

- a) The Annual General Meeting of the club shall be held at a location as the Committee may nominate no later than the 30<sup>th</sup> day Of November being sixty (60) days after the end of the club's financial year on a date to be decided at a Committee meeting and duly advised to members in writing or by such other method as may be considered expedient not less than seven (7) days prior to the date of the meeting. The business of this meeting shall include election of club officers as covered in Clause 10 (b), presentation of an audited financial report for the previous twelve months to 30<sup>th</sup> September of that year, and presentation of the club's Annual Report.
- b) At the annual general meeting or a specially convened general meeting 10 adults shall constitute a quorum.
- c) Nominations for all club Committee officers to be filled at the annual general meeting must be called in writing at least 21 days before the meeting in a form similar to Annexure (B) as attached which shall be distributed among members. If insufficient nominations are received then additional nominations may be accepted for vacant positions at the annual general meeting.
- d) A minor shall not be eligible for the executive offices of President, Secretary, Treasurer or Registrar.

- e) Each club officer shall be eligible to remain in office until commencement of voting procedures at the next Annual General Meeting and shall be eligible for re-election.

12. **DUTIES OF OFFICE BEARERS:**

- a) The President shall act as chairperson of each general meeting and Committee meeting of the Club and shall conduct such meetings in accordance with these rules. He or she shall also be an ex-officio member of all sub-Committees.
- b) The Vice President shall be the chairperson at any meeting from which the President is absent or at which the President refrains from occupying the chair.
- c) If the President or Vice President are absent from a meeting or unwilling to act, the members present at the meeting shall elect one of their number to act as chairperson and in the event of a tied vote the longest serving member shall have the casting vote.
- d) The Secretary shall -
  - i. Attend to the general business of the Club.
  - ii. Attend to the correspondence.
  - iii. Ensure that minutes of all meetings are circulated to Committee members within 14 days of the meeting taking place.
  - iv. Prepare the Annual Report.
  - v. Ensure that the business transacted at each meeting is recorded.
  - vi. Record any action taken in an emergency or on urgent business.
  - vii. Keep a record of attendance at all meetings.
  - viii. Ensure that the records of the business of the Club including the Rules, Register of Members, and Minutes of all general and Committee meetings and a file of correspondence are kept. These records shall be available for inspection by any member upon written request or at the discretion of the Committee in the absence of a written request and shall be held in the custody of the Secretary or as the Committee may nominate.
  - ix. Be an ex-officio member of all sub-Committees.



- d) The Treasurer shall –
- i. Receive all monies and give an official receipt.
  - ii. Deposit all monies received into an account approved by the Committee in the name of Seaforth Football Club Incorporated.
  - iii. Produce a summary of the current financial position at each Committee meeting.
  - iv. Ensure to the best of his or her ability that the correct books and accounts are kept, showing a true and fair view of the financial affairs of the Club. upon written request or at the discretion of the Committee in the absence of a written request and shall be held in the custody of the Treasurer or as the Committee may nominate.
  - v. Pay all amounts passed for payment in accordance with these rules.
  - vi. Prepare a financial statement for the twelve month period up to the 30<sup>th</sup> September each year for audit and submission to the Annual General Meeting.
  - vii. Prepare an annual budget for submission to the Committee.
  - viii. Be an ex-officio member of all sub-Committees.

13. **FINANCE:**

- a) All cheques issued by the club shall bear the signature of any two members of the club's executive Committee.
- b) All expenditure proposed on behalf of the club must be pre-authorised by an Committee meeting.
- c) All assets of the club irrespective of its nature shall be under the control of the Committee which shall make whatever arrangements it considers adequate for storage and safekeeping of all such material.
- d) All stock shall be kept by the club Treasurer or other authorised Committee member and only released on receipt of payment for the same.
- e) An inventory of equipment must be completed and recorded within 60 days of the completion of each season, by the President or his nominee in conjunction with the club treasurer and the record shall include (1) nature and quantity of equipment, (2) location at which it is stored, (3) state of the equipment, (4) date of such inventory, (5) signature of activity representative who took inventory.

- f) Details of equipment inventories must be submitted to the next Committee meeting following their completion.
- g) The Committee may set up special funds, open bank accounts in the name of the club, allocate funds, purchase and dispose of property of any kind, organise coaching clinics and arrange social functions on behalf of the club.
- h) Proper books of account showing a true and fair view shall be kept by the club Treasurer in respect of -
  - (1) all monies received and expended by the club
  - (2) all purchases and disposal of property of any kind by the club
  - (3) the assets and liabilities of the club.
- i) Any monies collected by Committees are required to be paid to the club Treasurer without delay.
- j) The club Treasurer shall make all disbursements either in cash or by cheque and shall obtain a receipt for all cash purchases.
- k) It is not permissible for Committees or any club representative to use money collected to pay accounts unless authorised by the Treasurer.

14. **AUDIT:**

- a) At least once in every calendar year the accounts of the club shall be audited by the club's auditor or auditors.
- b) The auditor or auditors of the club of whom there shall not be more than 2 appointed at any one time shall be qualified members of a recognised Institute Association or body of accountants. The auditor or auditors of the club shall be appointed by the Committee.
- c) The auditor or auditors shall at all reasonable times have access to the books, records and accounts of the club and they may in relation thereto examine members of the Committee or other officers of the club, which officers shall do all necessary acts and things to make themselves reasonably available to assist in any such examination under sanction of expulsion from the Committee and/or the club.
- d) The auditor or auditors shall be supplied with copies of the books, records and accounts of the club including but not limited to income and expenditure account and Balance Sheet intended for presentation at the Annual General Meeting a reasonable time before the meeting and it shall be their duty to examine the same with accounts and vouchers relating thereto and report to the Annual General Meeting thereon.
- e) If any committee member shall fail to undertake any task(s) pursuant to these rules, the President may requisition any other Committee member(s) to undertake the said task(s.)

15. **SPECIAL RESOLUTIONS:**

- a) A special resolution must be passed by a general meeting of the Club to effect any of the following changes:-
  - i) a change in the Club's name;
  - ii) a change in the Club's rules;
  - iii) a change in the Club's objects;
  - iv) an amalgamation with another incorporated association;
  - v) to voluntarily wind up the Club and distribute its property;
  - vi) to apply for registration as a company or a co-operative;
- b) A special resolution shall be passed in the following manner:-
  - i. a notice setting out the resolution shall be placed in the club newsletter, which the Committee shall cause to be circulated to all teams within the club, advising the date time and place of such meeting to consider the special resolution;
  - ii. the notice must give at least 21 days notice of the meeting;
  - iii. a quorum must be present at the meeting;
  - iv. at least three quarters of those present must vote in favour of the resolution for it to be passed;
  - v. in situations where it is not possible or practical for a resolution to be passed as described above, a request may be made to the Australian Securities & Investment Commission ("ASIC") to pass the resolution in some other way.

16. **PUBLIC OFFICER:**

- a) The Committee shall ensure that a person is appointed as Public Officer.
- b) The first Public Officer shall be the person who completed the application for incorporation of the Club.
- c) The Committee may at any time remove the Public Officer and appoint a new Public Officer provided the person appointed is 18 years of age or older and is a resident of New South Wales.

- d) The Public Officer shall be deemed to have vacated his position in the following circumstances: -
  - i) death;
  - ii) resignation;
  - iii) removal by the Committee at a general meeting;
  - iv) bankruptcy or financial insolvency;
  - v) mental illness;
  - vi) residency outside New South Wales.
- e) When a vacancy occurs in the position of Public Officer the Committee shall within fourteen days notify the Department of Fair Trading by the prescribed form and appoint a new Public Officer.
- f) The Public Officer is required to notify the Department of Fair Trading by the prescribed form in the following circumstances: -
  - i. appointment (within 14 days);
  - ii. a change of residential address (within 14 days);
  - iii. a change in the Club's objects or rules (within one month);
  - iv. a change in the membership of the Committee (within 14 days);
  - v. of the Club's financial affairs (within one month after the Annual General Meeting);
  - vi. a change in the Club's name (within one month).
- g) The Public Officer may be an office bearer, Committee member or any other person regarded as suitable for the position by the Committee.

## **17. MISCELLANEOUS**

- a) The Club shall effect and maintain insurance as is required under the Associations Incorporation Act together with any other insurance, which may be required by law or regarded as beneficial by the Club.
- b) The funds of the Club shall be derived from the fees of the members, donations, grants and other such sources approved by the Committee.

- c) The Common Seal of the Club shall be kept in the custody of the Secretary or as the Committee may appoint and shall only be affixed to a document with the approval of the Committee. The stamping of the Common Seal shall be witnessed by the signature of two members of the Committee.
- c) The Club may at any time pass a special resolution determining how any surplus property is to be distributed in the event that the Club should be wound up. The distribution of surplus property shall be in accordance with section 53 of the Association Incorporation Act 1984.
- d) Service of documents on the Club is effected by serving them on the Public Officer or by serving them personally on two members of the Committee.
- e) Notices sent by post shall in the absence of evidence to the contrary be deemed to have been received two days after the date of posting.
- f) The income and property of the Club shall be used only for the promotion of the objects of the Club and shall not be paid or transferred to members by dividend, bonus or profit, provided that nothing herein shall prevent the payment in good faith of remuneration to any officer, agent or servant of the Club or to any member of the Club in return for any services actually rendered to the Club.
- g) The Club shall, in its discretion, do all things reasonably necessary to implement and enforce any decision of the Manly Warringah Soccer Association Incorporated and/ or the New South Wales Amateur Soccer Federation Limited relating to any player, official, person or club who is a member of or affiliated with the Club or seeks to be a member of or affiliated with the Club.
- h) An award may be made from time to time as the Committee recommends. It shall be taken to a vote of the Committee and awarded to persons at the Annual General Meeting who have, over such period of time as the Committee may determine have supported Seaforth Football Club, but may not actually have served on the Committee of Seaforth Football Club or qualified for consideration for Life Membership.
- j) For the purpose of these rules the Football year shall be the period from 1<sup>st</sup> January in one year to the 31<sup>st</sup> December in the same year both dates Inclusive
- k) Eligibility to play in any age limited competition is determined by the players age in the current Football year. The minimum age for any player is Five (5) years in the current Football year