



Altona City Soccer Club

PO Box 159

Altona, 3018

Phone: 9398 3974

# Section 9

# Constitution



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## **CONSTITUTION**

### **9.1 ACSC INCORPORATED STATEMENT OF PURPOSE (1986) (Amended December 2007)**

The objects for which the club is established are to:

1. be a member club of FFV and to comply with the constitution and by-laws of FFA and FFV;
2. prevent infringement of the constitution and by-laws of FFA and FFV and protect Football from abuse;
3. co-operate with FFA, FFV and other bodies in the promotion and development of, or otherwise in relation to, football, the statutes and Regulations and the Laws of the Game;
4. To provide Senior and Junior teams to participate in competitions sanctioned by FFV or FFA.
5. To assist in the educational advancement of the community by means of the development of fair play and a love of sport in particular soccer football.
6. To enlist and stimulate interest in the club
7. To enter into any arrangement with any government, or local authority, or any club association or person which may seem conducive to the objects of the club, and to acquire any such Government or authority, club, association or person, any charters, decrees, rights, privileges and concessions which may be conducive to any such objects and accept, make payments under, carry out exercise and comply with any such arrangements, charters, contracts, decrees, rights, privileges and concessions.
8. To borrow and raise and give securities for money in such a manner as the club shall think fit, and in particular by the issue of or upon bonds debenture bills of exchange promissory notes or other obligations or securities of the club or mortgage or charge upon all or any part of the property of the club with present and future.
9. To take any gifts of property whether subject to any special trust or not for any one or more of the objects of the club.
10. To take such steps by personal or written appeal, public meetings or otherwise as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the club in the shape of donations, annual subscriptions or otherwise.
11. To undertake and execute any trust or any agency business which may seem directly or indirectly conducive to any of the objects of the club.
12. To print and publish any newspaper, periodicals books, programmes or leaflets that the club may think desirable for the promotion of its objects and to form committees for the furtherance of this object.
13. It is the aim of the Executive and all the club committees to improve the standard of soccer football in the ACSC, and the use of finances for this purpose has first priority in all instances.



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14. From time to time, subscribe or contribute to any patriotic or charitable benevolent or useful object of a public character.
15. To do all such things as are incidental or conducive to the attainment of the above objects.
16. To apply solely towards the promotion of the objects of the club all the income and property whensoever derived.



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## **9.2 THE RULES AND CONSTITUTION OF THE ACSC INCORPORATED 1986**

### **9.2.1. Name**

The body of person's hereby constituted shall be a body corporate or incorporated association and shall be known as Altona City Soccer Club Incorporated (hereinafter referred to as the club).

### **9.2.2 Club Colours**

The club colours shall be maroon and gold, alternate colours to be used when required.

### **9.2.3 Ground**

The ground of the club shall be at Kim Reserve, Altona or as otherwise provided by the Hobson's Bay City Council.

### **9.2.4 Enforcement of Rules**

Subject to applicable law, the club will:

- a. promulgate and comply with, and do everything within its power to enforce compliance with, the statutes and regulations and the Laws Of The Game; and
- b. co-operate with FFA and FFV in all matters relating to the organisation of competitions, the Club's own competitions, and Football in general.

### **9.2.5 Membership**

The club shall have the following classes of members:

- a. Ordinary member
- b. Junior member
- c. Honorary member
- d. Life member
- e. Visiting Team Member

#### **9.2.5.1 Eligibility For Membership**

All members of the Clubs Teams are entitled to membership and may vote in an election for any officeholders (whether directly if over 18 or indirectly through the Junior Members parent or other legal guardian if under 18 years of age). Categories of membership are as follow and each category is entitled to **one** vote

- a. **Ordinary Member**-All persons interested in the activities of the club shall be eligible for membership. All players (or parents of players under the age of 18 see Junior member) may



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become voting members on paying annual membership fee (excluding those players who are being paid for their services and do not intend to become members).

- b. Family Membership - Junior players from the same immediate family may be eligible for a Family Membership concession. In this case, the first junior player pays FULL fees as set by the Executive Committee. Consecutive junior players pay reduced fees as set by the executive committee. The Family Membership includes Small Sided Games registration. Entitlement to one vote regardless of how many players are registered in the Family Membership category
- c. Senior Player Membership- over the age of 18 have voting rights. Senior Players under the age of 18 parents will have the voting right.
- d. Life Member-Any person who gives ten (10) years of continuous service to the club, or any player who plays in 150 first team games for the club, or for any special services to the club, can become a Life member, but this shall be approved by the Annual General Meeting only.

The following categories of membership have no voting rights:

- a. **Honorary Member**-Honorary membership may be conferred by the club Committee upon any person of whom it approves and shall be for limited period only as stated by the committee.
- b. **Visiting Team Member** - The status of Honorary Member is automatically granted to any visiting team member, coach, or official of said team when playing at the Club for the duration of the day. Memberships granted under this clause do not have voting rights.

### 9.2.5.2 Members Admitted to Membership

Each member admitted to membership agrees to be bound by, and observe:

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

### 9.2.6 Members Book

A book of all members showing separately the names and addresses of Ordinary, Junior, Honorary and Life members shall be kept by the Secretary, and shall at all reasonable times be open to inspection by members of the club.



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### **9.2.7 Membership Fees**

The annual membership fees for members shall be such sum as may be decided from time to time by the club.

### **9.2.8 Resignation Of Members**

Any member wishing to resign his membership may do so at any time. No such resignation shall relieve any member from the payment of any money due or payable by him at the time of the resignation. No member shall be entitled to or have any claim upon any portion whatsoever of the property of the club.

### **9.2.9 Expulsion Of Members**

Any member who shall be found guilty of any refusal or neglect to comply with the rules and by laws of the club, or of unbecoming, or dishonourable conduct, or of acting in a manner prejudicial to the interest of the club, shall be liable to be expelled at a General Meeting.

Before a meeting called to take into consideration any such alleged misconduct on the part of the member. A charge must be submitted to the Secretary in writing by another member in his own signature. A copy of such charge or charges shall be transmitted by registered post to the member accused and shall be cited by the Secretary to appear at a General Meeting at a date not less than seven days after giving of such notice, and the General Meeting shall at such a meeting to investigate such charge or charges whether the member accused shall be present or not and for that purpose shall have power to call and examine witnesses who may be cross-examined by the member accused, who may in a similar manner call witnesses or offer verbally or in writing any explanation or defence he may think fit.

If a three-fourths majority of members present at this General Meeting shall after consideration of the charge as aforesaid vote for his expulsion, he shall be expelled and cease to be a member of the club. No member of the club shall without consent of the EXECUTIVE COMMITTEE or person or persons delegated the authority to give consent take away from the clubrooms any property of the club or shall deface, tear or injure any property of the club. Members injuring or removing any property of the club shall be liable to expulsion on a resolution of the EXECUTIVE COMMITTEE.

## **9.3. CLUB COMMITTEE**

The club shall be governed by a CLUB COMMITTEE of seven (7) Executive Officers and General Members, who form the EXECUTIVE COMMITTEE. The CLUB COMMITTEE is to be elected at the Annual General Meeting of the club as hereinafter provided. Depending on nominations for these positions, a candidate may hold more than one position as long as there is no conflict or pecuniary interest. In this event, the candidate has only one vote and a quorum (refer 9.4 b) is to be maintained. The Executive may co-opt people for positions on the Sub Committees.

## **9.4 EXECUTIVE COMMITTEE**

- a. The business of the club shall be conducted by the EXECUTIVE COMMITTEE, which shall consist of seven (7) Executive Officers and General Members as set at the AGM. The seven Executive Officer positions are:



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- i. President
- ii. Vice-President
- iii. Secretary
- iv. Treasurer
- v. Facilities Director
- vi. Coaching Director
- vii. Marketing and Sponsorship Director

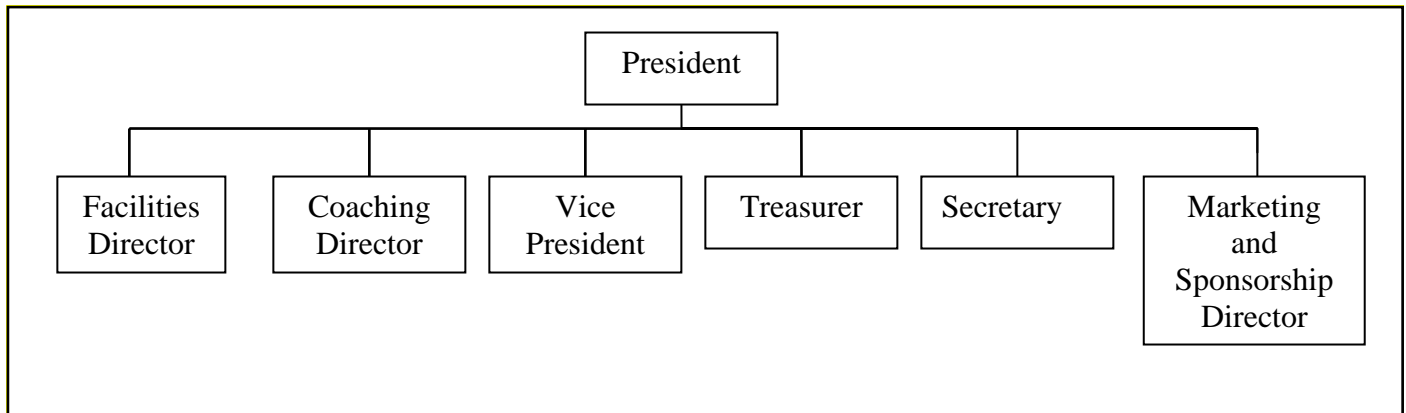


Fig 9.1 – Club Committee

- b. A quorum will be made up of at least 5 Executive Officers (or their representatives)
- c. The Executive Committee shall be elected from non-players
- d. Casual vacancies on the Executive Committee shall be filled by the Executive Committee but the member so co-opted shall only hold office for the unexpired term of the member he/she replaces.
- e. The office of member of the Executive Committee shall become vacant if he/she:
  - i. ceases to be member of the club.
  - ii. sends his resignation in writing to the Secretary.
  - iii. office is declared vacant by the resolution of a General Meeting
  - iv. Absents him/herself from three consecutive meetings of the Executive Committee without leave of absence.
  - v. deemed to have lost the confidence of the Members



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The Executive Committee shall meet at such times and places as it may arrange, but it shall meet at least once a month and a Special meeting may be summoned at any time by the Secretary, Chairman, or on requisition by two members of the Executive Committee. Secretary shall give all requisite notices.

All officers of the Executive Committee shall hold office in an honorary capacity during the period for which they are elected where otherwise provided. In addition, all Executive Committee members are to apply for and hold a current Victorian Working With Children card (or equivalent).

### **9.3.1 Election of Offices**

- a. Voting shall be by ballot or show of hands as determined prior to election.
- b. Each financial member shall be entitled to one vote on each motion.
- c. In the event of any equality of votes, the President shall have casting vote only.
- d. Election shall be for each Committee member individually or may be for the Executive Committee as one body if a list of candidates shall be presented to the Secretary one hour before the time of the commencement of the General Meeting and if so resolved by the members present.
- e. Proxy or absentee votes may be registered by members providing that authorisation be in the hands of the Secretary no later than twenty-four hours before the time of the meeting in respect to which the proxy is appointed. Notice appointing the proxy shall be in the form set out.

### **9.3.2 Terms of Office of the Club Committee**

- i. President and Vice-President shall be elected for a period of two years. Term of office to be staggered so that both positions do not become vacant at the same time.
- ii. Secretary shall be elected for a period of three years. Term of office to be staggered so that both positions do not become vacant at the same time.
- iii. Treasurer shall be elected for a period of three years. Term of office to be staggered so that both positions do not become vacant at the same time.
- iv. All other members shall be elected for a period of 12 months. Sub-Committees to be elected annually.
- v. Two Executive Officers are to retire each year.
- vi. General Members and Sub-committees to be elected annually.

### **9.3.3 Duties of Officers**

- i. The President shall conduct all Executive meetings of the club in accordance with the Constitution. He/she shall advise and guide all meetings on matters affecting general policy of the club and maintain order and decorum throughout all meetings.
- ii. The Secretary shall attend all meetings in connection with the club to keep records and minutes, thereof to receive all memorials, letters and application, to arrange all business for



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the consideration of the Executive Committee, to conduct the correspondence, to give notice to all General and Special Meetings of the club and the Executive Committee to collect and arrange all statistical or other information that may be deemed valuable, to report on all matters of interest to the club and to assist in all matters connected with the affairs of the club.

- iii. The Treasurer shall receive all moneys on behalf of the club, give receipts therefore, and pay such moneys into such account or accounts at such bank as the Executive Committee may from time to time decide upon. Such account or accounts shall be operated in such a manner, as the Executive Committee shall from time to time determine. He/she shall keep the accounts of the club and shall make up an annual report of the accounts and balance sheet of the club as it stands at the time of the Annual General Meeting which shall after audit be circulated among the members of the club with the notice of Annual General Meeting. He/she shall also prepare statement of receipts and expenditure for each monthly Executive Committee meeting. His/her signature shall appear on all cheques signed on behalf of the club.
- iv. The remaining Executive Officers shall have their duties specified and outlined in accordance with the Club Manual - Section 1 – The Committee.

### 9.3.4 Meetings

- i. The Annual General Meeting shall be held during November each year, at such time and place as the Executive Committee may determine. The notice convening the meeting shall state time and place of such meeting and the business to be transacted. The meeting shall be advertised in the local press seven days prior to the date of such meeting and all members shall be notified by the spotting of such notice and by pre-paid post to that address last registered in the register of members held by the club. No business not included in the Agenda shall be transacted at the meeting without the permission of the meeting. The quorum of such meeting shall be fifteen members.
- ii. Special General meetings of the club shall only be held by the direction of the Executive Committee or on written request to the Secretary signed by not fewer than five members of the club. Such direction or written request shall state the purpose of which such a meeting is to be held and such Special meeting (which shall be held within one calendar month after receipt of such direction or request by the Secretary) no matter shall be taken into consideration except those specified in the notices convening the same. The Secretary shall advertise the date, time, place and object of such Special Meeting not less than seven days prior to the date of the meeting. If within half an hour from the time appointed for a meeting a quorum is NOT present the meeting may be dissolved and another meeting may be called or the meeting can proceed with members present and hour after advertised time of meeting.
- iii. President-in absence of the President, the meeting shall be chaired by the Vice -President. In the event that neither is present, the meeting may elect some other member of the Executive Committee to preside.



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- iv. Proxy or absentee votes may be registered by members providing that authorisation be in the hands of the Secretary no later than twenty-four hours prior the time of the meeting in respect to which the proxy is appointed.

### 9.3.5 Finance

- i. The funds of the Association shall be derived from entrance fees, annual subscriptions, donations and such sources as the Executive Committee determines.
- ii. The Executive Committee shall cause banking accounts to be opened and kept in the name of the club with such banks or banks as they may think proper.
- iii. All cheques drawn upon the bankers shall be signed by the Treasurer and countersigned by the Secretary or by a nominated member of the Executive Committee.
- iv. No securities deposited with the bankers shall be delivered by them without the order of at least two members of the Executive Committee and countersigned by the Secretary.
- v. All money payable to the club shall be recovered by the treasurer or some person authorised by the Executive Committee and shall be paid into the banking account of the club.
- vi. The Executive Committee shall cause true accounts to be kept of the money received and expended by the club and matters in respect of which such receipts and expenditure takes place and of the assets, credits and liabilities of the club.
- vii. The accounts shall be closed annually on the last day of the month before the Annual General Meeting.
- viii. The Executive Committee from time to time shall determine where and to what extent and what time and places and under what condition and regulation the accounts of the club or any of them shall be open to the inspection of members and no members shall have the right of inspecting any accounts, book or document of the club except as conferred or authorised by the Executive Committee or by resolution of a General meeting of the club.
- ix. True accounts shall be kept of the sums of money received and expended by the club and the manner in respect of which receipts and expenditure take place and the property, credits, liabilities of the club and subject to such reasonable restrictions as to the time and manner of inspecting the same that may be imposed in accordance with the regulations of the club for the time being shall be open to the inspection of members. Once at least every year the accounts shall be examined and a balance sheet prepared and the correctness of such accounts and balance sheet ascertained by one or more auditor or auditors.
- x. At each Annual General Meeting of the club an auditor shall be appointed (who shall not be an Executive Committee member) to hold office until the next Annual General Meeting. Any casual vacancy occurring in the office of Auditor, subsequent to any General Meeting of the club shall be filled by the Executive Committee.
- xi. Every account of the club when audited and approved by general Meeting shall be conclusive except as regards to an error discovered within three months next after the



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approval thereof. Whenever an error is discovered within that period the account shall forthwith be corrected and thenceforth shall be conclusive.

### **9.3.6 The Trustees**

The Executive Committee may appoint a member or members of the club to act as trustee or Trustees of such property of the club as cannot be conveniently vested in the club itself. The Executive Committee may also jointly with any donor or with the approbation or sanction of such donor appoint a member or members of the club to act as Trustee or Trustees of any donation gift or other property (conditional or unconditional) which may be made to the club for the purposes of any specific object, purpose or benefit of or for the club or in aid of its general objects. The Executive Committee may also from time to time define the trust and powers to be vested in the Trustee or Trustees of any donation, gift, or other property of the club.

The Executive Committee may also from time to time define the trust and powers to be vested in the Trustee or Trustees of any donation, gift, or other property of the club. The Executive Committee may from time to time remove or discharge any Trustee or Trustees and fill up any vacancy in the office and decide on the mode of investing or dealing with the moneys, properties and investments of the club.

### **9.3.7 Indemnity of Officers**

- i. All officers or Trustees of the club shall be indemnified by the club from all losses and expenses incurred by them in or about the discharge of their respective duties except such as happen through their own wilful act or default.
- ii. No Trustee or any other officer of the club shall be liable for any other Trustee or any other officer or for joining in any receipt or other act for the sake of conformity or for any loss or expense happening to the club unless the same happen through his own wilful act or default.
- iii. The accounts of any officer of the club may be settled and allowed or disallowed either wholly or in part by the Board.

### **9.3.8 Sub-Committee**

- i. Sub-committees may be formed and perpetuated or disbanded at the discretion of the club Executive committee. Although a club committee member must chair each sub-committee, any interested person may be appointed by the committee to fill a sub-committee position. A Sub-committee chairperson should ensure that members of the Club Executive committee are fully informed about sub-committee activities.
- ii. Reports- sub-committees shall report to the Executive Committee and their decision shall be subject to confirmation by the Executive Committee except in where they are given full power to act.
- iii. Quorum- the quorum of Sub-committee shall be fixed by the Executive Committee



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- iv. Vacancies- the Executive Committee may appoint additional members to or fill vacancies on any Sub-committee.
- v. Sub-Committee members are to apply for and hold a current Victorian Working With Children Card (or equivalent).

### 9.3.9 Control of Sub-Committees

- i. All Sub-committees shall be subject to the direction and under the control of the Executive Committee in all matters whatsoever and in case of dispute or a deadlock on any Sub-committee and question shall be submitted to the Executive Committee who forthwith decides thereon.
- ii. At each monthly meeting of the Executive Committee, the reports, books, and accounts of all Sub-committees shall be submitted for perusal and confirmation by the Board.

### 9.3.10 Meetings of Sub-Committees

Sub-committees shall meet at such times and places as the members shall think fit except where in special cases the Executive Committee may otherwise direct.

## 9.4 TEAM SELECTION

A selection committee consisting of not less than three members and not more than five members shall be appointed by the Executive Committee. A non-playing coach can be appointed sole selector if the Executive Committee so deems. The selection of a team or teams shall take place no later than the last day of training before the end of the preseason training.

**Transfer of players-** if any player for any reason wishing to leave the Club, they shall follow the Player Transfer process as outlined in Section 2 of the Club Manual. Every transfer form shall be processed in accordance with Section 6 of the Club Manual or the transfer will be deemed null and void.

### 9.4.1 Seniors

Any member of the Club or a person so empowered to, can approach any player or players from other clubs and negotiate a transfer to the Club. If the Executive Committee decides to obtain the services of such player or players, the appropriate Coordinator shall then proceed with the negotiation with the club or clubs concerned

## 9.5 COACH

Club Coaches shall be appointed by the Coaching Director and Assistant Coaching Director for a period of one year or unless stated otherwise. The Executive Committee shall have the power to sign a contract with any coach for a longer period but not more than three years with the same team if they think it will be for the benefit of the club.

The coach shall be the only person after the commencement of the play responsible for any positional changes or substitute player's changes during the period of the game.

A non-playing coach can be appointed sole selector if the Executive Committee so deems.



## **9.6 PLAYERS REPRESENTATIVE**

Prior to the start of the season each year a meeting shall be called of all senior players and such a meeting shall elect two player representatives. Any vacancy in office of player representatives shall be filled at a meeting by the players of the time as the vacancy occurs.

## **9.7 CAPTAIN AND VICE CAPTAIN**

The captain of each team shall be appointed by the coach before the commencement of each season and he shall be responsible for the conduct of players on the ground during the game.

If the coach of the club is also a player he shall then automatically become the captain-coach and he shall have sole management of the team immediately same enters the playing arena to commence a game.

The Vice-Captain shall also be appointed by the coach and should the captain become incapacitated during the match he shall assume control of the team.

## **9.8 ALTERATIONS TO THE CONSTITUTION**

Alterations to the Constitution are permitted under the following circumstances:

- a. In cases of changed circumstances which are not contemplated or reasonably foreseeable at the time of adoption of this Constitution or which renders any provisions inoperable or implacable, the provisions of the Constitution or the Statement of Purposes shall not be altered or amended for a period of one year from the date of commencement;
- b. Where such circumstances are alleged to exist or alter the effluxion of the said one-year period, any member or members of the Committee shall have the right to apply for variations, alteration, or amendments to the Constitution or the Statement of Purpose;.
- c. Any such applications shall be made in writing to the secretary who shall place same on the agenda of next General Meeting or a Special General Meeting especially called for this purpose for consideration;
- d. The Constitution or the Statement of Purposes shall only be varied by the vote of three quarters majority of persons present and entitled to vote;
- e. Notwithstanding the provisions of paragraphs (c) above, alteration to the Constitution or the Statement of Purposes may be determined at an Annual General Meeting provided the application is made in writing twenty-one days prior to the meeting. The secretary shall give notice in writing to all members by sending such notice by pre-paid post the address listed in the register of members held by the club and such notice shall contain the suggested amendments;
- f. Notice of motion for an amendment to the Constitution or the Statement of Purposes can only be dealt with at an Annual General Meeting or Special General Meeting
- g. Not withstanding sub paragraph 9.8.f., the Club must:



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- i. promptly adopt changes in the Constitution and by-laws of FFA and/or FFV made from time to time to the extent that they are applicable to the club. In this clause, reference to changes to by-laws includes additional or replacement by-laws;
  - ii. not otherwise amend or vary this constitution without the consent of FFV and in accordance with the Act; or
  - iii. not otherwise amend or vary any of its By-laws without consent of FFV.
- h. FFV must consent to any amendment to this Constitution or those by-laws, which are required by law.

### **9.9 SEAL**

The Common Seal of the Association shall be kept in the custody of the secretary.

The Common Seal shall not be affixed to any instrument except by the authority of the committee and the affixing of the Common Seal shall be attested by the signatures either of the two members of the committee or of one member of the committee and of the Public Officer of the Association if required.

### **9.10 CUSTODY OF RECORDS**

Except as otherwise provided on these Rules the secretary shall keep in his custody or under his control, all books, documents and securities of the Association and such books, documents, securities shall be at all reasonable times open to inspection by members of the Association.

### **9.11 COPY OF CONSTITUTION**

A copy of this Constitution of thereafter any amendments to this Constitution shall be available to the members at the clubrooms for inspections. Any person on his first election to any Honorary Office or member of the Executive Committee shall be supplied with a copy of this Constitution and any amendments hereto.

### **9.12 SUPPLEMENTARY**

If in any case occurs which is not or which is alleged not to be provided in this Constitution, it shall be determined by the Executive Committee in such a manner as they shall deem fit and the decision of the Executive Committee this and every question shall be final except where otherwise provided by this Constitution.

### **9.13 DISSOLUTION OF CLUB**

If upon winding up or dissolution of the club there remains after satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of the club but shall be held in trust for a period of three years. At the end of which time the club does not reform shall be given or transferred to some other club or clubs having similar objects of the club or be given to local schools to purchase soccer balls and other soccer football equipment. To be determined by members at the time of dissolution