

CONSTITUTION
OF
WESTSIDE FOOTBALL CLUB INCORPORATED

1. NAME, COLOURS AND EMBLEM

- a) The name of the Club shall be the “Westside Football Club Incorporated” hereinafter referred to as “the Club”.
- b) The colours of the Club shall be navy blue, gold and white.
- c) The emblem of the Club shall be a panelled soccer ball that has 6 stars with 7 points on with Westside FC across the centre of the ball, and a gold ring below the ball.

2. OBJECTS

The objects for which the Club is established will be:

- a) To enjoy, promote, foster, encourage and participate in the sport of Football in a competitive and sportsperson like manner.
- b) To abide by the Official Rules of the game of Football, as issued by the Football West Inc.
- c) To act for the benefit of or in the interests of its members in all matters pertaining to Football and control thereof.
- d) The property and income of the Club shall be applied solely towards the promotion of the objects or purposes of the club and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members of the association, except in good faith in the promotion of those objects or purposes.

3. POWERS OF THE CLUB

The club shall have the following powers:

- a) To borrow or raise or secure the payment of money for the purpose of the Club in such a manner as the members think fit including the issuing of debentures and to redeem or pay off any such securities.
- b) For the purpose aforesaid to draw, make accept and endorse and issue negotiable securities or instruments of whatever kind or nature.
- c) For the purpose aforesaid to sell or dispose of whole or part of the assets of the Club, if Club is dissolved.
- d) To purchase, take on lease or otherwise acquire for such price and upon such terms and conditions as the Club thinks fit any freehold or leasehold lands or property which the Club considers is suitable for or may be used in carrying out any of the above purposes.
- e) To do all other things incidental or conducive to the attainment of the objects of the Club.

4. AFFILIATIONS

The Club shall be affiliated with Football West Inc, and will participate in the competition conducted by that association.

5. OFFICE AND PLACE OF BUSINESS

The office and place of business of the club shall be the residence of the Honorary Secretary for the time being holding office, or any other place as the Management Committee may elect.

6. OFFICE BEARERS

- a) Vice President
- b) Honorary Secretary
- c) Honorary Treasurer
- d) Registrar
- e) Committee members

7. THE COMMITTEE

- a) The committee of the Club shall consist of President, Vice-President, Secretary, Treasurer and a maximum of six Committee Members, hereinafter known as "the Committee".
- b) The election to fill the positions on the Committee each year shall be conducted at the AGM .
- c) Any Committee Member failing to attend three (3) consecutive meetings of the Committee without leave of absence shall forfeit his/her position on the Committee.
- d) The decision of the Committee shall in all matters relating to the Club be final.
- e) The Committee shall meet at least once a month during the playing season, each Committee Member agreeing to host a meeting at their home.
- f) The duties of the Committee Members shall be as prescribed in the Club By-Laws.
- g) In the case of a vacancy on the Committee, the Committee shall have the power to co-opt a member to fill that vacancy.
- h) Over 50% of Committee Members shall constitute a quorum.
- i) Each Committee Member shall have a vote on all issues before the Committee, provided they are financial members. The President shall have a casting vote in the event of there being an equality of votes.

8. MEMBERSHIP OF THE CLUB

- a) Each playing member shall pay an annual fee, which shall be determined from year to year by the Committee.
- b) When a person has signed an application for membership as a playing member, he/she shall undertake a grading assessment. Following such assessment, if accepted by the Committee and allocated a place in a competition team, they shall then become liable to pay the annual fee.
- c) The admission of all members shall be at the discretion of the Committee at all times.
- d) Each member of the Club shall be given a copy of the Club Constitution, By-Laws and Standing Orders prior to the season for which they are registered commences.
- e) Any child leaving the Club prior to commencement of season shall be refunded in full. No refunds after commencement of season. However, should special circumstances prevail; the Committee may overturn this decision.

9. REGISTER OF MEMBERS

- a) The Registrar shall on behalf of the Club keep and maintain the register of members at his/her place of residence.
- b) The Registrar shall delete from the register of members referred to in 9 (a), the name of a person who dies or ceases to be member.

10. INSPECTION OF RECORDS

A member may at any reasonable time inspect without charge the books, documents, records and securities of the Club, giving a minimum of 7 days notice.

- a) All financial records will be kept by the Clubs Treasurer.
- b) All records regarding registrations will be kept by the Clubs Registrar
- c) All records, except financial and registrar, shall be kept by the Clubs Secretary

11. FINANCIAL STATUS OF MEMBERSHIP

Members who have paid the annual fee and any fines or levies shall remain financial until 31 January of the following year.

12. ELECTION OF OFFICER BEARERS AND COMMITTEE MEMBERS

- a) All Committee Members shall be elected to serve for a term of one year.
- b) The President, Treasurer, and Registrar shall be elected in alternate years to the Vice-President and Secretary. The term for each position shall be two years.
- c) The number of Committee Member positions shall be prescribed in the Club By-Laws.
- d) All Committee positions shall be honorary and shall be filled by persons over 18 years of age.

- e) The nominations to fill the Committee positions shall be made in writing signed by the proposer, seconder and the nominee and lodged with the Secretary no later than four weeks prior to the AGM.
- f) In the event that there are no nominations received for any or all of the positions to be filled, then the Chairperson shall call for nominations at the AGM. Such nominations shall be proposed and seconded by financial members and agreed to by the nominee.
- g) In the event that nominations for the required number of Committee Members is not reached at the AGM, the Committee may declare the Committee operative with a lesser number of Committee Members than that specified in the By-Laws and attempt to source new Committee Members, this committee will be known as the Management Committee until all positions provided for in Rule 7 have been filled.
- h) All office bearers as provided for in Rule 7 shall be elected at the Annual General Meeting. In the event of an office not being elected at the Annual General Meeting, the Management Committee may appoint a member to that vacancy and the provisions of sub-paragraph (g) of this rule shall apply.
- i) No person will be elected as an office bearer if absent from the Annual General Meeting, unless written notice of acceptance for a particular office has been submitted to the Honorary Secretary prior to the Annual General Meeting.
- j) One parent can only vote at an AGM or SGM if they have only one playing member. Two or more playing members in one family will give two parents a vote unless one parent is a Current committee member.

13. ANNUAL GENERAL MEETING

- a) The AGM of the Club shall be held in a public place in the month of October where the election of Officers and Committee Members shall take place.
- b) Only financial members of the Club shall be entitled to vote at the AGM.
- c) Quorum of eleven people who are entitled to vote at the AGM must be present at the meeting at all times and resolutions passed with 60% of the vote at the AGM shall be binding on the Committee.
- d) The Annual General Meeting will be held between the first of October and thirty first day of October.
- e) Twenty eight days notice of such meeting will be given to all members of current financial year.
- f) The order of business shall be:
 - I. Minutes of previous Annual General Meeting
 - II. Presidents Report
 - III. Treasurers Report
 - IV. Honorariums of Officials for previous year
 - V. Notices of Motions
 - VI. Election of officers for the next year
 - VII. Urgent general business

14. MEETINGS

The Secretary shall summon meetings of the Club and various committees subject to the following provisions:

- a) Management Committee shall meet to discuss club business at least once in each eight week period or at such lesser intervals as is considered necessary.
- b) Sub-committee as is requested by that sub-committee.
- c) Annual General Meeting as provided in Rule 13
- d) Extraordinary or Special General Meeting
 - I. At any time by decision of the Committee
 - II. By petition, stating nature of business to be discussed, signed by minimum of six Members.
- e) Notice to members for meetings called under sub-paragraph (d) of this rule shall be sent provided in Rule 13, stating nature of business to be discussed.
- f) Where, at a meeting called under sub-paragraph (d) of this rule, a quorum as provided in Rule 8 is not present, the business will lapse, except that where the meeting has been called under the provisions of sub-paragraph (d) I. and a Quorum is not present, the business will be decided by the Club Committee whose decision will be as valid as if a decision had been given by a meeting called under this rule.

15. QUORUMS FOR MEETING

- a) Club (Management) Committee minimum of six (6) members
- b) Annual General Meeting - Eleven (11) financial members
- c) Sub-Committee - as decided by the Chairperson of Sub-Committee
- d) Extraordinary or Special General meeting - minimum six (6) members

16. ORDER OF BUSINESS

At all meetings except the Annual General Meeting and General meetings called for a specific purpose, the order of business will be:

- a) Presidents address
- b) Apologies
- c) Confirmation of previous meeting
- d) Correspondence - Inward, Outward
- e) Business arising from previous minutes
- f) Reports (including Treasurers Report)
- g) Specific business
- h) General business
- i) Close of meeting

17. VOTING POWERS

- a) Each member of the Club shall be entitled to an ordinary vote at General Meetings
- b) Committee members shall be entitled to an ordinary vote at meetings of their particular committee.
- c) At all meetings the President of the Club, or in his/her absence, his/her deputy for the meeting shall have a casting vote only.
- d) At no time, or at any meeting, will proxy votes be allowed.

18. TERMINATION OF MEMBERSHIP OF COMMITTEE

The Committee may terminate the membership of any member of the Committee as a Member of that Committee who:

- a) Fails to attend (3) consecutive meetings of the Committee without a good valid reason
- b) By conduct and or continual quarrelling with other members, brings discredit to the Club
- c) Fails to take an active interest in the control and management of the club.
- d) Provided that, where a member's service is terminated, such member will be notified in writing within seven (7) days of such decision. Failure to so notify, whoever, does not render such decision invalid.

19. FINANCE

- a) The Club fiscal year shall commence on the first day of January each year.
- b) The Treasurer shall deposit all funds in a Bank selected by the Committee.
- c) All payments shall be made by cheque, authorised at Committee Meetings only.

- d) All cheques shall be signed by two signatories - both Committee Members
- e) All Audits shall be carried out, by Auditors who are suitably qualified Certified Accountants.
- f) The Treasurer shall submit the financial statements of account and all other records to the Committee at each Committee meeting.

20. SPECIAL GENERAL MEETING

- a) An SGM may be called by a quorum of the Committee, with a minimum of fourteen days notice for the SGM, which must be held in a public place.
- b) The quorum will be over 50% for a SGM as required at the AGM.
- c) All resolutions passed at an SGM shall be binding on the Committee.
- d) A financial member of the Club can call an SGM, providing he/she has a petition signed by 20 fellow members stating the reason(s). This should then be passed on to a Committee Member for action and shall be the only topic of discussion that can be voted at the SGM.

21. POWERS OF COMMITTEE

The Committee shall be responsible for:

- a) The control of all financial matters pertaining to the club's activities.
- b) Authorising payment of all Club accounts.
- c) Collection of all monies due to the Club.
- d) Control of all Club property.
- e) Dealing with all other administrative matters not specifically stated, affecting the Club activities.
- f) Arranging for and appointing any such sub-committee as is considered necessary for the functioning of the Club activities.
- g) Arrange for and appoint (subject to any limitations in the provisions of Rule 18) any positions as deemed necessary.
- h) Make, amend and rescind rulings and By-Laws to be consistent with this Constitution.

22. RENUMERATION OF OFFICIALS

- a) Where, and if, it is necessary to pay a fee, honorarium or any other type of remuneration, to any one or all the official appointee under rule 19 (g) or elected or appointed under Rule 6, the rate of such fee, honorarium etc., for the financial year in which the officials are appointed shall be at such rate as is decided by the Club Committee.

b) Where and if it is necessary to pay for the services of a club coach the Club Committee at the time of appointment shall negotiate and agree on the remuneration payable.

23. ALTERATIONS TO THE CONSTITUTION

a) No alteration, repeal or addition shall be made to the Constitution except at the AGM or a SGM called for that purpose. Notice of all motions to alter, repeal or add to the Constitution must be made in writing and signed by both proposer and seconder, both being financial members of the Club and lodged with the Secretary four weeks prior to the AGM or SGM.

b) The Secretary shall circulate the details of proposed alteration to all Officers and Committee Members and include in the Notice of meeting issued to Club Members at least two weeks before such meeting.

c) Such motion(s) require to be passed by a 75% majority of financial members present, and entitled to vote and who cast a vote at the AGM or SGM.

24. CLUB BY-LAWS AND CLUB STANDING ORDERS

a) Club By-Laws may be adopted, repealed or amended at the Club's AGM or any SGM called for that purpose on the motion of any member by a majority vote of members present and entitled to vote, provided that such proposed amendment shall be not inconsistent with the Constitution and provided that details of such amendment have been included in Notice of Meeting issued to Club Members, at least two weeks prior to such meeting.

b) Club Standing Orders may be adopted, repealed or amended at any regular meeting of the Committee, on the motion of any Officer or Committee Member by a majority vote of Committee present, provided that such proposed amendment shall not be inconsistent with the Constitution or resolution of an AGM or SGM and that notice of such proposed amendment shall have been given at a previous Committee meeting or written notice shall have been sent by the Secretary to each Officer and Committee Member at least ten days before the Committee meeting.

25. INJURIES

All players are insured by the Football West. Officials, spectators and parents as per Club By-Laws.

26. PROTESTS AND DISPUTES

- a) Should any member at any time have a complaint or protest on any matter concerning the Club, they shall notify any Committee Member of same in writing. The complaint or protest will be raised at the next Committee Meeting.
- b) A Protests and Disputes Sub-committee of three (3) Club Members who are not involved in the matter may be appointed by the Committee, to hear and adjudicate on any dispute arising within various teams or the Club generally. Dissenting parties shall have the right to appeal to the Committee if dissatisfied with the findings of the Sub-committee.
- c) The Committee may review a decision of the Sub-committee and either accepts the decision of the Sub-committee or substitute a decision of its own.

27. SUSPENSION AND DISQUALIFICATION

- a) Any member chosen to represent the Club in any match within or out of the State shall submit to the authority of the Manager/Coach of such team. The Manager/ Coach of such team shall notify the Club's Honorary Secretary of his/her decision.
- b) No member of the Club shall arrange or take part in any official match with any team within the State of Western Australia or outside the State without first obtaining consent of the Committee. Failure to do so shall render the member liable to such decisions as the Committee shall determine and may also void the players insurance.

28. SUBSCRIPTION OF MEMBERS

- a) The rate of the next yearly membership subscriptions will be decided by the outgoing Committee and announced at the Annual General Meeting.
- b) The Management Committee may reject any application for membership from any person whom it considers to be undesirable and whose acceptance is not in the best interests of the Club.
- c) In the event of a player or member joining the Club after the season has commenced, their membership subscriptions will be decided pro-rata to how many games remain to be played and at the discretion of the Club Committee.
- d) Refund of any membership subscription shall be by the discretion of the Club Committee.

29. SUSPENSION OF TERMINATION OF MEMBERSHIP

The Club Committee may suspend or terminate the membership of any member as it considers necessary for any period, provided that the member affected is given the opportunity of showing cause why such suspension or termination should not be applied. A right of appeal by the member shall exist in this rule and a Special General Meeting shall be called for this purpose if such member wishes to appeal against the decision.

30. COMMON SEAL

- a) The Common Seal shall be a stamp inscribed in the name of the Club with the words "Common Seal" which shall be kept in the custody of the Secretary.
- b) The Common Seal shall be used only by the President of the Club when authorised by the Committee and every deed, instrument or document upon which the seal is used shall be signed by the President and counter-signed by the Vice-President.
- c) The Secretary shall keep a record of all such deed, instruments or documents to which the seal shall have been fixed.

31. NON-PROFITMAKING

The income and property of the Club shall be applied solely towards the promotion of its Objects as set forth in this Constitution.

32. DISSOLUTION

The Club may be dissolved or wound up by a resolution at an AGM or SGM called for such purpose. If upon dissolution or winding-up of the Club there remains, after the satisfaction of all debts and liabilities, any property whatsoever, then this shall not be paid to or distributed among the members but shall given or transferred -

- a) to another association incorporated under the Act; or
- b) for charitable purposes,

which incorporated association or purposes, shall be determined by the resolution of the members when authorising and directing the Committee to prepare a distribution plan of the surplus property of the Club.

In the event of the winding up or dissolution of the Club, the Commissioner of the Australian Taxation Office shall be advised of the date of dissolution within thirty days of the dissolution.