

CONSTITUTION OF WESTSIDE FOOTBALL CLUB INCORPORATED

1. NAME

- a) The name of the Club shall be Westside Football Club Inc.

2. DEFINITIONS

- a) Westside Football Club in this document is referred to as “WFC” for the purpose of identifying the individual incorporation.
- b) Kingsley Westside Football Club will be identified as “KWFC” in this document for the purpose of identifying the individual incorporation.
- c) Kingsley Soccer Club will be identified as “KSC” in this document for the purpose of identifying the individual incorporation.

3. OBJECTS

The objectives for which WFC 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 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.

4. NON-PROFITMAKING

- a) The property and income of WFC shall be applied solely towards the promotion of the objects of WFC and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of those objects.

5. AFFILIATIONS

- a) WFC shall be affiliated with Football West Inc and will participate in the competitions conducted by that association.
- b) WFC shall also be affiliated with KSC under the name KWFC for the purpose of developing long term success on and off the pitch under the name KWFC.

6. THE COMMITTEE

- a) The Committee shall consist of an Executive Committee comprising of a President, Vice-President, Secretary, Treasurer and Registrar. The committee may also comprise up to fifteen additional non-Executive Committee Members.
- b) The Committee will be responsible for the management and administration of all junior teams within KWFC including the Community Under 18s team.
- c) The Committee shall be responsible for the following matters with respect to their respective teams:
 - 1) The control of all financial members pertaining to WFC activities.
 - 2) Authorising payment of all WFC accounts.
 - 3) Collection of all monies due to the WFC.
 - 4) Control of all WFC property.
 - 5) Dealing with all other administrative matters not specifically stated, affecting the WFC activities.
 - 6) Arranging for and appointing any such sub-committee as is considered necessary for the functioning of the WFC activities.
 - 7) Arrange for and appoint (subject to any limitations in the provisions of Rule 18) any positions as deemed necessary.
 - 8) Make, amend and rescind rulings and By-Laws to be consistent with this Constitution.
- d) The election to fill the positions on the Committees each year shall be conducted at the WFC Annual General Meeting.
- e) If any member seeks to nominate for a Committee position after the Annual General Meeting, the nomination must be made in writing to the Secretary and considered at the next available Committee meeting. A current Committee Member is required to second this nomination for it to be accepted.
- f) Any Committee Member failing to attend three consecutive meetings of the Committee without leave of absence shall forfeit his/her position on the Committee.
- g) The Committee shall meet at least once a month during the playing season.
- h) In the case of a vacancy on the Committee, the Committee shall have the power to appoint a member to fill that vacancy on a temporary basis.
- i) Each Committee Member shall have a vote on all issues at the Committee meetings. The President shall have a casting vote in the event of there being an equality of votes.

7. MEMBERSHIP OF THE CLUB

- a) Each playing member shall pay an annual fee which shall be determined from year to year by the Committee and will be deemed a “playing member” for membership purposes.
- b) Members who have paid the annual fee and any fines or levies shall remain financial until 31st December of that year.
- c) Financial members of WFC automatically receive financial membership for KWFC for the period determined in the KWFC constitution.
- d) When a person has signed an application for membership as a playing member, he/she may be required to 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.
- e) The admission of all members shall be at the discretion of the Committee at all times.
- f) WFC Members will be able to access WFC’s and KWFC Constitution, By-Laws and Standing Orders from the KWFC website.
- g) Any WFC member leaving WFC prior to commencement of season shall be refunded the WFC portion of membership in full. No refunds will be allowed after the commencement of season. However, should special circumstances prevail; the Committee may overturn this decision. Membership fees paid to Football West or affiliated bodies is considered non-refundable.
- h) Coaches and Team Managers registered on Football West registration system under KWFC for Junior Teams automatically received financial member status for that membership year up to the prescribed date in 8b for WFC and KWFC. Coaches and Team Members will be deemed as a “coach member” for membership purposes.
- i) Social membership is available for non-playing members at a cost to be determined by the board of directors of KWFC each year. Nominations for social membership is to be approved by a majority vote in a board of directors meeting. Social membership is deemed to be a financial member for the prescribed date in 7b. Social Members are to be deemed a “social member” for membership purposes.

8. REGISTER OF MEMBERS

- a) The Registrar shall on behalf of the WFC 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 any person who dies or ceases to be member.

9. INSPECTION OF RECORDS

A member may, at any reasonable time, inspect without charge the books, documents, records and securities of the WFC, giving a minimum of 7 days notice. This request is to be put in writing to Committees Secretary.

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

10. ELECTION OF OFFICER BEARERS AND COMMITTEE MEMBERS

- a) All Committee Members shall be elected to serve for a term of one year.
- b) The existing President of WFC will act as the Chairperson of the Annual General Meeting of WFC. The existing President will not vote on any motion at the Annual General Meeting unless there is a tied vote in which case the President shall cast a deciding vote.
- c) All Committee positions shall be honorary and shall be filled by persons over 18 years of age.
- d) The President shall call for nominations for the Committee at the Annual General Meeting. Any financial member of the WFC can nominate for the vacant position with their nomination required to be seconded by another financial member.
- e) In the event that nominations for the required number of Executive Committee members is not reached at the AGM, the President may declare the Committee operative with a lesser number of Committee Members than that specified in the Constitution. This committee will be known as the Management Committee and will operate as such until all Executive Committee positions have been filled.
- f) All office bearers for the Executive Committee 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 on a temporary basis.
- g) No person will be elected as an office bearer if absent from the Annual General Meeting, unless written notice of acceptance for a particular position has been submitted to the Committee Secretary at least 7 days prior to the Annual General Meeting.
- h) Every candidate standing for election as part of the executive committee shall be nominated by themselves at the AGM when called upon. If there are two nominations for the one position on the executive committee, a secret ballot will be conducted by the current Chairperson. The candidate with the majority votes in the secret ballot will be elected to stand for that year.
- i) In the event of a tied vote for the Executive Committee, there will be a new secret ballot vote conducted.
- j) In the event of a tied second vote, the candidate who held this position the previous year is awarded the position.
- k) In the event that either of the tied candidates did not serve the following year, the person with the longest concurrent membership with the WFC is awarded the position.

- l) In the event that both candidates held the same concurrent membership length, the respective President will decide the position. In the event the vote is for the President position, the previous President is to be elected to this position unless the current President withdraws their nomination.

12. POWERS OF COMMITTEE

a) PRESIDENT

- 1) The President will act as chairperson of WFC Committee meetings and see that all business is conducted in a proper manner.
- 2) In the event of a tied vote in general committee meetings, the President's casting vote is final. The President will only vote when there is a tied vote.
- 3) The President of WFC are to be the spokesperson of the KWFC with the President of KSC unless either President nominates for another member of the KWFC to complete this task.
- 4) The President is responsible for the good order and discipline of their respective teams.
- 5) The President is to ensure that the Members are made aware of the WFC and KWFC Constitution and any codes, by-laws or policies held by the WFC and KWFC.

b) VICE PRESIDENT

- 1) There will be a Vice-President of WFC.
- 2) The Vice President, in the absence of the President, will be faithful the duties of the President.
- 3) In the event of an explained absence of any Executive Committee member, the Vice President may act in this role until their return.
- 4) The Vice President is to assist the President in the general running of WFC.

c) SECRETARY

- 1) There will be a Secretary of WFC.
- 2) The Secretary will conduct all correspondence, keep full and correct minutes of all proceedings and report them to the Committee.
- 3) The Secretary will convene all meetings including Extraordinary or Special General Meetings.
- 4) The Secretary will be responsible for the full recording of full and correct minutes of their individual meetings and email those minutes to the respective committee members within 3 business days of the previous meeting.
- 5) The Secretary will be the main point of contact for Football West and other clubs for their respective teams.

d) TREASURERS

- 1) There will be a Treasurer of WFC.
- 2) The Treasurer shall keep proper books of account for presentation to any Auditors as may be appointed at the WFC or KWFC Annual General Meeting.
- 3) The Treasurer shall receive all monies on behalf of WFC, issue receipts for same and pay such monies into such bank account as the Committee decides. They shall also be responsible for payments of all accounts on behalf of WFC.
- 4) In the event that the Treasurer is unable to carry out the duties, then the Vice President is empowered to carry out these duties.
- 5) The Treasurer shall submit a financial statement at each meeting and prepare accounts for submission at the Annual General Meeting.

e) REGISTRARS

- 1) There will be a Registrar of WFC.
- 2) The registrar shall deal with all registrations and transfers and satisfy themselves with the correctness of same.
- 3) The registrar shall receive all "registration" fees and convey them to the Treasurer.
- 4) The registrar shall maintain the register of playing members of their respective teams.

f) WFC SHALL HAVE THE FOLLOWING POWERS

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

13. ANNUAL GENERAL MEETING

- a) The Annual General Meeting of WFC (hereafter called the AGM) shall be held in a public place in the month of October or November where the election of Officers and Committee Members shall take place.

- b) Only financial members of the WFC shall be entitled to vote at the AGM.
- c) A 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 75% of the vote at the AGM shall be binding on the Committee. 75% pass rate will be rounded up to the next full number.
- d) Fourteen day's notice of such meeting will be given to all members of current financial year via WFC public Facebook pages.
- e) The order of business shall be:
 - I. Minutes of previous Annual General Meeting
 - II. Chairperson's Report
 - III. Presidents Report
 - IV. Treasurers Report
 - V. Notices of Motions
 - VI. Election of Executive Committee for the next year
 - VII. Election of Committees for the next year
 - VIII. Any urgent general business

14. QUORUMS FOR MEETING

- a) WFC (Management) Committee - minimum of five (5) Committee members shall form a quorum.
- b) Annual General Meeting – Minimum of Eleven (11) financial members shall form a quorum.
- c) Sub-Committee - as decided by the Chairperson of Sub-Committee
- d) Extraordinary or Special General meeting - minimum eleven (11) financial members shall form a quorum.

15. ORDER OF BUSINESS

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

- A) Apologies
- B) Presidents address
- C) Confirmation of previous meeting
- D) Correspondence - Inward, Outward
- E) Business arising from previous minutes
- f) Reports (including Treasurers Report)
- g) Specific business
- F) General business
- G) Close of meeting

16. VOTING POWERS

- a) Committee members shall be entitled to an ordinary vote at WFC committee meetings.

- b) At all meetings the President of the WFC or in his/her absence, his/her deputy for the meeting shall have a casting vote only.
- c) At no time or at any meeting will proxy votes be allowed.
- d) Financial member status for the current year is required to vote at WFC's AGM.
- e) 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. Parents have the voting power of the playing member until their child's eighteen birthday.

17. TERMINATION OF MEMBERSHIP OF COMMITTEE

Either Committee may terminate the membership of Committee member who:

- a) Fails to attend (3) consecutive meetings of the Committee without a leave of absence.
- b) By any conduct that brings discredit to WFC or KWFC.
- c) Fails to take an active interest in the control and management of WFC or KWFC.
- 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 notify however does not render such decision invalid.
- f) A vote is to be conducted at a Committee General Meeting to terminate a Committee member based on 17b and 17c with a pass rate of 75%. 75% pass rate will be rounded up to the next full number.

18. FINANCE

- a) WFC financial year shall commence on the first day of October each year.
- b) The Committee will hold bank accounts and will be operated on independently from KSC and KWFC.
- c) The Treasurer shall deposit all funds in a Bank selected by the Committee.
- d) WFC will operate a bank account with one signature required for the purpose of expenses. This account is to be operated via netbank and Debit card. Signatures on WFC bank account are to be President, Vice President and Treasurer. Accounts are to be one to sign.
- e) WFC will operate a second bank account which will be two to sign by the President, Vice President and Treasurer. This account is to be operated via cheque.
- f) All Audits shall be carried out by Auditors who are suitably qualified Certified Accountants.

19. SPECIAL GENERAL MEETING

- g) To call a Special General Meeting there is a requirement for a 20% vote in favour of the SGM to be obtained of people in attendance. 20% pass rate will be rounded up to the next full number.
- a) WFC members are to be provided with a minimum of 7 days notice via advertisement on the KWFC Senior public Facebook page.
- b) All resolutions passed at an SGM shall be binding on the Committee.
- d) A financial member of the WFC 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.

20. RENUMERATION OF OFFICIALS

- a) Where, and if, it is necessary to pay a fee, honorarium or any other type of remuneration the rate of such fee, honorarium etc., for the financial year in which the person are appointed shall be at such rate as is decided by the WFC Committee.
- B) Where and if it is necessary to pay for the services of a coach the WFC Committee at the time of appointment shall negotiate and agree on the remuneration payable.

21. 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 WFC and lodged with the Secretary at least two 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 WFC Members at least one week 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. 75% pass rate will be rounded up to the next full number.

22. CLUB BY-LAWS AND CLUB STANDING ORDERS

- a) WFC By-Laws may be adopted, repealed or amended at the WFC AGM or any SGM called for that purpose on the motion of any member by a 75% 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 WFC Members, at least two weeks prior to such meeting.
- b) WFC 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.

23. PROTESTS AND DISPUTES

- a) Should any member at any time have a complaint or protest on any matter concerning the Club or other Club Members, they shall notify any Board Member of their complaint or protest in writing. The complaint or protest will be raised at the next Board meeting.
- b) A Protests and Disputes Sub-committee of three (3) Board Members who are not involved in the matter may be appointed by the Board 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 Board may review a decision of the Sub-committee and either accepts the decision of the Sub-committee or substitute a decision of its own.
- d) The Board Of Directors have the right to decline a sub-committee appointment if they deem a sub-committee isn't warranted.

24. OFFICIAL MATCHES

- a) No member of WFC 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.

25. SUBSCRIPTION OF MEMBERS

- a) The rate of the next yearly membership subscriptions will be decided by the incoming Committee and announced by the first day of March for that playing season.
- b) The 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 WFC.
- c) In the event of a player or member joining WFC 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 Committee dependant on what team they are participating in.

26. SUSPENSION OR TERMINATION OF MEMBERSHIP

- (a) The Committee shall have the power to reprimand, suspend or expel any member of the Club.
- (b) The President, Committee or authorised employees/volunteers in receiving a complaint of a member's behaviour which is considered a serious breach of acceptable member behaviour or where police involvement is required, may suspend a member for a period of time until disciplinary action can be taken.

- (c) The Committee is required to exempt any member of that Committee from hearing a charge in which he or she has an interest.
- (d) If a responding member or a representative of the responding member does not attend within 30 minutes of the time stated on the hearing notice, the hearing may start without that member or his or her representative and determination will be made at the hearing.
- (e) The Committee shall apply the power to reprimand, suspend or expel any member of The Club who:
 - (i) fail in the observance or commit any breach of any rule of The Club, members Code of Conduct or any by-law of The Club or of any order or direction of the Management Committee or of any General Meeting; and/or
 - (ii) in the sole judgement of the Committee have been guilty in or out of The Club's premises of any act, conducted matter or thing calculated to bring discredit on The Club or its members, or to impair or affect the enjoyment of The Club by other members
- (f) Any member charged with misconduct as above shall be furnished with a written copy of the charge and summoned before the Committee with no less than seven (7) days' notice.
 - (i) The Committee shall after hearing the accuser and accused and taking such evidence as they may consider proper, if they find the charge proved, inflict a penalty of suspension from all or any of the privileges of membership.
 - (ii) If the Committee consider that on a charge of gross misconduct suspension as above is insufficient, they may call on the member to resign, and if he or she neglects to resign within ten (10) days they may declare him or her to be expelled.
 - (iii) If a Member is suspended or expelled the person may appeal the Committee's decision through a Special general meeting by giving written notice to the Secretary within fourteen (14) days of receiving notice of the Committee's decision.
- (g) Members are not permitted to have legal representation attend any disciplinary matters but may bring another member to act in a support capacity only.
- (h) If a Member's membership is suspended the Secretary must record in the Register:
 - (i) the name of the Member that has been suspended from membership;
 - (ii) the date on which the suspension takes effect; and
 - (iii) the length of the suspension as determined by the Committee.
- (i) During the period a member's membership is suspended, the member —
 - (i) loses any rights (including voting rights) arising as a result of membership; and
 - (ii) is not entitled to a refund, rebate, relief or credit for membership fees paid, or payable, to The Club.
- (j) Upon the expiry of the period of a Member's suspension, the Secretary must record in the Register that the Member is no longer suspended.
- (k) If the Committee's decision to suspend or expel a Member is revoked under these Rules, any act performed by the Committee or Members in a General Meeting during the period that the Member was suspended or expelled from Membership is deemed to be valid, notwithstanding the Member's inability to exercise their rights or privileges of Membership, including voting rights, during that period.

27. LIFE MEMBERS

(a1) Any person who joined WFC or KWFC after to the 2020 playing season will require 10 years non-continuous service to be granted life membership to the Club. All life membership proposals are to be prepared by the respective Committees and presented at the final Board of Directors meeting before the end of season presentation night for approval.

(a2) Any person who has joined the WFC before the 2020 season will require 8 years non-continuous service to be granted life membership to the Club. All life membership proposals are to be prepared by the respective Committees and presented at the final Board of Directors meeting before the end of season presentation night for approval.

(A) Any person who in the opinion of the presiding committee has rendered outstanding service to WFC/KWFC or the sport in general may be elected a Life Member. All life membership proposals are to be prepared by Committee and presented at the final Board of Directors meeting before the end of season presentation night for approval.

(B) The Secretary shall keep a register of all persons afforded this honour.

(C) Nominations for Life Membership will be accepted any time prior to and at the final KWFC board meeting before the end of season presentation night for approval.

(D) Life membership years of service begin when a member turns eighteen.

28. DISSOLUTION

WFC 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 WFC 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.