

SOUTH MOLTON AFC



CLUB CONSTITUTION

01 March 2016

The FA Charter Standard Club Constitution

1. Name

The club shall be called **South Molton AFC** (the “Club”). This club consists of South Molton Adult section and South Molton Junior Club Section.

2. Objects

The objects of the Club shall be to provide facilities, promote the game of Association Football, to arrange matches and social activities for its members, and community participation in the same.

3. Status of Rules

These rules (the “Club Rules”) form a binding agreement between each member of the Club.

4. Rules and Regulations

- (a) The members of the Club shall so exercise their rights, powers and duties and shall, where appropriate use their best endeavours to ensure that others conduct themselves so that the business and affairs of the Club are carried out in accordance with the Rules and Regulations of The Football Association Limited (“The FA”), County Football Association to which the Club is affiliated (“Parent County Association”) and Competitions in which the Club participates, for the time being in force.
- (b) No alteration to the Club Rules shall be effective without prior written approval by the Parent County Association. The FA and the Parent County Association reserve the right to approve any proposed changes to the Club Rules.
- (c) The Club will also abide by The FA’s Safeguarding Children Policies and Procedures, Codes of Conduct and the Equal Opportunities and Anti-Discrimination Policy as shall be in place from time to time.

5. Club Membership

- (a) The members of the Club from time to time shall be those persons listed in the register of members (the “Membership Register”) which shall be maintained by the Adult Club Secretary and the Junior Club Secretary. There will be separate registers for the Adult and Junior Sections.
- (b) Any person who wishes to be a member must apply on the Membership Application Form and deliver it to the Club. Election to membership shall be at the discretion of the Club Committee and granted in accordance with the anti-discrimination and equality policies which are in place from time to time. An appeal against refusal may be made to the Club Committee in accordance with the Complaints Procedure in place from time to time. Membership shall become effective upon an applicant’s name being entered in the Membership Register.



- (c) In the event of a member's resignation or expulsion, his or her name shall be removed from the Membership Register.
- (d) The FA and Parent County Association shall be given access to the Membership Register on demand.

6. Annual Membership Fee

- (a) An annual fee payable by each member shall be determined from time to time by the Club Committee and set at a level that will not pose a significant obstacle to community participation. Any fee shall be payable on a successful application for membership and annually by each member. Fees shall not be repayable. There will be separate membership fees for the Adult Club Section and the Junior Club Section. This represents the different circumstances that the sections operate. These memberships will be agreed by the full committee.
- (b) The Club Committee shall have the authority to levy further subscriptions from the members as are reasonably necessary to fulfil the objects of the Club.

7. Resignation and Expulsion

- (a) A member shall cease to be a member of the Club if, and from the date on which, he/she gives notice to the Club Committee of his/her resignation. A member whose annual membership fee or further subscription is more than two (2) months in arrears shall be deemed to have resigned.
- (b) The Club Committee shall have the power to expel a member when, in its opinion, it would not be in the interests of the Club for them to remain a member. An appeal against such a decision may be made to the Club Committee in accordance with the Complaints Procedure in force from time to time.
- (c) A member who resigns or is expelled shall not be entitled to claim any, or any share of, any, of the income and assets of the Club (the "Club Property").

8. Club Committee

- (a) The Club Committee shall consist of the following Club Officers: Chairperson, Vice Chairperson, Treasurer (Adult and Junior Sections), Secretary (Adult and Junior Sections), Welfare Officer, Membership Secretary and members (this number is not set and can be flexible), elected at an Annual General Meeting.
- (b) Each Club Officer and Club Committee Member shall hold office from the date of appointment until the next AGM unless otherwise resolved at an Extraordinary General Meeting ("EGM"). One person may hold no more than two (2) positions of Club Officer at any time. The Club Committee shall be responsible for the management of all the affairs of the Club. Decisions of the Club Committee shall be made by a simple majority of those attending the Club Committee meeting. The Chairperson of the Club Committee meeting shall have a casting vote in the event of a tie. Meetings of the Club Committee shall be chaired by the Chairperson or in their absence the Vice



Chairperson. The quorum for the transaction of business of the Club Committee shall be three (3).

- (c) Decisions of the Club Committee of meetings shall be entered into the Minute Book of the Club to be maintained by the Club Secretary (s).
- (d) Any member of the Club Committee may call a meeting of the Club Committee by giving not less than seven days' notice to all members of the Club Committee. The Club Committee shall hold not less than four (4) meetings a year.
- (e) An outgoing member of the Club Committee may be re-elected. Any vacancy on the Club Committee which arises between Annual General Meetings shall be filled by a member proposed by one (1) and seconded by another one (1) of the remaining Club Committee members and approved by a simple majority of the remaining Club Committee members.
- (f) Save as provided for in the Rules and Regulations of The FA, the Parent County Association and any applicable Competition, the Club Committee shall have the power to decide all questions and disputes arising in respect of any issue concerning the Club Rules.
- (g) The position of a Club Officer shall be vacated if such a person is subject to a decision of The FA that such person be suspended from holding office or from taking part in any football activity relating to the administration or management of a football club.

9. Annual and Extraordinary General Meetings

- (a) An AGM shall be held in each year to:
 - (i) receive a report of the activities of the Club over the previous year;
 - (ii) receive a report of the Club's finances over the previous year;
 - (iii) elect the members of the Club Committee; and
 - (iv) consider any other business.
- (b) Nominations for election of members as Club Officers or as members of the Club Committee shall be made in writing by the proposer and seconder, both of whom must be existing members of the Club, to the Club Secretary not less than 21 days before the AGM. Notice of any resolution to be proposed at the AGM shall be given in writing to the Club Secretary not less than 21 days before the meeting.
- (c) An EGM may be called at any time by the Club Committee and shall be called within 21 days of the receipt by the Club Secretary of a requisition in writing, signed by not less than five members stating the purposes for which the Meeting is required and the resolutions proposed. Business at an EGM may be any business that may be transacted at an AGM.
- (d) The Secretary shall send to each member at their last known address written notice of the date of a General Meeting (whether an AGM or an EGM) together with the resolutions to be proposed at least 14 days before the meeting.
- (e) The quorum for a General Meeting shall be five persons.



- (f) The Chairperson, or in their absence a member selected by the Club Committee, shall take the chair. Each member present shall have one vote and resolutions shall be passed by a simple majority. In the event of an equality of votes the Chairperson of the Meeting shall have a casting vote.
- (g) The Club Secretary, or in their absence a member of the Club Committee, shall enter Minutes of General Meetings into the Minute Book of the Club.

10. Club Teams

At its first meeting following each AGM the Club Committee shall appoint a Club member to be responsible for each of the Club's football teams. The appointed members shall be responsible for managing the affairs of the team. The appointed members shall present to the Club Committee at its last meeting prior to an AGM a written report of the activities of the team.

South Molton AFC is made up of the following teams -

Adult -1st XI
Under 14's
Under 13's
Under 12's
Under 11's
Under 10's
Under 9's
Under 7's

Others maybe formed during the course of the season depending on availability of coaches and players.

11. Club Finances

- (a) There will be separate bank accounts for the Adult and Junior Sections as well as a Joint Account. For the Adult Account the designated account signatories shall be the Adult Treasurer, Junior Treasurer, Adult Secretary and Membership Secretary. For the Junior Account the designated account signatories shall be the Adult Treasurer, Junior Treasurer, Junior Secretary and Membership Secretary. For the Joint Account the designated account signatories shall be the Adult Treasurer, Junior Treasurer, Adult Secretary and Membership Secretary.
No sum shall be drawn from the Club Accounts except by cheque signed by two of the four designated signatories. All monies payable to the Club shall be received by the Treasurer and deposited in the relevant Club Account.
- (b) The Club Property shall be applied only in furtherance of the objects of the Club. The distribution of profits or proceeds arising from the sale of Club Property to members is prohibited.
- (c) The Club Committee shall have the power to authorise the payment of remuneration and expenses to any member of the Club (although a Club shall not remunerate a member for playing) and to any other person or persons for services rendered to the Club.
- (d) The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away



match expenses, post match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.

- (e) The Club may also in connection with the sports purposes of the Club:
- (i) sell and supply food, drink and related sports clothing and equipment;
 - (ii) employ members (although not for playing) and remunerate them for providing goods and services, on fair terms set by the Club Committee without the person concerned being present;
 - (iii) pay for reasonable hospitality for visiting teams and guests; and
 - (iv) indemnify the Club Committee and members acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).
- (f) The Club shall keep accounting records for recording the fact and nature of all payments and receipts so as to disclose, with reasonable accuracy, at any time, the financial position, including the assets and liabilities of the Club. The Club must retain its accounting records for a minimum of six years.
- (g) The Club shall prepare an annual "Financial Statement (s)" (for the Adult and Junior Sections of the club), in such format as shall be available from The FA from time to time. The Financial Statement(s) shall be verified by an independent, appropriately qualified accountant and shall be approved by members at general meeting. A copy of any Financial Statement shall, on demand, be forwarded to The FA.
- (h) The Club Property, other than the Club Account, shall be vested in not less than two and no more than four custodians, one of whom shall be the Treasurer(s) ("the Custodians"), who shall deal with the Club Property as directed by decisions of the Club Committee and entry in the Minute Book shall be conclusive evidence of such a decision.
- (i) The Custodians shall be appointed by the Club in a General Meeting and shall hold office until death or resignation unless removed by a resolution passed at a General Meeting.
- (j) On their removal or resignation a Custodian shall execute a Conveyance in such form as is published by The FA from time to time to a newly elected Custodian or the existing Custodians as directed by the Club Committee. The Club shall, on request, make a copy of any Conveyance available to The FA. On the death of a Custodian, any Club Property vested in them shall vest automatically in the surviving Custodians. If there is only one surviving Custodian, an EGM shall be convened as soon as possible to appoint another Custodian.
- (k) The Custodians shall be entitled to an indemnity out of the Club Property for all expenses and other liabilities reasonably incurred by them in carrying out their duties.

12. Dissolution

- (a) A resolution to dissolve the Club shall only be proposed at a General Meeting and shall be carried by a majority of at least three-quarters of the members present.



- (b) The dissolution shall take effect from the date of the resolution and the members of the Club Committee shall be responsible for the winding up of the assets and liabilities of the Club.
- (c) Any surplus assets remaining after the discharge of the debts and liabilities of the Club shall be transferred to another Club, a Competition, the Parent County Association or The FA for use by them for related to community sports.

13. Trustees

- (a) The Management Committee shall nominate such of the officers or members as it thinks fit to be Trustees of the Club. The Trustees will, at the direction of the Management Committee, make all such dispositions of the Club property and enter into such agreements in relation thereto as the Management Committee may deem proper for giving security for the repayment of loans and interest.
- (b) The property and assets of the Club shall be invested in its Trustees.
- (c) The Trustees shall be entitled to attend meetings of the Management Committee and may vote at such meetings.

SOUTH MOLTON FC COMPLAINTS PROCEDURE

In the event that any member feels that he or she has suffered discrimination in any way or that the Club Policies, Rules or Code of Conduct have been broken they should follow the procedures below.

1. They should report the matter to the Club Secretary or another member of the Committee.

The report should include:

- Details of what, when, and where the occurrence took place
 - Any witness statement and names
 - Names of any others who have been treated in a similar way
 - Details of any former complaints made about the incident, date, when and to whom made
 - A preference for a solution to the incident
2. The Club's Management Committee will sit for any hearings that are requested.
 3. The Club's Management Committee will have the power to:
 - Warn as to future conduct
 - Suspend from membership
 - Remove from membership any person found to have broken the Club's Policies or Codes of Conduct.

If the complaint is with regard to the Club's Management Committee the member has the right to report the discrimination direct to the Devon County Football Association.

