



# **CONSTITUTION OF TE AWAMUTU ASSOCIATION FOOTBALL CLUB INCORPORATED**

## **NAME**

The name of the Club shall be "Te Awamutu Association Football Club Incorporated".

## **VISION**

To promote Football as an enjoyable, healthy sport for people of all ages, ability and levels in our community.

## **PURPOSE**

To facilitate the playing of junior, senior and masters players.

## **VALUES**

Te Awamutu Club members will play, coach, administer and support the game of football while respecting the diversity and values of other club members.

## **CLUB COLOURS/ LOGO**

The colours of the club shall be red shirt with black shorts and black socks or colour variations as per availability. The club logo shall be authorised only by the Committee.

## **STRUCTURE**

The club structure shall take the form of one committee inclusive of both senior and junior representation.

## **COMMITTEE MEMBERSHIP**

- a) The committee shall be made up of the following positions; President, Secretary, Treasurer plus not more than six (6) general committee members. (A maximum of nine committee members).
- b) Where a committee is fully established (i.e. nine members), it is recommended that a minimum of four (4) members shall be representative of junior and/or women's football.
- c) A quorum at all meetings shall consist of five persons. The committee shall meet a minimum of eight times per year. Should the President, Secretary or Treasurer be absent from any meeting the committee may elect another member to act in their place.
- d) Any elected member of the committee who without reasonable excuse or leave of absence be absent from three (3) consecutive meetings of the committee, (or general or special general meetings of the club) shall be deemed to have vacated their seat on such committee.
- e) Any member of the committee may by one (1) month's notice in writing addressed to the secretary,

resign from the committee.

- f) The President of the committee shall be as provided for in the general meetings clause.
- g) The committee may be removed from office by a three quarters (3/4) majority of votes recorded at a special general meeting called for that purpose and such general meeting may elect a new committee provided said general meeting has been called for by at least 25 current financial members.
- h) All committee members shall be elected annually at the Annual General Meeting (AGM) and should any office become vacant, the committee may elect a member to fill the vacancy until the following annual general meeting. All such elections shall be by ballot or on show of hands.
- i) Nominations for the committee shall be received in writing no later than seven (7) days prior to the AGM. Such nominees need not be present at the AGM.
- j) Nominations for committee members may also be made from the floor of the AGM provided the nomination is made and seconded by financial members of the club. All persons nominated from the floor must be present at the AGM.

## **MEMBERSHIP DURATION**

- a) Membership shall be of one year's duration running from the 1<sup>st</sup> April of any calendar year until the 31<sup>st</sup> March of the subsequent year.

## **MEMBERS**

- a) Members shall consist of Ordinary members classed as, Junior (being those aged under 14), College, Youth, Senior, Social, Honorary and Life Members. Players in age group teams such as under 15's and under 17's while classed as youth shall be considered within the senior playing ranks.
- b) Parents/Legal Guardians of junior members shall be classed as Caregiver Members.
- c) Coaches and managers shall be considered financial members provided they have signed an agreement with the club.
- d) Ordinary members shall be those involved in playing or the general running of the club as approved by the committee.
- e) Social members shall be any member of the public that wishes to support the club and will be liable to pay a nominal subscription as set by the committee. Such members shall enjoy privileges of the club, except playing rights and voting rights.
- f) Honorary members shall be any persons who have rendered good service to the club. They must be nominated in writing by two financial members of the club, to both of whom such proposed member must be personally known. Nominations are to be received by the secretary no later than three (3) weeks prior to the AGM and on recommendation of the committee be elected as honorary members. Upon election, such honorary members shall enjoy full privileges of the club, and shall not be liable for the payment of subscription for the period of one year.

- g) Life members are those members who have been nominated and accepted as life members as set out under the section on life membership.
- h) A member shall be deemed non-financial if their annual subscription remains unpaid after the due date laid down by the AGM (or as laid down at the first committee meeting following the AGM), PROVIDED that new members shall have one month from the date of their admission to the club as a member in which to become financial.
- i) Any non-financial member shall cease to be a member of the club if their subscription remains unpaid for twenty one (21) days after notice of such non payment is given to such member by the president, secretary or treasurer, such notice to be given as soon as the due date for payment has been passed.

## **LIFE MEMBERSHIP**

- a. Nominations for life membership must be in writing and be in the hands of the secretary twenty-one (21) days prior to the AGM. A club member may be nominated for life membership by two (2) financial members on account of some special and outstanding service or services rendered to the club. As a guide a minimum of 10 years service should be demonstrated for any such nomination.
- b. Such life members shall be entitled to all the privileges of the club.
- c. Life members shall be exempt from payment of club fees nor bound by the duration of membership applicable to other membership types.
- d. Only one Life Member per year can be accepted by the Club. If there is more than one nomination in any year, all nominations shall be considered at the AGM and a vote taken to determine the one person to be granted Life Membership.

## **RESIGNATIONS**

Any member wishing to resign from the club, including a life member, shall give notice in writing to the committee secretary to that effect and pay all arrears due to the club up to date of such notice and upon such happening shall cease to be a member of the club.

## **TRANSFERS**

All player transfers are subject to checks with secretary and treasurer. Transfers will not be signed off if monies or equipment is outstanding or the player is under disciplinary procedures.

## **EXPULSION OF MEMBERS**

The committee has the right, if circumstances warrant it to suspend any member of the club who has acted in a manner which is derogatory of, or prejudicial to, the standing, reputation and good name or interests of the club. Following suspension the committee must convene within twenty one (21) days of such suspension a special general meeting of the club to discuss the matter. A full investigation into the circumstances must be undertaken prior to the said meeting. No member shall be expelled unless two thirds of those members present at the said special general meeting vote by

secret ballot for their expulsion.

## **SUBSCRIPTIONS**

The annual subscription shall be such amount for each class of members as decided by members at their AGM or the annual subscription may be set at the 1<sup>st</sup> committee meeting following the AGM provided this is agreed at the AGM by those present.

## **ALTERATIONS TO THE RULES**

- a. Except as hereinafter provided in the case of by-laws no addition to, alteration, amendment or recession of the constitutional rules shall be made except at a general or special meeting and by a majority of members present. Notice of any proposed addition, alteration or amendment or recession shall be given in a circular or advertisement or by email notification forwarded to all members calling the meeting. All notices of motion requiring an amendment to the rules at the AGM shall be given to the secretary not later than fourteen (14) days before the AGM.
- b. No addition to, deletion from or alteration of the organisation's rules shall be made which would allow personal pecuniary profits to any individuals. The provisions and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this document.

## **MEETINGS**

- a. The AGM of the club shall be held not later than the last day of November in each year and every other general meeting at such times as the committee may appoint.
- b. A special general meeting may be called at any time by the committee or on requisition to the secretary signed by at least twelve (12) members of the club (not being college or junior players). Such requisition is to state the object of the meeting and to be given at least twenty one (21) days before it is desired the special meeting be held.
- c. Notice of all meetings (except committee meetings) shall be given by an advertisement in a newspaper circulating in Te Awamutu or by email notification to all members and shall state the object and business of such meeting. The notice must be given at least fourteen (14) days prior to the meeting, then twice separately by any other means of communication.
- d. Quorum. Twelve financial members shall form a quorum at an AGM or a special general meeting and (except as otherwise provided in these rules) a decision of the majority of those members present shall be binding on those absent or dissentient.
- e. Apologies may be used to form a quorum when necessary for the meeting to take place.
- f. Ballot. When a ballot is not expressly provided for by these rules, all questions shall be decided by a show of hands provided always that three (3) members can demand a ballot.
- g. At least two (2) of the committee (being President, Treasurer or Secretary) must be present at any meeting called by said committee's for any decisions made to be valid and ratified.

## **VOTING RIGHTS**

All financial members except social members and junior members have the right to vote at any AGM with each attending member having one vote.

In all cases of election or voting, only financial members (except social and junior members) shall have power to vote. Caregiver Member voting is restricted to one vote for each family with Junior Members representing irrespective of the number of junior members they represent. Ordinary members approved and ratified by the committee shall have voting rights.

## **ANNUAL REVIEW OF ACCOUNTS**

At the completion of each financial year the Club will engage a Chartered Accountant not being a member of the Club to review all Club accounts.

## **BYLAWS**

The Committee after discussion and passing of formal resolution may from time to time make or rescind such by-laws for the better management of the club as it considers necessary so long as they do not contravene these laws.

## **FINANCE**

- a. All monies raised and all funds received by the club, or in the name of the club, by subscription or any other means shall be handed to the honorary treasurer within one (1) week for deposit in the club's banking account. No debts shall be incurred by the club other than those authorised by the Committee.
- b. The club's bankers shall be left to the discretion of the Committee. The Secretary, Treasurer and President shall act as the trustees in respect of its bank account. Any other Signatories must be approved by each committee.
- c. The President may at any time approve expenditure up to a preset amount of \$300 without prior committee approval. This must be followed by a report at the next committee meeting as to the reasons for the expenditure.
- d. Where Partners and Spouses\* are elected on to the committee only one person may have signatory rights on bank accounts in this case.

\* Examples include people who are:

- married or in a civil union together
- a de facto couple (including same-gender couples)
- biological parents of the same child.

- e. The financial year of the club shall commence on the 1st day of October in each year and end on the 30<sup>th</sup> September in the following year.

## **INVESTMENT OF FUNDS**

The committee from time to time may invest and re-invest in such securities and upon such terms as it shall think fit the whole or any part of the funds of the club which shall not be required for the immediate business of the club.

## **BORROWING POWERS**

- a. The committee shall in addition to the other powers vested in it have a power to borrow or raise money from time to time by the issue of debentures, bonds, mortgages or any other security or on bank overdraft founded or based on all or any of the property and/or rights of the club or without any such security and upon such terms as to priority and otherwise as the club shall think fit but the powers of so borrowing or raising money shall not be exercised except pursuant to a resolution of the club passed in general meeting.
- b. The committee and each and every one of them shall be fully indemnified by and out of the funds of the club in respect of expenses, damages, or liability incurred by them for any act done, omitted or suffered in relation to their performance of any of their duties as dissolve upon them by reason of their holding such position in the club.

## **INTELLECTUAL PROPERTY**

Te Awamutu AFC shall hold all intellectual property rights pertaining to the club related materia, including but not limited to; club website and any other social media.

This also applies to e-mail addresses which the club make use of.

## **COMMON SEAL**

The common seal of the club shall be that appointed by the Committee which shall be responsible for the custody and control thereof. Whenever the Common Seal of the club is required to be affixed to any deed document writing or other instrument the Seal shall be affixed thereto pursuant to a resolution of either of the committees and in the presence of two Committee Members (one of whom shall be the President, Treasurer or Secretary) who shall sign the document or instrument to which the seal is so affixed.

## **BENEFITS**

Jerseys, Shorts, Balls, Nets, Goalposts, Training Equipment and Flags shall be provided by the club and shall remain the property of the club.

## **INTERPRETATION OF THE RULES**

Any question or difficulty arising out of the interpretation of these rules may be decided by the committee PROVIDED that any such decision may be upset, rescinded or amended at a subsequent AGM of the club.

## **REGISTERED OFFICE**

The registered office of the club shall be situated at Te Awamutu or such other place or places as the committee shall from time to time determine.

## SOLICITOR

The committee may appoint an honorary solicitor provided that such person is prepared to take on the position.

## DISSOLUTION

A majority of the members present at an AGM convened for the purpose in accordance with the provisions of these rules may resolve that the club be wound up. In the event of dissolution of the club the property of the club shall be realised and, after payment of all liabilities of the club, the surplus (if any) shall be paid to Federation Three with the request that such surplus shall be held in Trust to be applied for the benefit of any body affiliated to the Federation Three association which might re-establish association football in the Te Awamutu District.

## LIQUOR LICENCE

- a. All the requirements of the Sale and Supply of Alcohol Act 2012 are to be complied with and shall be the responsibility of the Committee.
- b. Should the Club determine to apply for and maintain a Liquor Licence, the Committee and Bar Manager shall refer to the Club Rules in regards to visitation rights of the users of the Bar facilities.

## NO MEMBER MAY BENEFIT

- a. The Club shall not expend any money for the sole personal or individual benefit of any member
- b. No member of the organisation, or anyone associated with a member, is allowed to take part in, or influence any decision made by the organisation in respect of payments of any income, benefit, or advantage to, or on behalf of, the member or associated person
- c. The provisions of clauses (a) and (b) do not apply where the payments made are for goods or services that advance the Club purpose and are reasonable and relative to payments that would be made between unrelated parties.
- d. On dissolution of the Club no distribution shall be made to any member and no member may participate in any way in the distribution of the surplus funds arising from the dissolution

Name Dave Hall

Position President

Signed [Signature]

Name Simon Brdanovic

Position Secretary

Signed [Signature]

Name Hayley Roil

Position Treasurer

Signed H Roil

Date 28/11/2022