



CONSTITUTION

Effective Date	October 12 2009
Status	Adopted at the 2009 AGM

Proposed constitutional amendments

Submitted for review at the 2009 AGM in accordance with Clause 34 of the FKFC Constitution



Preamble

This version of the constitution, together with any constitutional changes that were tabled at the ½ yearly AGM then were formally presented for adoption by the membership at the 2009 AGM (in accordance with Clause 35).

Please feel free either to submit feedback or to address any questions or concerns via e-mail to **info@fkfc.com.au**.

Please note: In accordance with the Incorporated Associations act of 2009 there are constitutional changes that will need to be made to bring this constitution into line with the revised regulations. These are likely to be significant and wide ranging and will require careful consideration before they are adopted by the club.

The committee, together with the MWFA and other relevant governing and legislative bodies, will strive to ensure that appropriate complying amendments are crafted, which are consistent with those of the MWFA and Football NSW and the FFA. These will be tabled at the next AGM.

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General Clauses

1. The Club shall be called “Forest Killarney Football Club” and members shall be bound by its Constitution.
2. The objectives of the club shall be:
 - a. To provide an interest to keep children “off-the-streets”.
 - b. To provide an organised avenue to develop physical and mental growth.
 - c. To teach sportsmanship.
 - d. To give love of the game of Football.
 - e. To foster the Football code.
3. The club shall be affiliated with the Manly-Warringah Football Association and Football New South Wales and shall abide by their Rules.
4. The Club shall adopt the laws of the game as contained in the Referees Chart and Players Guide to the laws of the game, current edition, as published by the Football Association England and as modified by the local playing rules of the Manly - Warringah Football Association.
5. The Club playing strip will be as follows:
 - a. The club colours shall be green, white and black, with green to be the predominant colour. The players’ dress shall be green, white and black with final strip to be determined by the Committee. No member shall use the club name or emblem without first gaining approval from the Committee.
 - b. The emblem of the club shall be a shield with a leprechaun bouncing a football with his left hand on the inside of the shield and the club name surrounding the shield.
6. The football year shall commence on the 1st January and end on the 31st December each year.
7. Meetings:
 - a. The Annual General Meeting of the Club shall be held not later than the last week in November each year for the presentation of the Annual Report and Financial Statement, Election of Office Bearers and the transaction of any

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business brought forward in accordance with the Rules of the Club.

- b. The Club shall also hold a mid-season General Meeting each year.
- c. Not less than two weeks notice shall be given of Annual General Meetings, and mid-session General Meetings and any Extraordinary Meetings.

Office Bearers and Duties

8. The government of the club shall be vested in a committee consisting of office bearers as defined in Clause 9.

9. Election of Office Bearers:

- a. Office Bearers of the club shall be elected at the Annual general Meeting.
- b. Retiring Office Bearers shall be eligible for re-election.
- c. Office Bearers shall consist of;

1	President	9	Vice President – Senior Men
2	Senior Vice President	10	Facilities Manager
3	Treasurer	11	Fixtures Manager
4	Secretary	12	Equipment Manager
5	Registrar	13	Coaching Manager
6	Vice President – Sub-Juniors	14	Publicity Manager
7	Vice President – Juniors	15	Events Manager
8	Vice President – Ladies		

- d. The President, Senior Vice President, Treasurer, Secretary and Registrar shall be known as Executive Office Bearers.
- e. No more than one member of a family or de facto relationship may be an executive office bearer.
- f. No one shall hold more than one of the offices specified in clause 9c at one time.
- g. The Club may appoint a Patron who shall have the privileges of an Associate Member.
- h. Nominations shall be in writing or, in the absence of written nominations, from the floor of the Meeting and all nominees shall be present or furnish



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consent in writing.

- i. Should the Annual general Meeting fail to fill all positions of Office Bearers those Office Bearers elected shall have the authority to appoint Club Members to such positions at properly constituted meetings.

10. Duties of Office Bearers:

- a. The duties of the **President** are to take the chair at all meetings; to monitor the progress of all club activities and to preside over any matters of protest or dispute.
- b. The duties of the **Vice President** are to act as President in their absence and to provide guidance and support for the operational management of the club.
- c. The duties of the **Treasurer** are to monitor and execute all financial matters; to maintain appropriate financial records; to provide fiscal reporting for annual audit and the annual report and to be responsible for preparation and oversight of the annual budget.
- d. The duties of the **Secretary** are to have oversight of and to provide guidance to the administrative management of the club.
- e. The duties of the **Registrar** are to have oversight of and to provide guidance and support to the membership management of the club.
- f. The duties of the **Age Group Vice Presidents** are to assist the Registrar with membership management and to be the primary point of communication for, and management of, the teams within their age group portfolio.
- g. The duties of the **Facilities Manager** are to oversee all aspects of the operation, management and maintenance of the clubhouse, the canteen and the bar.
- h. The duties of the **Fixtures Manager** are to oversee all aspects of the management of the trials, competitions, grounds and referee liaison; to be the primary point of communication in relation to the draw and results reporting.
- i. The duties of the **Equipment Manager** are to oversee all aspects of the procurement, maintenance and management of playing strip, equipment and merchandise.
- j. The duties of the **Coaching Manager** are to oversee and coordinate all aspects of player coaching and coaching skills development; to determine coaching strategies; to maintain the Club's coaching manuals and equipment.



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- k. The duties of the **Publicity Manager** are to seek and canvas for club sponsors and advertisers and assist the Secretary with the production and distribution of the Club Magazine.
- l. The duties of the **Events Manager** are to have oversight and management of all of the Club's social activities.
- m. All office bearers are, subject to this constitution, to act in the best interests of the club and to assist in the general administration of all club activities.
- n. The Club delegates to the Manly Warringah Football Association are the President and Secretary and, as an alternate delegate in the absence of either one, the Senior Vice-President. The delegates shall attend all relevant Manly Warringah Football Association meetings and advise the committee of any pertinent matters raised thereat.

Financial Matters

- 11. All receipts are to be given on numbered forms printed under the authority of the Club.
- 12. Payments
 - a All cheques issued by the club shall bear the signatures of two of the Executive Office Bearers.
 - b All payments are to be approved in writing by at least two committee members.
 - c The treasurer may not approve payments.
 - d No more than one member of a family or de facto relationship may approve the same payment or sign the same cheque.
 - e No committee member may approve payments to or directly benefiting themselves or their own family or de facto relationship members.
 - f Subject to clauses 12.b through 12.e - Electronic payments may be executed by the treasurer.
- 13. The club finances are controlled by the committee, who are empowered to borrow money if required to further the objectives of The Club and to invest from time to time the Club's funds in any Building Society or Bank Interest bearing deposit or other authorised Trustee Investments.
- 14. Club expenditure over \$500.00 must be approved by the committee.
- 15. Common Seal:



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- a. The Common Seal of the Forest Killarney Football Club must be kept in the custody of the Public Officer.
- b. The Common Seal must not be affixed to any instrument except by authority of the Committee and the affixing of the Common Seal must be attested by the signatures of two members of the Executive Committee.

16. Custody and inspection of books

- a. The Secretary must keep in his/her custody, the records of correspondence and Minutes of Proceedings relating to the Forest Killarney Football Club.
- b. The Treasurer must keep in his/her custody the records of accounts relating to the Forest Killarney Football Club.
- c. The Treasurer must ensure that the records of accounts are secured and protected in accordance with the legislation regarding information privacy.
- d. The Registrar must ensure that the records of club members are secured and protected in accordance with the legislation regarding information privacy
- e. Subject to clause 16c and 16d, the records, books and other documents of the Forest Killarney Football Club must be open to inspection, free of charge, by a member of the Forest Killarney Football Club at any reasonable hour.

Life Members

17. It shall be competent for the Half Yearly General Meeting to elect as Life Members any person or persons who have rendered signal service for the club. Life Members shall be entitled to vote at such meetings. Nominations for Life Membership shall be in writing with the Honorary Secretary not later than one month prior to the Half Yearly General Meeting. The Executive Committee shall investigate all nominations to ensure all eligibility criteria have been met. If approved by the Executive Committee, the nomination(s) will be tabled at the Half Yearly General Meeting. All nominees shall leave the meeting while discussion and voting takes place. Life memberships will be presented at the Annual Dinner Dance. Life Members shall not be eligible as Patrons.

Selection Criteria:-

- a. The nominee must have contributed 'significantly' as a member of The Club
- b. The nominee must be known personally by the nominator.



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- c. The nominee must have provided a 'high level' of service to The Club, 'above and beyond' the accepted duties that they would be expected to undertake in their role as a Club Member.

Membership

18. Membership shall be subject to the approval of the Committee who shall have the power to admit or reject.

There shall be (3) three types of membership:

- a. **"Playing members"** shall be those admitted to the Club and for whom the prescribed season membership fees have been paid. Such members shall be ineligible to vote at the Club General Meetings unless over the age of 16, and shall be ineligible for nomination to the Committee unless over the age of 18, and shall be ineligible for nomination to an executive position unless over the age of 21.
 - b. **"Associate Members"** shall be the parents or guardians of Playing Members and are also subject to the admittance and rejection Rules. Such members shall have full voting rights, and if over the age of 21 shall be fully eligible for nomination to the Committee. No additional membership fees shall be charged to Associate Members.
 - c. **"Other Members"** shall be admitted by the Committee after paying of the prescribed membership fee. Such Members, if over the age of 21, shall be eligible for nomination as Committee Members.
 - d. If any member falls into one or all of the three above categories of 'membership', the member will only be allowed one vote for each motion put forward.
19. Applications for membership must be submitted on forms provided by the Committee and accompanied by the current year's membership fees, which shall be fixed from time to time by the Committee. In the event of the application being refused, the membership fee shall be refunded. Any Member wishing to resign from membership shall intimate the same in writing to the Secretary of the Club. No resignation shall be accepted until all outstanding monies have been paid.
 20. Closing date of application for membership shall be determined by the committee.



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Committee Powers and Procedures

21. Committee Meetings:

- a. Committee Meetings shall be open to Members and held as required by the Committee. Due notice of each Meeting shall be forwarded by the Secretary to all Committee Members at least seven (7) days prior to such meetings. At all such meetings six (6) Committee Members shall form a quorum, two (2) of whom shall be executives.
- b. The Committee shall have the power to admit or exclude persons at their meetings.
- c. Any Member of the Committee absenting him/herself for three consecutive Ordinary Meetings of the Committee without reasonable excuse, shall cease to be a Member of such Committee and in the event of a vacancy so caused or by death or resignation of any Member of the Committee, another Member shall be elected by the Committee in his/her stead.

22. The Committee may suspend any member of the Club, whose conduct is deemed by the committee to be contrary to the interest of the Club. In the case of this applying to Committee Members, the procedure set out in Clause 21c shall apply.

23. The Committee shall meet not later than thirty days after the closing date for membership applications. At all meetings the President shall take the chair and in his absence the Senior Vice President. In both their absences a chairman shall be appointed from the Committee.

24. On all matters of urgency, the Executive shall act as they befitting in the best interest of the Club, and report to the next Committee Meeting.

25. The Committee shall have the power to call any member to appear before them to answer question or produce any books or documents that may be relevant to the Club Member.

26. No member of the Committee shall leave the room whilst evidence is being taken on any protest, appeal or charge, except with the permission of the Chairman.

27. All Club members shall have a right to appeal against any decision made by the Club to the Manly Warringah Football Association.

28. Sub-Committees and Assistants:

- a. The Committee shall have the power to appoint Sub-Committees and Assistants to deal with any matter coming within its jurisdiction and to



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- appoint any Member to such Sub-Committee or assisting role.
- b. The President or his/her nominee shall be an Ex-officio Member of all such Sub-Committees.
29. Grading and selection:
- a. The Committee or the Executive shall have the power to appoint persons to a selection Panel or Panels to grade Players.
- b. The Committee shall have the power to grade any Team or Member at any time.
- c. The Selection Panel(s) will be responsible to the Coaching Manager and Age-Group Vice Presidents.
30. The Committee shall have the power to appoint suitable coaches to each graded team, and the coaches shall be responsible for the fair and equitable rotation of players in such teams during the season, with the object that all players selected for their teams shall receive, as far as practicable, and having regard to injury, ill-health and attendance at training by their players, an equal number of games
31. The Committee shall have the power to deal with all relevant matters not provided for in these Rules.
32. Players under suspension or disqualification by this or any other body controlling sport shall not take part in the Club's affairs without first receiving permission from the Committee.
33. Any Member, who has not paid the prescribed membership fee by the commencement of competition, will be suspended by the Committee from all Club activities, until such membership fees have been paid. Subject to Committee direction on a case-by-case basis.
34. It shall be the duty of the Committee at the end of each season to review the Constitution in the light of the preceding season. Any suggested amendments by the Committee, together with any suggestions received, shall be made available to all Members at least fourteen (14) days before the Annual General Meeting.
35. The Constitution shall not be amended or added to without such being passed at the Annual General Meeting, or an Extraordinary General Meeting called for that purpose.
36. Extraordinary General Meetings
- a. The Secretary, on being presented with a petition by at least one third of Members eligible to vote under Rule 18, shall issue notices to all



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Members in term of Rule 7c) of Extraordinary General Meeting demanded by the petition.

- b. The Committee shall have the authority to call Extraordinary Meetings.
37. Rules of Meeting procedure shall be applies as per the rules of Parliamentary Debate.
 38. Injuries
 - a. The Club accepts no responsibility for injuries sustained by players, officials, spectators or referees.
 - b. Members including playing members accept the dangers inherent in the sport.
 - c. The Committee at its discretion may make such ex-gratia payments to injured players or their relatives as it sees fit.
 39. The Club shall apply its profits, if any, and other income to the promotion of its objectives or to any other purposes permissible by law and shall be prohibited from paying dividends or distributing profits or income to its members.
 40. In the event the Club is wound up by resolution of an Extraordinary General Meeting as distinct from amalgamation with another Club then upon the resolution being passed to wind up the Club and subject to any contrary or overriding resolution by the Members the following provision shall apply.
 41. The Committee shall have the discretion to:
 - a. Donate the whole or any part of the Club's monies and assets including equipment to the Manly-Warringah Football Association or other non profit sporting groups or schools in the Forestville community.
 - b. To give absolutely to any player members a Club jersey or shirt.
 - c. To give or sell on such terms as it thinks fit the Club's equipment to any other Football club or clubs.
 - d. To do things necessary to see to the effective winding up of the Club.
 42. The Committee shall be empowered to reprint the Constitution of the Club, as amended at Annual General Meetings or Extraordinary General Meeting from time to time, and, without changing in any way the context of those Rules, to determine the order of the clauses and re-number same in the manner deemed to be the most suitable.