



Petone Football Club Incorporated

Constitution [changes marked]

November 2016

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Notes: The following changes have been applied throughout the document and are not specifically highlighted in this version:

- Minor typo corrections and grammatical changes
- “Management Committee” changed to “Executive Committee”
- “sub committee” changed to “subcommittee”

Content that we propose to delete is ~~struck through~~ and is highlighted in ~~grey~~

Content that we propose to add is highlighted in **yellow**

Interpretation

In this Constitution unless otherwise specified the following interpretations refer:

Act	Incorporated Societies Act 1908
Club	PETONE FOOTBALL CLUB INCORPORATED
NZF	New Zealand Football Incorporated, or its successor
Federation	Capital Football Federation Incorporated, or its successor
Club Executive Committee Emergency Committee	President, Executive Committee Chair, Secretary and Treasurer
Executive Committee	As defined in Rule 3.1.23
Rules	The Rules of the Club as amended from time to time.

Name

The name of the Club is “PETONE FOOTBALL CLUB INCORPORATED”

Objects

To advance, foster, and encourage the game of Football for players of all ages.

1. General

- 1.1 All communications to the Club ~~must~~ **should** be directed to the Secretary, unless otherwise directed by the Executive Committee.
- 1.2 The Club shall adopt a Common Seal, and such Seal shall be under the control of the Secretary, and shall never be affixed to any document except by the Secretary, or by some other person authorised by the Executive Committee and then only in pursuance of a resolution of the Executive Committee.
- 1.3 The Executive Committee may form subcommittees as it may require to allow for the efficient operation of the Club. These subcommittees may be, but not limited to, ~~Juniors, Women and Supporters~~ **the Women's Management Committee and Junior Management Committee**. Any such subcommittees ~~shall~~ **will** be under the jurisdiction of the Executive Committee and shall report to the Executive Committee on each of their meetings.
- ~~1.4 The Club Secretary, Secretary of the Women's, Junior and Supporters' Committee shall keep a minute book showing the date of election of all administrative members. A register of playing members shall also be maintained as required by the respective subcommittees.~~
- 1.4 The Executive Committee, Women's Management Committee and Junior Management Committee shall keep minutes of all meetings.**
- 1.5 The Club Secretary shall keep an up-to-date register of all administrative members. An up-to-date register of playing members shall also be maintained as required by the respective subcommittees.**
- 1.56 The Club shall be registered with the Federation and shall conform with such Rules and Regulations, as the Federation shall deem fit and proper.
- 1.67 The uniform of the Club shall be in the colours of Royal Blue and White. These colours ~~shall~~ **will** be registered as the Club's official colours with the Federation.
- 1.78 The Club shall enter the number of teams in any category, including but not restricted to men's, women's and juniors in any division, which it is capable of controlling and is authorised under the rules of the Federation.
- 1.89 No football match shall be played under the name of the Club without the prior approval of the Executive Committee. No player shall accept any consideration for any match played under the name of the Club without the prior approval of the Executive Committee.

2. General Meetings

- 2.1 The Annual General Meeting shall be held not later than in the month of November in each year.

- 2.2 An Extraordinary General Meeting may be called upon a request signed by ten financial members of the Club and forwarded to the Secretary.
- 2.3 The Executive Committee shall also have the power to call an Extraordinary General Meeting.
- 2.4 The Secretary shall give not less than seven clear days' notice, by circular, by electronic advice on the Club's web site or by email to the members' last known email address, or by an advertisement in a local newspaper decided by the Executive Committee, to all Club members of the place, date and the time of all General Meetings, together with an agenda paper specifying the nature of the business to be discussed.
- 2.5 Fifteen or more financial members entitled to vote shall form a quorum at any General Meeting.
- 2.6 Every motion submitted to any meeting shall be decided by a show of hands, on the voices, or by ballot as the Chairman may direct.
- 2.7 Those members being financial members of the Club during the previous financial year shall be entitled to vote at ~~an~~ **the** Annual General Meeting, except that for the purpose of this clause financial members shall not include those under the age of 15 or those excluded by Rule 5.4 and Rule 5.9.
- 2.8 Those persons being financial members of the Club at the time of an Extraordinary General Meeting, **or during the previous financial year**, shall be entitled to vote at such a meeting except those as excluded in the above Rule 2.7.
- 2.9 Except with the express approval of the Executive Committee, ~~each subcommittee~~ **the Women's Management Committee and Junior Management Committee** will convene an Annual Meeting each year at which ~~up to a maximum of eight~~ members will be elected to form the ~~sub~~committee for the ensuing year. Each ~~sub~~committee will appoint its own Chair.

3. Officers

- 3.1 The officers of the club shall be elected at the Annual General Meeting and shall consist of all or any of the following:-
- 3.1.1 Patron, Auditor, Solicitor.
- 3.1.2 Executive officers — President, Secretary, Treasurer, Recording Secretary.**
- 3.1.23 An Executive Committee of up to a maximum of eight members who will elect their own Chair.
- 3.1.34 Any such other officers as the Annual General Meeting may decide.

- 3.2 ~~Immediately after~~ **Following** the Annual General Meeting the Club Secretary shall inform the Federation of the names of the Club's Chair, Secretary and Treasurer. Any subsequent change to these officials shall be communicated ~~immediately~~ to the Federation.
- 3.3 The ~~Club~~ **Executive Committee** shall appoint such delegates as the Federation may require.

4. Executive Committee

- 4.41 **The officers of the club, elected in terms of 3.1.2 above, together with the Executive Committee,** ~~The Executive Committee~~ shall have the power to deal with all matters concerning the business of the Club, including the appointment of coaches, team managers, team captains and any officers for special duties.
- 4.12 The quorum at an Executive Committee Meeting shall be any five of, the President, the Treasurer, the Secretary, the Recording Secretary or any of the up to eight elected members.
- 4.23 If the Executive Committee shall fall below five members then the Secretary shall convene a Special General Meeting to fill such vacancy(ies), unless the Executive Committee fills vacancies occurring during any year by resolution but this shall be subject to confirmation at the earliest General Meeting.
- 4.34 Any member of the Executive Committee being absent from three consecutive meetings of the Executive Committee without having an apology recorded shall be deemed to have vacated their seat on the Executive Committee.
- ~~4.4 Members of the Executive Committee shall be allowed to take part in any league or cup match played under the jurisdiction of the Federation.~~

4.5

5. Membership

- 5.1 Persons become **financial** members of the Club by:-
being elected a Life Member at a General Meeting.
- 5.2 Persons become **financial** members of the Club for one financial year by: -
- 5.2.1 Being elected Patron
 - 5.2.2 Being elected **or co-opted as** an ~~Ad~~ Administrative member of the Club. (This shall include all those members of all Club Committees, plus any other Club Official approved by the Executive Committee).
 - 5.2.3 Being appointed by the Junior Management Committee as a Junior team coach or manager or grade manager**
 - 5.2.4 Being registered with the Federation as a Senior male or female playing member of the Club

- 5.2.5 Being registered with the Federation as a Junior playing member of the Club, consistent with the Federation's playing regulations
- 5.2.6 Being registered as a non-playing member of the Club's Supporters' Club (This shall include all those not covered by 5.2.1 to 5.2.5 but who wish to become non-playing members of the Club).
- 5.2.37 Being elected appointed as an Honorary member of the Club (This shall include only those persons approved by the Executive Committee)
- 5.3 All categories of membership shall entitle the person to use the Club's facilities.
- 5.4 Junior playing members, the Patron and Honorary members shall not have the right to vote at any General Meeting of the Club. Nor shall they have any right to any share in the assets of the Club in the event of a winding up act.
- 5.5 Each member shall be issued with a membership card that will state that member's category of membership. Those members under 20 years of age will have their date of birth entered on their membership cards.
- 5.6 All members shall carry their membership card when using the Club bar facilities during licensing hours.
- 5.7 Every application by a person for membership of the Club to become a registered player shall be made in writing on the authorised registration form prescribed by the Federation and /or NZF by following the Federation's and/or NZF's prescribed process. If the person is already a registered player of another Club they shall be required to comply with the rules of the Federation and/or NZF relating to transfers and shall duly apply for a transfer by submitting a transfer form accompanied by a fee as required by the Federation.
- 5.8 The Club shall maintain a record of all members as identified in Rule 1.4.
- 5.9 Persons cease to be members by voluntary resignation or expulsion.
- 5.10 Financial non-playing members (other than Life Members) cease to be financial members at the end of each financial year.
- 5.11 Registered players cease to be financial members when transferring to another Club in accordance with the Federation requirements.

6. Fees

- 6.1 Anyone being elected to Club Membership under Rule 5.1 or Rule 5.2.1 or Rule 5.2.7 shall not pay any fees.
- 6.2 All members of the Club registered in terms of clause 5.2.2 to 5.2.6 elected or appointed in terms of clauses 5.2.2 and 5.2.3 and those registered in terms of clauses 5.2.4 to 5.2.6 may be required to pay a membership fee as from time to time set by the Executive Committee. Such fee is to be paid to the Club's Executive Committee or any other subcommittee as directed by the Executive Committee.

In addition:

- 6.2.1 All members registered with the Club in terms of clauses 5.2.4 and 5.2.5 shall be required to pay a playing fee.
 - 6.2.2 Those members registered with the Club in terms of clauses 5.2.2 and 5.2.3 shall be required to pay a playing fee if they play football for the Club. The Executive Committee may, at its discretion, waive part or all of that playing fee.
 - 6.2.3 The playing fee shall be payable to the Committee administering the respective category of football.
 - 6.2.4 The level of the playing fee shall be set by each respective Committee in consultation with the Executive Committee taking into account Clause 6.7.
- 6.3 Each Committee may determine that net revenue gained for it by a member through fund-raising schemes may be determined to be the whole or part of that member's playing fees.
- 6.4 The date for payment of membership and playing fees shall be set by the Committee administering that fee.
- 6.5 The Committee administering each fee shall have the power to deal with members who do not pay that fee by the due date.
- 6.6 The Committee administering each fee may at its discretion allow fees to be paid by instalment.
- 6.7 Fees shall be set at levels that provide for the efficient administration of the Club.
- 6.8 Any player who shall be in arrears with his fees to the Club without supplying a satisfactory reason to the Executive Committee shall be reported to the Federation and shall be disqualified from taking part in any match played under the auspices of the Federation and / or NZF until such arrears have been paid to the Club.

7. Conduct

- 7.1 The Club is responsible to the Federation for the conduct of all its players, coaches, managers, elected officials and anyone delegated responsibility to represent the Club.
- 7.2 The Executive Committee shall have the power to call on any player or member to explain or answer for his conduct.
- 7.3 The Executive Committee shall have the power to suspend for such time as it thinks fit, any player, official or member who shall be guilty of:
- 7.3.1 breach of ~~any Rule of the Club~~ the Club's Code of Conduct or any other policy or rule of the Club;
 - 7.3.2 objectionable or improper behaviour during or in connection with any match under the auspices of the Club; and

- 7.3.3 any other such acts as in the opinion of the Executive Committee shall constitute misconduct.
- 7.4 In the event of any punishment awarded for any offence the Club may at the discretion of the Executive Committee advise the Federation of the circumstances and the action taken.
- 7.5 The Executive Committee shall have the power to reprimand, fine, suspend, accept the resignation of, or expel any member who shall infringe any rules or whose action shall be, in the opinion of the Executive Committee, detrimental to the interests of the Club. In the case of Life Members and the President however such decisions can only be made by a General Meeting.
- 7.6 No person who has been suspended by the Club shall be permitted to participate in any game played under the jurisdiction of the Club, the Federation or NZF during the period of suspension, or participate in any affairs of the Club.

8. Finance

- 8.1 The Financial Year of the Club shall end on 30 September in each year.
- 8.2 The Club shall have full financial statements of the Club for the Financial Year preceding each Balance Date and a Statement of Financial Position showing the financial position of the Club as at the Balance Date prepared for and presented to the Club at the Annual General Meeting following each Balance Date.
- 8.3 The Financial Statements presented to the Club at the Annual General Meeting must be accompanied by an auditor's report.
- 8.4 The Club shall at each Annual General Meeting appoint an auditor to hold office from the conclusion of that Annual General Meeting until conclusion of the next Annual General Meeting. The auditor must examine the accounts of the Club and the Financial Statements to be presented to the Club at the Annual General Meeting and report to the members.
- 8.5 The auditor shall have access at all times to the books and papers, including minutes, of the Club and shall be entitled to require such information and explanations as they think necessary to perform their duties as auditor.
- 8.6 The funds of the Club shall be under the control of the Executive Committee, but subject to all general directions, from time to time given by members of the Club, during any General Meeting.
- 8.7 Any form of payment, be it paper based or electronic, shall be signed or authorised on behalf of the Club by two of the persons appointed by the Executive Committee to do so.
- 8.8 The signing or authorising shall be subject to the requirements set down by any Bank that the Club from time to time may use.

- 8.9 The Executive Committee with the approval of its members in a General Meeting may exercise all the power of the Club to borrow money, and to mortgage or charge its property, or any part thereof.

9. Liquidation

- 9.1 The Club may be put into recess or liquidation if at a meeting of the Club a resolution is passed, by not less than 75% of Members present, requiring the Club to be put into recess or liquidation and the resolution is confirmed by not less than 75% of Members present at a subsequent meeting of the Club called for that purpose and held not earlier than 30 days after the date on which the resolution to be confirmed was passed.
- 9.2 If upon the recess or liquidation of the Club there remains after satisfaction of all its debts and liabilities any property whatsoever the same shall will be passed to the ~~Hutt City Council~~ Federation.

10. Amendments to rules

- 10.1 Subject to the provisions of the Act these Rules may be altered by resolution passed by not less than 75 % of the Members present in person and being entitled to vote as noted in Rule 2.7 and Rule 2.8 at any General Meeting of the Club. The Club shall have all the rights and powers to make and amend at a General Meeting, all the necessary rules, for the control and management of the Club.
- 10.2 In the event of any alteration in the Rules of the Club being deemed necessary, written Notice of Motion shall be given at least 21 (twenty one) days prior to a General Meeting, and the Secretary shall, at least 14 (fourteen) days prior to a General Meeting send to each financial member, as stated in Rule 2.4, of the Club a copy of the Notice of Motion.
- 10.3 No amendment to such a motion affecting the Rules shall be accepted unless sent in writing to the Secretary, at least 7 (seven) days before the General Meeting. Any such amendments shall will be sent to each financial member, as stated in Rule 2.4, of the Club 4 (four) days before the Meeting.

11. Disputes

- 11.1 If any dispute shall arise as to the interpretation of these Rules or the rights or obligations of any member or as to any other matter touching or concerning these Rules such questions shall be decided by the ~~Club Executive~~ Emergency Committee.

Signed

Signed as the Rules of the Club by three of its members:

Signed	Name	Role	Date
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Signed	Name	Role	Date
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Signed	Name	Role	Date
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