



Constitution of Majura Junior Soccer Club Incorporated

Operating as Majura Football Club

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ASSOCIATIONS INCORPORATION ACT 1991 (ACT)

**CONSTITUTION OF THE MAJURA JUNIOR SOCCER CLUB
INCORPORATED**

Operating as Majura Football Club

Part 1 - Preliminary

Name of the Club

1. The name of the Club is Majura Junior Soccer Club Incorporated (MJSC), operating as Majura Football Club (MFC).

Date of Effect

2. This Constitution replaces any previous Constitutions and is effective from 12 Mar 2013.

Definitions

3. In this Constitution unless the contrary intention appears:

"**The Act**" means the Associations Incorporation Act 1991;

"**AGM**" means Annual General Meeting;

"**Club Official**" means a Committee member or a coach or a manager of the Club;

"**Casting Vote**" means an extra vote given to a chairperson to decide an issue when the vote on both sides is equal;

"**Deliberative Vote**" means a normal vote cast by an entitled Member;

"**Executive Committee**" means the Committee Members listed in Part 3 Clause 27;

"**Intellectual Property**" means all rights subsisting in copyright, business names, names, trademarks (or signs), logos, designs, equipment including computer software, images (including photographs, videos or films) or service marks relating to the Association or any activity of or conducted, promoted or administered by the Association in the ACT.

"**Member(s)**" means member(s) of Majura Junior Soccer Club (refer Part 2 Clause 8);

"**SGM**" means Special General Meeting;

"**The Club**" means Majura Junior Soccer Club Incorporated, also known as Majura Football Club;

"**The Committee**" means the Majura Junior Soccer Club Committee (refer Part 3 Clause 25).

Interpretation

4. In this Constitution:
 - a. a reference to a function includes a reference to a power, authority and duty;
 - b. a reference to the exercise of a function includes, where the function is a power, authority or duty, a reference to the exercise of the power or authority of the performance of the duty;
 - c. words importing the singular include the plural and vice versa;
 - d. words importing any gender include the other genders;
 - e. references to persons include corporations and bodies politic;
 - f. references to a person include the legal personal representatives, successors and permitted assigns of that person;
 - g. a reference to a statute, ordinance, code or other law includes Regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them (whether of the same or any legislative authority having jurisdiction); and
 - h. a reference to "writing" shall unless the contrary intention appears, be construed as including references to printing, lithography, photography and other modes of representing or reproducing words in a visible form, including messages sent by electronic mail.

Severance

5. If any provision of this Constitution or any phrase contained in it is invalid or unenforceable, the phrase or provision is to be read down if possible, so as to be valid and enforceable, and otherwise shall be severed to the extent of the invalidity or unenforceability, without affecting the remaining provisions of this Constitution.

Objects of the Club

6. The Club is established solely for the Objects. The Objects of the Club are established to:
 - a. foster, develop and promote football in the ACT and surrounding regions,
 - b. provide the opportunity for players to play and enjoy football, regardless of skill level,
 - c. promote individual and team skills,
 - d. encourage and develop a sense of fair play and respect for others in all members of the Club including players, coaches and supporters,
 - e. affiliate and otherwise liaise with Capital Football and/or FFA of which the Club is a Member and adopt their rule and policy frameworks to further these Objects,
 - f. abide by, promulgate, enforce and secure uniformity in the application of the rules of football [soccer] as may be determined from time to time by FFA or Capital Football and as may be necessary for the management and control of football and related activities in the ACT,
 - g. have regard to the public interest in its operations; and
 - h. undertake and or do all such things or activities which are necessary, incidental or conducive to the advancement of these Objects.

Playing Colours

7. The playing colours of the Club are white and royal blue. Subsidiary colours may be used as deemed necessary by the committee.

Part 2 - Membership

Members

8. Club members are:
 - a. Players validly registered with MJSC,
 - b. Persons elected to the MJSC Committee,
 - c. Life Members,
 - d. Club officials including coaches; and
 - e. Parents or guardians of validly registered players.
9. The committee shall have the right to refuse membership to any person, however reasons for refusal must be provided.
10. Club members will be;
 - a. required to comply with and observe this Constitution and the Regulations, By-Laws and any determination, resolution or policy (including the club's codes of conduct) which may be made or passed by the Committee or other entity with delegated authority,
 - b. liable for fees and subscriptions as determined by the Committee,
 - c. subject to the jurisdiction of the Club, Capital Football and FFA; and
 - d. entitled to all benefits, advantages, privileges and services of Club membership.
11. A member's right, privilege or obligation cannot be transferred to another person, and terminates when the person's membership ceases.
12. A person ceases to be a member of the Club if the person:
 - a. resigns from membership of the Club,
 - b. is expelled from the Club; or
 - c. fails to renew their membership of the Club (this includes non-payment of Club fees).
13. The committee shall have the power to suspend or cancel the membership of any person for any action deemed detrimental to the Club and its objects, including but not limited to:
 - a. false or inaccurate information provided during the member's application for membership of the Club,
 - b. breach of any rule, regulation, by-law or code of conduct of the Club,
 - c. wilful damage to Club property; and
 - d. theft of Club property or funds.
14. Any member whose membership is suspended or terminated in accordance with clause 13 shall have the right to appeal by presenting their case to a Committee Meeting specifically called for that purpose. The decision of that Committee meeting shall be final.

Resignation of Membership

15. A player may resign from the Club by giving written notice of their resignation and returning all property and equipment that has been issued to them by the Club.
16. A Club Official, including Committee members, may resign by giving a minimum of 2 weeks written notice and returning all equipment, books, records or documents belonging to the Club.
17. In any other case, written notice is required.

Life Members

18. A person is eligible to be nominated as a Life Member of the Club if:
 - a. They have been a member for more than ten years and have served on the Committee for at least five years during that time; or
 - b. They have been a Club official for at least ten years; or
 - c. A majority of the Committee agree that they have rendered signal service to the Club.
19. Life Members must be elected by a two thirds majority at the Annual General Meeting.
20. Nominations must be in writing specifying the reasons for nomination and submitted to the President or Secretary at least 14 days prior to an Annual General Meeting.
21. Life members are entitled to vote at Annual General Meetings and Special General Meetings.

Registration of Players

22. No player shall play for the Club unless they are correctly and validly registered with the Club.
23. To be correctly and validly registered for the Club, a player must:
 - a. fully complete online registration using the My Football Club (FFA) website,
 - b. pay the annual registration fee as determined by the Committee; and
 - c. otherwise conform with any other registration policy or requirement of the Club, Capital Football, or Football Federation of Australia.
24. Registration shall be for a period of 12 months and must be renewed annually.

Part 3 – Committee

Composition of the Committee

25. The Committee of the Club shall consist of the Executive Committee and General Committee members.
26. All Committee positions are unpaid.

The Executive Committee

27. The Executive Committee shall consist of seven members; President, Vice President Operations, Vice President Football, Treasurer, Secretary, Registrar and Equipment Officer.
28. The Executive Committee will be elected at the Annual General Meeting.
29. All Executive Committee members shall be eligible for re-election.
30. All Executive Committee members must be at least 18 years of age.
31. Only one Executive Committee position shall be held at one time by any Club member.

The General Committee

32. The General Committee shall consist of; Public Officer, Assistant Registrar, Canteen Manager, Referees Coordinator, Website Manager, Age Group Coordinators and up to other 3 members whose portfolio shall be allocated by the Committee if required.
33. The General Committee shall be elected by members entitled to vote at the AGM, or subsequent meetings of the Committee for the new season. Elected General Committee members are then eligible to participate in further business at that meeting.
34. All General Committee members are eligible for re-election.
35. All General Committee members must be at least 18 years of age.

Vacating and Filling Committee Positions

36. If a Committee member is absent from 3 consecutive Committee meetings and the Committee decides that the absence is without reasonable excuse, the Committee position may be declared vacant by a two thirds majority of Committee members present and entitled to vote.
37. If a Committee member is considered guilty of conduct prejudicial to the Club or its objects, the Committee may vote by simple majority to call a Special General Meeting (SGM) to consider removing that person from the Committee. A two-thirds majority of those present and entitled to vote will be required at the SGM to carry the motion.
38. Any Committee positions becoming vacant between AGMs may be filled by a simple majority vote by members present and entitled to vote at the next Committee meeting.

Part 4 - Duties of Executive Committee Members

39. The duties of the Executive Committee Members of the Club shall include the following:

President

- i. Provide leadership for the Club;
- ii. Oversee the administration and governance of the Club;
- iii. Conduct and chair all meetings of the Club at which they are present;
- iv. Act as the delegate of the Club to Capital Football and other organizations, or appoint a nominee to act as such a delegate; and
- v. Act as the principal spokesperson for the Club; and liaise with other members of Capital Football and represent the Club to Governments and other stakeholders.

Vice President Operations

- i. Act as President if the President is absent;
- ii. Oversee the policy and planning functions of the Club in accordance with the objects and purposes of the Club;
- iii. Report to the Committee on matters relating to the operations of the Club;
- iv. Oversee the duties of the Canteen Manager and Website Manager other committee members allocated to operations; and
- v. In conjunction with the Treasurer oversee the employment of the Administrative Officer and other employees of the club.

Vice President Football

- i. Represent the views and objects of the Club to the members as they relate to player and coach development, including elite and community player pathways;
- ii. Oversee and act as liaison with Age Group Coordinators and Referee Coordinator;
- iii. Oversee, be responsible for and consult with the Technical Director/Facilitator and Junior Development Officer on matters relating to players and coaches; and
- iv. Report to the Committee on matters relating to players, coaches and technical development.

Treasurer

- i. Oversee the financial management of the Club;
- ii. Prepare an annual budget in consultation with the Executive Committee of the Club;
- iii. Provide financial control within the budget and cash flow in accordance with the objects and purposes of the Club;
- iv. Report to the Committee on the monthly financial statements;
- v. In consultation with Executive Committee Members of the Club, prepare financial statements for audit and the presentation of annual financial statements for the Annual Report and the Annual General Meeting; and
- vi. In conjunction with the Vice President Operations oversee the employment of the Administrative Officer and other employees of the club.

Registrar

- i. Supervise player registrations;
- ii. Oversee the maintenance of the player registration database;
- iii. Oversee the duties of the Points Registrar,
- iv. Provide player and team lists as required by the Committee and Capital Football;
- v. Monitor the authenticity of player names, division status and other details submitted on match cards; and
- vi. Liaise with Capital Football concerning all registration, match card and ID card matters.

Secretary

- i. Be responsible for all correspondence to and from the Club;
- ii. Set meeting agendas in consultation with other Committee Members and distribute the agenda to all Committee members in a timely fashion;
- iii. Minute all meetings and distribute those minutes;
- iv. Assist with the drafting of information for any publicity purposes;
- v. Monitor and assist with the drafting of information for the Club's website; and
- vi. Maintain and update the Committee contact lists.

Equipment Officer

- i. Be responsible for the purchase and maintenance of all playing equipment for the Club in accordance with the MJSC Budget and asset management plan;
- ii. Supervise distribution and collection of all playing equipment; and
- iii. Report to the Committee on matters relating to playing equipment.

Part 5 - Duties of General Committee Members

Public Officer

- i. Be responsible for matters relating to the incorporation of the Club in accordance with the Act;
- ii. Liaise with the Australian Securities Commission and any other organizations concerning lodgement of any and all documents relating to the operation of the Club; and
- iii. Report to the Committee on matters relating to the incorporation of the Club.

Assistant Registrar

- i. Assist the Registrar with player registrations and maintenance of the player registration database;
- ii. Assist with the duties of the Points Registrar; and
- iii. Assist in the provision of player and team lists as required by the Committee and Capital Football.

Canteen Manager

- i. Manage the canteen and BBQ including ordering, purchase and inventory of stock;
- ii. Supervise canteen volunteers; and
- iii. Manage sales and cash handling.

Referee Coordinator

- i. Maintain a register of all qualified referees available to referee at Majura FC games; and
- ii. Organise referees for games throughout the season.

Website Manager

In conjunction with the Vice President Operations, manage the clubs website.

Age Group Coordinators

- i. Manage and communicate with your age groups players, parents, coaches and managers;
- ii. Assist in administration of trials for age groups from Under 10 – 18;
- iii. Organise players into teams after the conduct of trials (Under 10-18) and help with organising coaches and managers for teams; and
- iv. Organise the draw for the season in conjunction with the Vice President Operations.

Part 6 - Meetings

Annual General Meeting

39. Notice of the Annual General Meeting shall be given to every Member entitled to receive notice. Notices shall be sent to the addresses appearing in the Club's Register. The auditor and Committee members shall also be entitled to receive notice of every Annual General Meeting. This will be sent to the auditor's last known address. No other person shall be entitled, as of right, to receive notices of General Meetings. Notice will also be placed on the Club website.
40. A notice of an AGM shall specify the place, day and hour of the meeting and shall state the business to be transacted at the meeting.
41. At least twenty-one (21) days' notice of a AGM shall be given to those Members entitled to receive notice.
42. Notices of motion for the AGM and nominations for Executive Committee positions must be received by the Secretary at least 14 days prior to the AGM. The Secretary must circulate an agenda to all members of the Committee at least 7 days prior to the AGM.
43. The agenda for an AGM shall be:
 - a. Opening of Meeting
 - b. Apologies
 - c. Confirmation of Minutes of previous AGM
 - d. Presentation of Annual Report by President or Vice President Operations
 - e. Adoption of Annual Report
 - f. Presentation of Treasurer's Report
 - g. Dissolution of Current Executive Committee
 - h. Election of New Executive Committee
 - i. Vote of Thanks to Outgoing Executive Committee
 - j. Notices of Motion
 - k. Urgent General Business
 - l. Meeting Closed
44. Nominations for Executive Committee positions must be made in writing and received by the Club Secretary at least 14 days prior to the AGM. Nominations must be proposed by a Club member and seconded by a different Club member. This must be included in the written nomination. If no written nominations are received, nominations may be accepted from the floor at the AGM.
45. A quorum for an AGM is formed when 15 members who are entitled to vote are present. If a quorum is not reached within 30 minutes of the nominated start time, those present shall determine a date within one month to reconvene the meeting.

Special General Meeting

46. A Special General Meeting shall be convened upon:
 - a. direction from the Executive Committee; or
 - b. a request signed by the President and at least two thirds of the Committee being received by the Vice President Operations or the Secretary of the Club; or
 - c. a request signed by the President and at least 21 members of the Club being received by the Vice President Operations or the Secretary of the Club.
47. A quorum for a Special General Meeting is formed when 15 members who are entitled to vote are present.

48. A Special General Meeting shall be called by the Vice President Operations or Secretary giving at least 14 days notice, in writing to each Committee member. This notice shall include the date, time, place and purpose of the meeting.

Committee Meeting

49. The Committee shall meet at least once a month from February to October and at other times as deemed necessary by the President.
50. The Secretary shall provide at least 7 days notice to Committee members.
51. The Executive Committee shall meet as required upon request from at least 3 of its members, or upon direction from the Committee.
52. A quorum for a Committee Meeting is formed when 7 members, including at least 3 members of the Executive Committee, are present.
53. A quorum for an Executive Committee meeting requires 4 members.
54. If a quorum is not reached within 30 minutes of the nominated start time, those present shall determine a date within one month to reconvene the meeting.

Part 7 - Voting

Members Entitled to Vote

55. The following members are entitled to one vote at an Annual General Meeting:
- Persons who were members of the Committee in the season immediately prior to the Annual General Meeting;
 - Life members;
 - People who were Club officials in the season immediately prior to the Annual General Meeting; and
 - The parents or guardians of players who were validly registered with the Club in the season immediately prior to the Annual General Meeting.
56. The following members are entitled to one vote at a Special General Meeting of the Club:
- Persons who are members of the Committee;
 - Life Members;
 - People who are Club officials; and
 - The parents or guardians of validly registered players.
57. At meetings of the Committee, each Committee member shall be entitled to one vote.
58. At any meeting of the Club, each person entitled to vote shall have only one deliberative vote.
59. Unless otherwise specified, voting shall be by simple majority.
60. Votes at all meetings shall be counted by a show of hands.
61. Where voting at meetings is equal, the chairperson may exercise a casting vote. If the chairperson does not exercise a casting vote the motion will be lost.
62. No proxy votes are allowed at any MJSC meeting.

Part 8 - Sub-Committees

63. The Committee may form sub-committees as required to facilitate the management and governance of the Club.
64. The decisions and/or recommendations of any sub-committee require approval by the Committee before coming into effect.

Part 9 – Patron

65. The Club may elect to have a Patron. A Patron of the Club shall be elected at an AGM.

Part 10 – Affairs of the Club

66. The affairs of the Club shall be managed by the MJSC Committee in meeting which shall have final authority with respect to all affairs of the Club.

67. The Committee may delegate to the Executive Committee, at such times as the Club is not in meeting, the power to manage and control all the affairs of the Club or any specific power or function which may be exercised by the Club.

68. The Executive Committee has the power on behalf of the Club to perform all things as appear to the Executive Committee essential for the proper management of the affairs of the Club, in accordance with the Constitution.

69. Decisions of the Executive Committee exercising power shall be binding on the Club unless and until they are overturned by a later meeting of the MJSC Committee.

Part 11 – Finance

Fees

70. Annual registration fees for all players shall be determined by the Executive Committee in General Meeting as soon as possible but no later than March of the season year. These fees will remain valid until the following year unless altered by the Club in General Meeting.

71. The Club in General Committee shall impose additional fees as it sees fit to ensure the responsible financial management of the Club.

72. The Club has the right to reduce, defer or waive payment of any fee as it deems appropriate. Any action to reduce, defer or waive payment must be approved by the General Committee.

Managing Income and Expenses

73. The financial year of the Club shall be the period from 1 January to 31 December.

74. All monies received on behalf of the Club shall be deposited in a cheque account or investment account or such other account(s) in the name of the Club as the Committee sees fit.

75. The income and property of the Club shall be applied solely towards the promotion of the objects of the Club.

76. No cheques shall be drawn on the account of the Club except for the payment of the normal running costs of the Club as determined by the Committee, or other expenditure as authorised by the Committee.

77. All accounts of the Club shall be operated by two of the authorised signatories of the accounts who shall be drawn from the Executive Committee.

78. The Executive Committee has the right to approve spending on behalf of MJSC up to a maximum of \$1000 prior to approval by the General Committee.

79. Except with the authority of the Committee, no payment of a sum exceeding \$1000 shall be made from the funds of the Club.

80. The Club may raise funds by collecting registration fees, sale of goods, promotional items, endorsements or sponsorship, fundraising, by investments agreed to at a General Meeting, or by other means as agreed to by the Club in Committee Meeting.

Auditor

81. An Auditor shall be appointed at the Annual General Meeting.
82. The Auditor shall examine and audit all the books and accounts of the Club annually, and have the power to call for all books, accounts, papers, receipts, records etc. of the Club and to report thereon to the Annual General Meeting.

Part 12 – Liability

83. The Club is not responsible or liable for any claim or compensation for damages or injury by a member of the Club incurred while on official business of the Club or while travelling to or from any competition in which the Club is involved.
84. A Committee member of the Club is not liable to contribute towards payment of the debts and liabilities of the Club, or costs, charges and expenses of winding up the Club by reason only that the person is a Committee member of the Club.

Part 13 – Disputes and Discipline

81. All members of the Club shall be subject to the Club’s Constitution, by-laws, policies and Codes of Conduct.
82. If a member breaches any provision of the Constitution, or any endorsed policy of the Club, or any Code of Conduct, or where a charge of bringing the Club into disrepute has been made against a member, the Committee may designate a disciplinary panel to examine the circumstances of the breach or charge.
83. The disciplinary panel will be chaired by an Executive Committee member and comprise at least two other Committee members.
84. The disciplinary panel may call any member to come before it to provide information, and examine whatever documents it requires in investigating the breach or charge.
85. Any Committee member associated with a member under investigation will be excluded from the disciplinary panel.
86. Under no circumstances will an advocate or legal counsel be allowed to represent or accompany any person appearing before the disciplinary panel.
87. The disciplinary panel will provide a report and recommendations for consideration by the Committee which may impose any or all of the following penalties:
 - a. Official reprimand;
 - b. Suspension of the member from playing or attending any or all games and/or training; and
 - c. Disqualification or expulsion from membership of the Club without refund of any fees paid by the member.
88. The Committee’s decision based on the report and/or recommendations of the disciplinary panel shall be final.

Appeals

89. The Executive Committee shall hear and determine all appeals arising from decisions taken by the Club, except as specified in Part 12 Clause 82.
90. Appeals to the Executive Committee must be in writing, fully setting out the circumstances of the matter or decision under dispute, and be received within five working days.
91. The Executive Committee may require any member to appear before it or request any documentation which it deems pertinent to its deliberations.
92. No-one shall be allowed legal representation or the presence of an advocate at any appeal hearing.

Part 14 – Records

93. The Club shall keep and make available for inspection the following records:
- a. a register of members, including registered players;
 - b. cheque books, passbooks, invoice books, balance sheets, audited financial statements, auditor's reports and other financial records; and
 - c. other documents and records of the Club
94. The documents and records specified in Part 13 Clause 93 may be inspected by members at a reasonable time nominated by the Committee. Any request must be submitted in writing and may be refused by the Committee if the Committee considers that disclosure of the information sought would breach the privacy of another member.

Part 15 – Amendments to the Constitution

95. No Clause of the Constitution shall be amended or repealed unless approved by a three quarters majority of eligible members at an Annual General Meeting, or a Special General Meeting specifically called for that purpose.
96. The Secretary shall provide notice of all motions to repeal or amend the Constitution to members at least 14 days prior to an Annual General Meeting or 7 days prior to a Special General Meeting.

Part 16 – Dissolution

97. The Club shall be dissolved if :
- a. The Club becomes insolvent; or
 - b. a resolution to this effect is passed by a three quarters majority at an Annual General Meeting
98. In the event of dissolution, all records of the Club shall be transferred to Capital Football for safekeeping.
99. Any fixed assets remaining after payment of all debts and liabilities must be distributed to another incorporated association having objects similar to those of the Club. All other assets may be disposed of as determined by resolution of the Club members.