

# KM United Football Club Constitution

## **1. Name**

The Club shall be called Kingsbridge & Malborough (KM) United FC

## **2. Objects**

The objects of the Club are:

- The provision of recreational and leisure time activities for children, in particular the playing of Association Football, provided in the interest of social welfare, designed to improve their conditions of life;
- To advance physical education of children through the playing of, and coaching in, Association Football."

## **3. Status of Club Rules**

These rules form a binding agreement between each member of the Club.

## **4. Rules and Regulations**

- a) The Club shall have the status of an Affiliated Member Club of The Football Association by virtue of its affiliation to The FA. The Rules and Regulations of The FA Ltd and parent County Association and any League or Competition to which the Club is affiliated for the time being shall be deemed to be incorporated into the Club Rules.
- b) No alteration to the Club Rules shall be effective without written approval by the Parent Association.
- c) The Club will abide by The FA's Child Protection Policies and Procedures, Codes of Conduct and the Equal Opportunities and Anti-Discrimination Policy.

## **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 Club Secretary.
- 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 is at the sole discretion of the Club Committee. 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.

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- d) The FA and parent County Association shall be given access to the Membership Register on demand.

### **6. Annual Membership Fee**

- a) The Club Committee shall determine an annual fee payable by each member. Any fee shall be payable on a successful application for membership and annually by each member. Fees shall not be repayable.
- b) Fees will be based on the level of participation of the member.
- c) Members who feel they cannot genuinely afford the fees can apply for a bursary by formal application sponsored by the relevant team coach and seconded by a committee member. The committee would consider each application.
- d) 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 their resignation. A member whose annual membership fee or further subscription is more than 2 months in arrears shall be deemed to have resigned.
- b) The Club Committee shall have the power to expel a member when, in their opinion, it would not be in the interests of the Club for them to remain a member. There shall be no appeal procedures.
- c) A member who resigns or is expelled shall not be entitled to claim any, or any share of any, of the Club property.

### **8. Club Committee**

- a) The Club Committee shall consist of the following Club Officers: Chairperson, Treasurer, Secretary, Child Protection Officer, Manager &/or Coach of each age group, plus up to 5 other members 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 A.G.M. unless otherwise resolved at a Special General Meeting. One person may hold no more than two positions of Club Officer at any time. The Club Committee shall be responsible for the management of all 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

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Chairperson or in their absence the Secretary. The quorum for the business of the Club Committee shall be six.

- c) Decisions of the Club Committee shall be entered into the Minute Book of the Club to be maintained by the Club Secretary.
- d) Any member of the Club Committee may call a meeting of the Club Committee by giving not less than 7 days' notice to all members of the Club Committee. Not less than four meetings shall be held each year.
- e) An outgoing member of the Club Committee may be re-elected. Any vacancy on the Club Committee, which arises between AGM's, shall be filled by a member proposed by one and seconded by another 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 Football Association and the County Association to which the Club is affiliated, the Club Committee shall have the power to decide all questions and disputes arising in respect of any issue concerning the Club Rules.

### **9. Annual and Special General Meeting**

- a) An Annual General Meeting (AGM) shall be held in each year to:
  - Receive a report of the activities of the Club over the previous year
  - Receive a report of the Club's finances over the previous year
  - Elect the members of the Club Committee
  - 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) A Special General Meeting (SGM) may be called at any time by the 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 SGM may be any business that may be transacted at an AGM.
- d) The Secretary shall send to each member at their last known address (or via the team managers) written notice of the date of a General Meeting together with the resolutions to be proposed at least 14 days before the Meeting.

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- e) The quorum for a General Meeting shall be twelve.
- 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 a simple majority shall pass resolutions. 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 their one designated 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.

## 11. Club Finances

- a) A bank account shall be opened and maintained in the name of the Club (the Club Account). Designated account signatories shall be the Club Chairperson, Club Treasurer, Child Protection Officer and Club Secretary. No sum shall be drawn from the Club Account except by cheque signed by two of the three designated signatories. All monies payable to the Club shall be received by the Treasurer and deposited in the Club Account.
- b) The income and assets of the Club (the Club Property) shall be applied only in furtherance of the objects of the Club.
- c) The Club Committee shall have power to authorise the payment of remuneration of expenses to any member of the Club and to any other person or persons for services rendered to the Club.
- d) The Club shall prepare an annual Financial Statement in such form as shall be published by the Football Association from time to time.
- e) 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 (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 decision.
- f) 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.

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- g) 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. 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, a SGM shall be convened as soon as possible to appoint another Custodian.
- h) The Custodians shall be entitled to an indemnity out of the Club Property for all expenses and other liabilities reasonably incurred by them carrying out their duties.

### **12. Public Liability Insurance**

- a) The Club shall at all times ensure that the appropriate level of Public Liability Insurance is in place. The Club Secretary will hold the Certificate of Insurance until the Club has it's own premises and can display the Certificate.
- b) The Club will arrange the provision of appropriate player insurance that will compulsory for all players.

### **13. Amendments**

- 1) The Charity may amend any provision contained in this constitution provided that:
  - a) No amendment may be made that would have the effect of making the Charity cease to be a Charity at law;
  - b) No amendment may be made to alter the Objects if the change would not be within the reasonable contemplation of the members of or donors to the Charity;
  - c) No amendment may be made to clause 4 without the prior written consent of the Commission;
  - d) Any resolution to amend a provision of this constitution is passed by not less than two thirds of the members present and voting at a general meeting.
- 2) A copy of any resolution amending this constitution shall be sent to the Commission within twenty one days of it being passed."

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## 14. Dissolution

- 1) If the members resolve to dissolve the Charity the Trustees will remain in office as Charity Trustees and be responsible for winding up the affairs of the Charity in accordance with this clause.
- 2) The Trustees must collect in all the assets of the Charity and must pay or make provision for all the liabilities of the Charity.
- 3) The Trustees must apply any remaining property or money:
  - a) Directly for the Objects;
  - b) By transfer to any Charity or charities for purposes the same as or similar to the Charity;
  - c) In such other manner as the Charity Commission for England and Wales (“the Commission”) may approve in writing in advance.
- 4) The members may pass a resolution before or at the same time as the resolution to dissolve the Charity specifying the manner in which the Trustees are to apply the remaining property or assets of the Charity and the Trustees must comply with the resolution if it is consistent with paragraphs (a)–(c) inclusive in sub-clause (3) above.
- 5) In no circumstances shall the net assets of the Charity be paid to or distributed among the members of the Charity (except to a member that is itself a Charity).
- 6) The Trustees must notify the Commission promptly that the Charity has been dissolved. If the Trustees are obliged to send the Charity’s accounts to the Commission for the accounting period which ended before its dissolution, they must send the Commission the Charity’s final accounts.”

## 15. Declaration

*KM United FC* hereby adopts and accepts this constitution, replacing the one adopted in 1995 and amended in 2005, as a current operating guide regulating the actions of members.

SIGNED: ..... DATE: .....

Name: .....

Club Chair

SIGNED: ..... DATE: .....

Name: .....

Club Secretary