

## Constitution of Colga FC

# Rules of Colga Football Club

Document Revision	Date	Author	Notes
1.0	16 <sup>th</sup> June 2008	Kevin Cotter	Approved and ratified by Colga AGM on 16 <sup>th</sup> June 2008

“The Club” means the club as set out in Rule 1 hereof.

“Executive Committee” means officers and ordinary committee members together.

“Secretary” means the Secretary for the time being, or any person appointed by the Executive Committee to perform the duties of the Secretary of the Club.

“Real Property” means the property of the Club of an immovable nature, comprising any playing pitches, grounds or buildings, whether of leasehold or freehold tenure, with all fixtures or fittings attached thereto and used therewith.

“Personal Property” means the property of the Club of a moveable nature, comprising all playing or sporting equipment of the Club, as well as all Stock in Trade and Money or other assets of the Club not already classified as fixtures or fittings on “Real Property” as heretofore defined.

### Title Objects and Colours

- 1.1.1 The Club shall be called “Colga Football Club”. (Hereinafter referred to as the Club) and it shall seek affiliation to and be bound by the rules of the Football Association of Ireland and the Galway and District League.
- 1.1.2 The Objects of the Club are the playing and furtherance of association football. All other games and pastimes or athletic activities, whether indoor or outdoors, lawfully, permitted by

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the Club Executive Committee in or on the Club's property shall be subject to the control of the Colga Football Club Executive Committee and shall be incidental or ancillary amenities, subservient in all respects to association football and its best interests in the Club.

- 1.1.3 The title of the Club's premises and its registered address shall be determined from time to time by the Executive Committee.
- 1.1.4 The Club colours shall be red and white jerseys, white and red shorts and red stockings. The secondary Club colour shall be blue and white jerseys, white and blue shorts and blue stockings.
- 1.1.5 The Club motto shall be "Nil Satis Nisi Optimum".

### 2.1 Membership

- 2.1.1 The Membership of the Club shall consist of full, honorary, youth, temporary and social members.
- 2.1.2 Full Membership of the Club shall be for a period of not less than one year and shall be open to all persons of eighteen years of age and over.
- 2.1.3 Full Members are entitled to one vote at any general meeting and are entitled to take part in the administrative affairs of the Club.
- 2.1.4 Honorary Membership shall be open to all persons who have rendered exceptional services to the Club or to the games and/or activities of the Club. They may only be elected for a period of not more than one year or until the next A.G.M. Honorary Members shall be and have all the privileges of a full member and shall not be obliged to pay the subscription for the period of their Honorary Membership.
- 2.1.5 Youth Membership shall be open to all persons under eighteen years of age. Youth members are not entitled to vote at any meeting or to engage in the management or control of the Club. Applications for Youth Membership must be in the prescribed Form and signed by the applicant and one of his/her parents/guardian.
- 2.1.6 Temporary Membership shall be open to all persons actively involved in such additional activities as may be promoted by the Club. They may be admitted for periods not exceeding twelve months. Temporary members are not entitled to vote any meeting or to engage in the management or control of the Club.

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- 2.1.7 Social Membership may be granted to persons over eighteen years of age who subscribe to and undertake to further the aims and objectives of the Club, but who do not seek full voting rights and rights to take part in the administrative affairs of the Club.
- 2.1.8 Application for Membership – persons seeking admission as a member shall be proposed by a full member and seconded by another full member and balloted for by the Executive Committee, a minority vote of 1 in 4 to exclude. Membership is open to all and no application for membership will be refused on other than reasonable grounds. There will be no discrimination on grounds of race, occupation, gender or age.
- 2.1.9 Persons seeking admission as a Member must complete the required Membership Application Form.
- 2.1.10 Persons seeking membership must consent for the purpose of the Data Protection Act, to the Club holding and processing the data on the form for the purposes of the Club.
- 2.1.11 The Executive Committee shall have the power to expel, suspend from Club activities or take any other action deemed appropriate against any member of the Club whose actions are in the opinion of the Committee, prejudicial to the interests of this Constitution, Club Policies, the Club or the F.A.I.
- 2.1.12 The Secretary shall keep a Membership Register. In the event of a member's resignation or expulsion, his or her name shall be removed from the membership register.
- 2.1.13 All members joining the Club shall be deemed to accept the terms of this constitution and all Club policies.
- 2.1.14 Any person seeking to become an Officer, Executive Committee Member and/or Team Manager must be a fully paid up member of Colga FC for the previous twelve months.
- 2.1.15 Anyone who wishes to become an assistant coach of any team must become a full member of the Club.

### 3.1 Subscriptions

- 3.1.1 The Annual Subscription of members other than Honorary Members shall be decided at the AGM of the Club. Subscriptions are payable in advance.
- 3.1.2 Any member other than an Honorary Member whose annual subscription is not paid prior to October 31<sup>st</sup> in any calendar year shall not be eligible to participate in any of the privileges attached to members of the Club.

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- 3.1.3 The Executive Committee shall have the power to grant temporary membership under such terms as it thinks fit to any person whose membership shall have lapsed under the foregoing rule or to any person providing a service to the Club on a temporary basis.

### 4.1 Executive Committee

- 4.1.1 The business and affairs of the Club shall be under the management of an Executive Committee and it shall be the controlling body of the Club.
- 4.1.2 The Executive Committee shall be elected by the full members present, entitled to vote and voting at the Annual General Meeting and nominations to serve on the Executive Committee shall be proposed and seconded by any two full members.
- 4.1.3 The Executive Committee shall hold office for a period of one year or until the following AGM whichever is first, unless otherwise resolved at a Special General Meeting.
- 4.1.4 The Executive Committee shall be composed of the President, the Chairperson, the Vice-Chairperson, the Secretary, the Assistant Secretary, the Treasurer, up to five full members and one playing member. One Trustee shall also be a member of the Executive Committee.
- 4.1.5 No person shall serve in the officer function of Chairperson, Secretary or Treasurer for a consecutive period longer than 3 years. To be eligible to re-contest the election for these officer positions, having served a full 3 year continuous period in that office at any time in the previous 10 years, the nominee must not have served in the particular office in the previous 2 years.
- 4.1.6 One person cannot hold more than two officer positions at any one time.
- 4.1.7 The Executive may co-opt on to the Executive Committee any member they see fit to carry out any duty specific to the running of the Club.
- 4.1.8 The Executive Committee shall have the sole right to appoint Sub-Committees as required. It shall define the duties of such sub-committees and retain control in all matters and activities, which it considers of importance to the general

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welfare of the Club including the disposal of the funds in the hands of such sub-committees.

- 4.1.9 The Executive Committee shall have the power to nominate the Chairman of such sub-committees.
- 4.1.10 All Sub Committees must produce in writing, a full progress report to the Executive Committee on a regular basis or on specific request from the Executive Committee.
- 4.1.11 The Executive Committee shall normally meet twice a month throughout the season.
- 4.1.12 The Executive Committee shall meet at least once every three months.
- 4.1.13 The Executive Committee shall administer the business and affairs of the Club and the property under its control in accordance with the aims and objects specified in these Rules and shall have all such administrative powers as may be necessary for properly carrying out the aims and objects of the Club.
- 4.1.14 The Executive Committee may introduce or amend Club Policies relevant to the well being of the Club.
- 4.1.15 The Executive Committee shall adopt such means as they deem sufficient, to bring to the notice of members of the Club all such Policies or amendments to existing Policies.
- 4.1.16 The interpretation of the Constitution shall be vested in the Executive Committee, who shall decide on all questions relating to the Constitution.
- 4.1.17 No events shall be run or expenses incurred under the name of the Club, without prior written permission from the Executive Committee via the Club Secretary.
- 4.1.18 Each member of the Club shall have the right to be heard by the Executive Committee upon any complaint or representation sent by him in writing to the Secretary.
- 4.1.19 The Chairman of the Club shall preside over all meetings of the Executive Committee of the Club and over all General Meetings. In his absence, the Vice-Chairman shall preside and in his absence, the Secretary shall preside. If all of the above mentioned are absent the meeting must be postponed and re-arranged within seven days. The Chairperson at every meeting shall have a deliberate, as well as a casting vote.
- 4.1.20 The quorum for meetings of the Executive Committee and Sub Committees shall be at least one half of the committee and should include at least one from amongst the Chairperson, Vice Chairperson, Secretary and Treasurer of the Club.

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- 4.1.21 No decision formally passed by a meeting of the Executive or other committee shall be set aside or altered at a subsequent meeting except on a motion supported by no fewer than two-thirds of those present and entitled to vote.
- 4.1.22 Any member of the Executive Committee who shall have absented himself from four consecutive meetings shall be deemed to have resigned from the Executive Committee unless the Executive Committee grants the member explicit leave of absence.
- 4.1.23 Should any member of the Executive Committee resign or his position otherwise lapse the remaining members of the Executive Committee shall have the power to fill the vacancy by co-opting from the body of the full membership. Such a co-option will require the assent of two thirds of those attending the Executive Committee meeting at which the co-option is proposed.

### 5.1 Honorary President

- 5.1.1 The Honorary President shall be elected at the Annual General Meeting for a 12-month term.
- 5.1.2 The Honorary President will act as Club Patron and will preside at official functions.

### 6.1 Voting

- 6.1.1 All full members whose subscriptions at the prescribed rate are not in arrears shall be eligible to vote at any General Meeting of the Club and voting shall generally be by secret ballot.
- 6.1.2 Save where otherwise stated in the Constitution, decisions at all meetings shall be by simple majority of those voting. In the event of a tie the presiding Chairperson shall have a second or casting vote.
- 6.1.3 Where there is any dispute as to the voting procedure to be adopted the Chairman of the Meeting shall be the sole Arbitrator.

### 7.1 General Meeting

- 7.1.1 Not less than fourteen days final notice of all General Meetings, Annual or Special shall be given by the Secretary to all full members of the Club.

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- 7.1.2 The Annual General Meeting of the Club shall be held in the Month of June or the earliest possible date thereafter in each year.
- 7.1.3 In the case of the Annual General Meeting, all motions must be in writing in the hands of the Secretary not less than seven days before the date of the Annual General Meeting.
- 7.1.4 The following business shall be transacted at the Annual General Meeting :
- Minutes of the previous General Meeting
  - Chairperson's Address
  - Annual Report submitted by the Secretary
  - Financial Statement submitted by the Treasurer
  - Team Managers reports
  - Election of Officers and Members of the Executive Committee
  - Election of Team Managers
  - Notices of Motion
  - Membership Fees
  - General Business
- 7.1.5 In the event of an election for any remaining position on the Executive Committee the vote shall be taken by a show of hands. Should there be more than two nominees for any position the candidate with the lowest number of votes shall be eliminated, such procedure to be continued until the successful candidate received more than 50% of the votes. In the event of a tie, a secret ballot shall be held.
- 7.1.6 A Special General Meeting of the Club shall be called by the Secretary within twenty eight days if directed by the Executive Committee or demanded in writing to the Executive Committee by not less than twelve full members who in their requisition shall state in detail the object of such a Meeting. No other business shall be transacted at that Special Meeting. Ten days notice of the date, time and place of the meeting shall be given to all members.
- 7.1.7 Ten full members entitled to vote constitute a quorum at a General or Special Meeting of the Club.
- 7.1.8 The positions of Chairperson, Secretary and Treasurer must be filled at the AGM, however all other positions, if not filled at the AGM may be deferred to the next Executive Meeting.
- 7.1.9 The newly elected officers at the AGM of the Club do not take up office until the AGM is ended.

### 8.1 Assets and Trustees

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- 8.1.1 The Club shall have the power to acquire and hold and to sell, lease, mortgage or charge real or personal property. This power shall be vested in the Trustees of the Club.
- 8.1.2 The Trustees shall be not less than two and not more than three in Number. The property of the Club will be held in trust by the Trustees of the Club.
- 8.1.3 The Trustees of the Club shall hold the assets of the Club for the benefit of the Club members and shall act on the direction of the Executive Committee in relation to all such assets.
- 8.1.4 The Trustees shall deal with any such assets and property as directed by a resolution of a General Meeting, of which any entry in the minute book signed by the Chairperson shall be conclusive evidence.
- 8.1.5 The Trustees shall be indemnified by the members of the Club against all liabilities properly incurred by them in the performance of their duties as Trustees of the Club.
- 8.1.6 The Trustees of the Club shall be elected for a period of five years by a majority of the members present and voting at a General Meeting. Only members of the Club are entitled to be elected as Trustees.
- 8.1.7 On a vacancy occurring, a new Trustee shall be elected in the same way. The Trustee shall hold office for a period of five years, unless death or resignation, or if removed by a resolution of a General Meeting. The longest serving Trustee shall retire after five years of service but may offer him/herself for re-election.
- 8.1.8 Any Trustee who shall cease to be a member of the Club shall be deemed to have resigned his/her trusteeship.
- 8.1.9 The Trustees (or a management entity with the written approval of the Trustees) shall have the power to borrow for the purposes of the Club either at one time, or from time to time, whether on security of the Club's assets and property or otherwise, such amounts of money as may be sanctioned by a resolution of an Annual or General Meeting, in such form and at such rate of interest (if any) as shall be specified therein.
- 8.1.10 All real or personal property of the Club will be vested in the Trustees and where any property is sold the proceeds of sale can only be re-invested in Association football which is under the rules of the Football Association of Ireland.
- 8.1.11 To allow the Executive Committee of the Club to fast track decisions any requests under sub section (8.1.4) above up to the value of € 30,000 index linked from the date of passing these rules can be made to the Trustees directly without the approval under sub section (8.1.4) above.

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- 8.1.12 The Executive Committee have the power to open Bank accounts on behalf of the Club. These bank accounts can be used to pay for day to day running costs of the Club.
- 8.1.13 The Executive Committee has the power to bind the Club and the company for goods purchased in any single event on behalf of it up to € 5,000 index linked and any unsecured overdraft of € 10,000 index linked. Where security is needed for any borrowings a request under sections (8.1.4) or (8.1.11) above must be made.
- 8.1.14 All cheques drawn by the Club must have at least two Club Officer signatures, generally the Treasurer and one other officer.

### 9.1 Miscellaneous

- 9.1 The Secretary shall convene all Executive, and General Meetings, keep record of such Meetings in the Minute Book of the Club and submit an Annual Report. He shall keep a list of the names and addresses of all Members and shall on request furnish to each member on election a copy of the rules of the Club.
- 9.2 The Secretary should email all members of the Executive Committee a copy of the minutes of each meeting and an agenda for the next meeting.
- 9.1.2 The Treasurer shall keep correct Accounts and Books showing the financial affairs and receipts and disbursements of the Club and shall furnish the Executive Committee with particulars of same from time to time as may be required. The Treasurer shall submit Annual Accounts duly audited once per year.
- 9.1.3 The Executive Committee shall define the End of the Financial Year of the Club.
- 9.1.4 The Executive Committee shall open Bank Accounts on behalf of the Club.
- 9.1.5 The Executive Committee shall have power to raise money for the purposes of the Club by such means as it may deem expedient in the interests of the Club.
- 9.1.6 Should any Motion at any General Meeting of the Club be considered by not less than twelve members present and voting to be inimical to the best interests of Association Football in the Club, such Motion shall be referred to the F.A.I. whose decision whether or not the Motion be so inimical shall be final and binding and pending the decision of that

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Committee no steps shall be taken to implement the Motion notwithstanding that it shall have received consent.

- 9.1.7 The members of a visiting Club, shall, for the day of the match only, be considered Temporary Members of the Club, as shall the referee and officials of any match between the Club and any visiting team played on the Club's grounds.
- 9.1.8 The non-receipt of notice of a meeting by less than 10% entitled to receive notice shall not invalidate the proceedings at that meeting.
- 9.1.9 Communication by the Club to any member may be either in person or by sending it by post or electronically to their last known address.
- 9.1.10 Where a Notice is sent by post, service of this Notice shall be deemed to be effected by properly addressing, prepaying and posting the letter containing the Notice, and shall be deemed to have been effected at the time which the letter would be delivered in the ordinary course of post.

### 10.1 Alteration of Rules:

- 10.1.1 Alterations and additions to these Club Rules may be made at any Annual General Meeting or at a Special General Meeting called for the purpose, provided that the resolution proposing same is carried by a vote of two thirds of the members present and voting.
- 10.1.2 Members wishing to propose alterations or additions to these Club Rules must ensure that the proposed alterations or additions in writing are in the hands of the Secretary not later than fourteen days before the AGM or Special Meeting as provided for in the Rules.

### 11.1 Interpretation of Club Rules:

- 11.1.1 The Executive Committee shall be the sole authority for the Interpretation of the Club Rules and of any bye-laws and regulations made thereunder and the decision of the Executive Committee upon any question of interpretation or upon any matter affecting the Club and not provided for by these Club Rules or by the Bye-laws and regulations made thereunder shall be final and binding on the members subject to appeal to any Court of Law.
- 11.1.2 All Members of the Club shall be bound by the Rules of the Club and by Club Policies made thereunder. No member shall be absolved from the effect of these Rules or Policies made

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thereunder on the grounds that they were not supplied with a copy of these Rules or Club Policies nor had no notice of the same.

### 12.1 Supply of Excisable Liquors:

- 12.1.1 No excisable liquor shall be sold, served or stored at or on the Club premises.

### 13.1 Dissolution:

- 13.1.1 The Club is a non-profit making organisation. All profits and surpluses will be used to maintain or improve or develop the Club's facilities or to carry out the object of the association to which it is affiliated. No profit or surplus will be distributed other than to another non-profit making body on a winding up or dissolution of the Club.
- 13.1.2 If, upon the winding up or dissolution of the Club there remains after the satisfaction of all its debts and liabilities any property whatsoever, held by the Club or by CFCD Ltd., the same shall be transferred to some other organisation or organisations having objects similar to the objects of the Club, such organisation or organisations to be determined by the members of the Club by Resolution passed at a General meeting.

This Constitution will automatically come into effect immediately after the AGM of Colga FC 2008. All rules and regulations regarding Membership qualification for positions within Colga FC will be overlooked specifically for the election of Officers, Executive Committee or Team Managers 2008-2009.