

Hertford Town Youth Football Club Constitution

June 2015

1.0 Name

The name of the association shall be called Hertford Town Youth Football Club (hereinafter referred to as "the Charity")

2.0 Administration.

Subject to the matters set out below the Charity and its property shall be administered and managed in accordance with this constitution by the members of the Executive Committee, constituted by clause 10 of this constitution (hereinafter referred to as " the Executive Committee").

3.0 Objects.

The Objects of the Charity (hereinafter referred to as "the objects") are

3.1 To organise, provide, or assist in the organisation or provision of facilities which will enable boys and girls up to 18 years of age resident in Hertford and the surrounding area ("the area of benefit") to play Association Football ensuring that due attention is given to the physical, personal and educational development of said boys and girls and to the development and occupation of their minds.

3.2 To further such other charitable purposes, particularly in the area of benefit, as the Executive Committee of the Charity may from time to time decide.

4.0 Powers

In furtherance of the objects but not otherwise the Executive Committee may exercise the following powers:

- 4.1 The power to raise funds and to invite and receive contributions provided that in raising funds the Executive Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law;
- 4.2 The power to buy, take on lease or in exchange, any property necessary for the achievement of the objects and to maintain and equip it for use;
- 4.3 The power, subject to any consents required by law, to sell, lease or dispose of, all or any part of the property of the Charity;
- 4.4 The power to co-operate with other charities, voluntary bodies and statutory authorities operating in furtherance of the objects or of a similar charitable purposes and to exchange information and advice with them;
- 4.5 The power to establish or support any charitable trusts, associations or institutions formed for all or any of the objects;
- 4.6 The power to appoint and constitute such advisory committee as the Executive Committee may think fit;
- 4.7 The powers to do all such other lawful things as are necessary for the achievement of the objects.

5.0 Rules & Regulations

- 5.1 The Charity shall have the status of an affiliated Member Club of Football Association by virtue of its affiliation to and membership of, the Football Association. The Rules and Regulations of The Football Association Limited 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.
- 5.2 No alteration to the Club Rules shall be effective without prior written approval by the parent association
- 5.3 The Club will also abide by The Football Association's Child Protection Policies and Procedures, Respect Codes of Conduct and the Equal Opportunities and Anti-Discrimination Policy.

6.0 Membership

- 6.1 The members of the Charity from time to time shall be those persons listed in the register of members (the Membership Register Database), which shall be maintained by the Membership Secretary.
- 6.2 Any person who wishes to be a member must apply on the Membership Application Form and deliver it to the Charity. Election to membership shall be at the sole discretion of the Executive Committee. An appeal against refusal may be made to the Executive Committee in accordance with the Complaints Procedure in force from time to time. Membership shall become effective upon an applicant's name being entered in the Membership Register database.
- 6.3 In the event of a member's resignation or expulsion, his or her name shall be removed from the Membership Register.
- 6.4 The Football Association and parent County Association shall be given access to the Membership Register on demand.
- 6.5 Every member aged 18 or over will have one vote. Members who are under eighteen will be represented at formal meetings by a parent or guardian who will be entitled to one vote in any resolution, therefore if a parent or guardian represents two or more members, that person will have the appropriate number of votes.

7.0 Membership Fees

- 7.1 An annual fee payable by each member shall be determined from time to time by the Executive Committee.
- 7.2 Any fee shall be payable on a successful application for membership and annually by each member.
- 7.3 The Executive Committee shall have the authority to levy further subscriptions from the members as are reasonably necessary to fulfil the objects of the charity.

8.0 Resignation and Expulsion

- 8.1 A member shall cease to be a member of the Charity if, and from the date on which, he/she gives notice to the Executive Committee of their resignation.
- 8.2 A member whose membership fees or further subscription fees is more than 2 months in arrears shall be deemed to have resigned, unless special dispensation has been given by the Executive Committee.
- 8.3 The Executive Committee may by unanimous vote and for good reason have the power to expel a member when, in their opinion, it would not be in the interests of the Charity for them to remain a member. An appeal against such a decision may be made to the Executive Committee in accordance with the Complaints Procedure in force from time to time.
- 8.4 A member who resigns or is expelled shall not be entitled to claim any, or a share of any, of the Charity Property.

9.0 Honorary Officers

At the annual general meeting of the Charity the members shall elect from amongst themselves a Chairman, a Secretary and a Treasurer, who shall hold office from the conclusion of that meeting.

10.0 Executive Committee

10.1 The Executive Committee shall consist of not less than 3 members and no more than 12 members being:

10.1.1 The honorary officers specified in the preceding clause;

10.1.2 not less than 3 and no more than 12 members elected at the annual general meeting who shall hold office from the conclusion of that meeting;

10.2 The Executive Committee may in addition appoint not more than 4 co-opted members, but no individual may be appointed as a co-opted member if, as a result, more than one third of the members of the Executive Committee become co-opted members. Each appointment of a co-opted member shall be made at a special meeting of the Executive Committee called under clause 13 and shall take effect from the end of that meeting unless the appointment is to fill a place which has not then been vacated in which case the appointment shall run from the date when the post becomes vacant.

10.3 All the members of the Executive Committee shall retire from office together at the end of the annual general meeting next after the date on which they came into office but they may be re-elected or reappointed.

10.4 The proceedings of the Executive Committee shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in the appointment or qualification of a member.

10.5 Nobody shall be appointed as a member of the Executive Committee who is aged under 18 or who would if appointed be disqualified under the provisions of the following clause.

10.6 No person shall be entitled to act as a member of the Executive Committee whether on a first or on any subsequent entry into office until after signing in the minute book of the Executive Committee a declaration of acceptance and of willingness to act in the trusts of the Charity.

10.7 Any vacancy on the Executive Committee which arises between Annual General Meetings shall be filled by a member proposed by one and seconded by another of the remaining Executive Committee members and approved by a simple majority of the remaining Executive Committee.

11.0 Determination of Membership of Executive Committee

A member of the Executive Committee shall cease to hold office if he or she:

11.1 is disqualified from acting as a member of the Executive Committee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision);

11.2 becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;

11.3 is absent without the permission of the Executive Committee from all their meetings held within a period of six months and the Executive Committee resolve that his or her office be vacated; or

11.4 notifies to the Executive Committee a wish to resign (but only if at least three members of the Executive Committee will remain in office when the notice of resignation is to take effect).

11.0 Executive Committee Members not to be personally interested

12.1 Subject to the provisions of sub-clause b of this clause no member of the Executive Committee shall acquire any interest in property belonging to the Charity (otherwise than as a trustee for the Charity) or receive remuneration or be interested (otherwise than as a member of the Executive Committee) in any contract entered into by Executive Committee.

12.2 Any member of the Executive Committee who is a solicitor, accountant or other person engaged in a profession may charge, and be paid all the usual professional charges, for business carried out by him or her, or his or her Company, when instructed by the other members of the Executive Committee to act in such professional capacity on behalf of the Charity: Provided that at no time shall a majority of the members of the Executive Committee benefit under this provision and that a member of the Executive Committee shall withdraw from any meeting at which his or her own instruction or remuneration, or that of his or her firm, is under discussion.

12.0 Meetings and proceedings of the Executive Committee

- 13.1 The Executive Committee shall hold at least four ordinary meetings each year. A special meeting may be called at any time by the Chairman or by any two members of the Executive Committee upon not less than 4 days' notice being given to the other members of the Executive Committee of the matters to be discussed but if the matters include an appointment of a co-opted member then not less than 21 days' notice must be given.
- 13.2 The Chairman shall act as Chairman at meetings of the Executive Committee. If the Chairman is absent from any meeting, the members of the Executive Committee present shall choose one of their number to be Chairman of the meeting before any other business is transacted.
- 13.3 There shall be a quorum when at least one third of the number of members of the Executive Committee for the time being or three members of the Executive Committee, whichever is the greater, are present at a meeting.
- 13.4 Every matter shall be determined by a majority of votes of the members of the Executive Committee present and voting on the question, but in the case of equality of votes the Chairman of the meeting shall have a second or casting vote.
- 13.5 The Executive Committee shall keep minutes, in books kept for the purpose, of the proceedings at meetings of the Executive Committee and any sub-committee.
- 13.6 The Executive Committee may from time to time make and alter rules for the conduct of their business, the summoning and conduct of their meetings and the custody of documents. No rule may be made which is inconsistent with this constitution.
- 13.7 The Executive Committee may appoint one or more sub-committees consisting of three or more members of the Executive Committee for the purpose of making any inquiry, supervising, or performing any function or duty which in the opinion of the Executive Committee would be more conveniently undertaken or carried out by a subcommittee, provided that all acts and proceedings of any such subcommittees shall be fully and promptly reported to the Executive Committee.
- 13.8 Save as provided for in the Rules and Regulations of the Football Association to which the Charity is affiliated, the Executive Committee shall have the power to decide all questions and disputes arising in respect of any issues concerning the Charity Rules.

14.0 Receipts and Expenditure

- 14.1 The funds of the Charity, including all donations, contributions and bequests, shall be paid into an account operated by the Executive Committee in the name of the Charity at such Bank, as the Executive Committee shall from time to time decide.
- 14.2 Designated account signatories shall be the Charity Chairperson, Secretary and the Treasurer.
- 14.3 Money shall only be drawn from the account by cheque which must be signed by two of the designated signatories or a debit card which is held by the Secretary.
- 14.4 The funds belonging to the Charity shall be applied only in furthering the objects.

15.0 Property

- 15.1 Subject to the provisions of sub-clause (b) of this clause, the Executive Committee shall cause the title to:
- 15.1.1 all land held by or in trust for the charity which is not vested in the Official Custodian for Charities; and
- 15.1.2 all investments held by or on behalf of the charity
- 15.2 be vested either in a Corporation entitled to act as custodian trustee or in not less than three individuals appointed by them as holding trustees. Holding trustees may be removed by the Executive Committee at their pleasure and shall act in accordance with the lawful directions of the Executive Committee. Provided they act only in accordance with the lawful directions of the Executive Committee, the holding trustees shall not be liable for the acts and defaults of its members.
- 15.3 If a Corporation entitled to act as custodian trustee has not been appointed to hold the property of the charity, the Executive Committee may permit any investments held by or in trust for the charity to be held in the name of a clearing bank, trust corporation or any stockbroking company which is a member of the International Stock Exchange (or any subsidiary of any such stockbroking company) as nominee for the Executive Committee, and may pay such a nominee reasonable and proper remuneration for acting as such.

16.0 Insurance

16.1 All property & equipment belonging to the charity shall be sufficiently insured.

16.2 The club shall have an appropriate level of Public Liability Insurance.

16.0 Accounts.

17.1 The Executive Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to:

17.1.1 the keeping of accounting records for the Charity;

17.1.2 the preparation of annual statements of account for the charity;

17.1.3 the auditing or independent examination of the statements of accounts of the Charity; and

17.1.4 the transmission of the statements of account of the Charity to the Commission.

18.0 Annual Report

18.1 The Executive Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual report and its transmission to the Commission.

19.0 Annual General Meeting.

19.1 There shall be an Annual General Meeting (hereinafter referred to as "AGM") of the Charity which shall be held in the month of June in each year or as soon as practicable thereafter to:

19.1.1 receive report of activities of the Club over the previous year

19.1.2 receive a report of the Club's finances over the previous year

19.1.3 elect the members of the Club Committee

19.1.4 consider any other business

19.2 The Executive Committee shall call every AGM. The secretary shall give at least 21 days' notice of the AGM to all the members of the Charity. All the members of the Charity who are eligible shall be entitled to attend and vote at the meeting.

19.3 Before any other business is transacted at the first AGM the persons present shall appoint a Chairman of the meeting. The Chairman shall be the Chairman of subsequent annual general meetings, but if he or she is not present, before any other business is transacted, the persons present shall appoint a Chairman of the meeting.

19.4 Nominations for election to the Executive Committee must be made by members of the Charity in writing and must be received by the Secretary of the Executive Committee at least 14 days before the AGM. Should nominations exceed vacancies, election shall be by ballot.

20.0 Special General Meetings.

The Executive Committee may call a Special General Meeting ("SGM") of the Charity at any time. If at least ten members request such a meeting in writing stating the business to be considered, then the Secretary shall call such a meeting. At least 21 days' notice must be given. The notice must state the business to be discussed.

21.0 Procedure at General Meetings.

21.1 The Secretary or other person or persons specially appointed by the Executive Committee shall keep a full record of proceedings at every general meeting of the Charity.

21.2 There shall be a quorum when at least one tenth of the number of members of the Charity for the time being or ten members of the Charity, whichever is the greater, are required to be present at any General Meeting.

22.0 Notices

Any notice required to be served on any member of the Charity shall be in writing and shall be served by the Secretary or the Executive Committee on any member, either personally, or by sending it through the post in a prepaid envelope. It shall be addressed to such member at his or her last known address in the United Kingdom, and any letter so sent shall be deemed to have been received within 10 days of posting.

23.0 Alterations to the Constitution.

23.1 Subject to the following provisions of this clause the Constitution may be altered by a resolution passed by not less than two thirds of the members present and voting at a general meeting. The notice of the general meeting must include notice of the resolution, setting out the terms of the alteration proposed.

23.2 No amendment may be made to clause 1 (the name of charity clause), clause 3 (the objects clause), clause 11 (Executive Committee members not to be personally interested clause), clause 24 (the dissolution clause) or this clause without the prior consent in writing of the Commissioners.

23.3 No amendment may be made which would have the effect of making the Charity cease to be a charity at law.

23.4 The Executive Committee should promptly send to the Commission a copy of any amendment made under this clause.

24.0 Dissolution

If the Executive Committee decides that it is necessary or advisable to dissolve the Charity it shall call a meeting of all members of the Charity, of which not less than 21 days' notice (stating the terms of the resolution to be proposed) shall be given. If the proposal is confirmed by a two-thirds majority of those present and voting, the Executive Committee shall have power to realise any assets held by or on behalf of the Charity. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the objects of the Charity as the members of the Charity may determine or failing that shall be applied for some other charitable purpose. A copy of the statement of accounts, or account and statement, for the final accounting period of the Charity must be sent to the Commission.