



SUNNINGDALE CITY FOOTBALL CLUB **CONSTITUTION – November 2016**

1.NAME:

1. The name of the Club shall be Sunningdale City Football Club. (Hereinafter referred to as the "SCFC" with its headquarters at the Sunningdale Sports Club, 2 Waterville Road, Sunningdale).
2. A proposal to change the SCFC's name can only be made at a General Meeting and can only be carried if seventy five percent of the members present as well as seventy-five percent of the club committee present vote for the motion.

2.OBJECTIVES:

The objectives of the SCFC shall be to:

1. Provide a pathway of development for players, in Sunningdale and surrounding areas, to achieve football excellence and to compete to the best of their abilities.
2. Provide management, coaching, officiating, governance and guidance to achieve the above.
3. Provide excellent kit, equipment, training and playing facilities within a safe environment for all players, staff, supporters and opponents.
4. Ensure the ongoing development of the coaching and officiating staff.
5. Create an environment that encourages fair play above all.
6. Create an enjoyable club atmosphere.
7. Have an efficient committee with sound management and financial principles.
8. Be an asset to the community.
9. Arrange games, matches, competitions, tournaments and entertainment for the benefit of the SCFC.
10. Affiliate with any Union or association as may be necessary for the benefit of the SCFC.
11. Hire and employ all classes of persons considered necessary for the purpose of the SCFC.
12. To fulfill all the usual aspects of a Football Club and to do all such things, and to carry out all such undertakings, as may be necessary for or incidental to such objects.

3.MEMBERSHIP

1. It shall be obligatory for all members of the SCFC to become members of the Sunningdale Sports Club as long as the SCFC is using the facilities of the Sunningdale Sport Club.
2. It shall be obligatory for all playing members of the SCFC to become members of the Blaauwberg Sports Federation.
3. The Club shall be affiliated to the appropriate Provincial Football Association and be required to pay to the above-mentioned association such annual affiliation fees as may be determined by them from time to time.
4. Membership of the Club shall consist of the following:
 - a. Ordinary Members
 - b. Honorary Members
 - c. Honorary Life Members
 - d. Temporary Members
 - e. Parent Members
 - f. Junior Members
 - g. Social Members
 - h. Senior Members

4. CLASSIFICATION OF MEMBERS:

1. "Ordinary Member" shall mean a person over the age of 18 years and older who is a member of the SCFC.
2. "Honorary Member" shall mean a person admitted to the SCFC by the Committee by reason of having conferred some special benefit upon the SCFC. Honorary membership ceases after the following A.G.M.
3. "Honorary Life Member" shall mean a person proposed by the Committee and who has been so elected at an Annual General Meeting or Special General Meeting of the SCFC in recognition of services rendered to or interest shown in the SCFC.
4. "Temporary Member" shall mean a person who is so admitted by the Committee and shall be allowed the privileges of membership of the SCFC only whilst engaged in a match or competition on the day/days he/she is so engaged that has no voting rights.
5. "Parent Member" shall mean one parent or guardian for each child, enrolled as a junior member with the SCFC, with the same voting rights as an ordinary member.
6. "Junior Member" shall mean a person under the age of 18 years who is a member of the SCFC.
7. "Social Member" shall mean a person who is so admitted to the SCFC by the Committee to use the social facilities of the SCFC but has no voting rights.
8. "Senior Member" shall mean a person over the age of 19 years who is a member of the SCFC.

5. ELECTION OF MEMBERS:

1. An application for membership shall be made to the SCFC, in writing, on a prescribed membership application form.
2. Such application shall be submitted to the Committee for approval or rejection, and in the event of a disagreement shall be decided by the majority of the Committee members present.
3. A candidate who is not elected as set out above shall thenceforth be barred from re-applying for membership for a period of one year.
4. Immediately a member is elected in terms of 5(2) above, the Club Secretary shall enter his or her name in the Register of Members and shall notify him or her, in writing, of his or her election.
5. The rules governing the election of Honorary Members, Honorary Life Members, are set out in Rule 4(2) and (3).

6. MEMBERSHIP FEES:

To be agreed at every A.G.M. by a simple majority.

7. TERMINATION OF MEMBERSHIP:

1. Membership may be terminated by written resignation to the Secretary of SCFC. Any refund of subscriptions shall be at the discretion of the Committee.
2. Membership may be terminated if a Member no longer meets the requirements for Membership.
3. Membership may be temporarily be suspended by the Committee by a two-thirds majority vote for contravening the Constitution or any laws or contracts of the SCFC.

8. RIGHTS OF MEMBERS:

Membership does not and shall not give any member of any class any rights, title, interest, claim or demand in or to any of the monies, property or assets of the SCFC, but only confers upon such member the right and privilege of entering in and upon the grounds and erections of the SCFC, and of using and enjoying the same in accordance with the use to which the same are denoted by the Committee of the SCFC and subject to such restrictions as the Committee from time to time impose, and subject to the Rules, Regulations and Bye-Laws of the SCFC from time to time in force.

9. LEGAL POSITION OF SCFC

1. The SCFC is not formed for the purpose of carrying on any business or enterprise that has for its object the acquisition of personal gain by the members of the SCFC.
2. The SCFC is liable only for its own debts and any assistance granted to any person or body, whether corporate or unincorporated, shall not render it liable for the debts of such person or body.
3. In raising funds the Club's activities shall be in accordance with the relevant provisions of the Fund Raising Act 1978 (Act no. 107 of 1978) as amended from time to time.

10. LIABILITY OF MEMBERS:

The liability of each member shall be limited to his subscription and to any other liability incurred by him with the SCFC.

11. DEFAULT

1. Any member, who has not paid his subscription fee by the 30th April of the current year, shall be posted on the SCFC's notice board as a defaulter and shall not be allowed to continue as a member whilst his subscription remains unpaid.
2. Any member who shall fail to discharge any other liability due to the SCFC within fourteen days after a written demand sent to his last known address by registered post or by hand, or by email to his last known email address, shall ipso facto cease to be a member, the SCFC, however, reserving its rights to proceed against such member for recovery of such sums as may then be owing.
3. No member shall be entitled to take part in or vote at any meeting or propose or second any resolution or propose or second any candidate whilst in arrears with his subscription or any other liability to the SCFC.

12. CANDIDATE INADVERTENTLY ELECTED:

Should a candidate, ineligible for membership be inadvertently admitted as a member of any class, the Committee shall declare his or her election void, and shall give him or her immediate notice to that effect and shall return his or her subscription fee.

13. POWER TO CANCEL ELECTION:

If at any time after the election of a candidate, it appears that he or she was elected under a misrepresentation or mistake as to identity, or owing to incorrect information having been given, the Committee shall have the power to cancel his or her election.

The person whose election is thus cancelled in terms of this clause shall, thereupon cease to be a member of the SCFC, and shall have no claim whatever against the SCFC for damages, return of subscription, on any ground whatever, but the Committee shall be entitled to make such ex gratia refund of subscription as it may consider proper.

15. SUBMISSION TO THE RULES OF THE SCFC

The signed application for membership shall be a distinct acknowledgement on the part of any person that he or she is bound by the rules and regulations of the SCFC and all Bye-Laws that have been or may hereafter be made, and that he or she accepts the ruling of the Committee in all cases and no person shall be absolved from the effect of these rules on the plea of not having received a copy of them or any of them.

16. VOTING:

Ordinary, Honorary, Honorary Life and Parent Members shall only have one vote on any occasion. Written proxies shall not be allowed.

17. MANAGEMENT

The entire management and control of the Club shall be vested in a Board of Trustees, an Executive Committee and Operational Sub Committee's. This club structure is defined in Annexure 'A'

18. ELECTIONS AND NOMINATIONS OF THE CHAIRMAN OF THE EXCO

1. No one may be elected as the Chairman of the Executive Committee, unless he/she has served a minimum of two consecutive years on the committee, or he/she is a founder or life member. He/she must be an ordinary, honorary, or honorary life member, who has been nominated in writing by two members of the club, (who shall be ordinary, parent, honorary or honorary life members), and shall have accepted such nomination in writing. No members whose subscription for the current year is unpaid shall be eligible as a candidate or be entitled to propose or second a candidate. All nominations shall be delivered to the Secretary not less than eight (8) days before the Annual General Meeting.
2. Should more than two members be nominated for Chairman an initial secret ballot will be held and only the two candidates with the most votes will go into the second secret ballot when a simple majority will decide who is elected.
3. Only if no nominations are received before the A.G.M., may nominations be accepted from the floor during the meeting.
4. Scrutinisers shall be appointed at the Annual General Meeting by open nomination and shall declare the result of the election as soon as possible during the meeting.

19. ELECTIONS AND NOMINATION OF COMMITTEE MEMBERS OF THE EXCO (EXCLUDING CHAIRMAN)

1. No one may be elected as a member of the Executive Committee, unless they have been a member of a committee or sub-committee for a minimum of one year, or he/she is a founder or life member. He/she must be of good standing of the SCFC and have been nominated in writing by two members of the club, (who shall be ordinary, parent, honorary, honorary life or founder members), and shall have accepted such nominations in writing. No member, whose subscription for the current year is unpaid, shall be eligible as a candidate or be entitled to propose or second a candidate. All nominations shall be delivered to the Secretary not less than eight (8) days before the Annual General Meeting.
2. Should more than the required number of nominations be received one secret ballot will be held and members with the most votes will be duly elected.
3. Only if insufficient nominations are received before the A.G.M. may nominations be accepted from the floor during the meeting. Members duly nominated before the meeting will be automatically elected before voting takes place (if required).
4. Scrutinisers shall be appointed at the Annual General Meeting by open nomination and shall declare the result of the election as soon as possible during the meeting.
5. Head of Juniors, Head of Seniors, Treasurer, Secretary and Club Captain plus any additional members for specific portfolios will be elected at the A.G.M.
6. The current serving members of the Executive Committee may appoint up to 3 (three) additional members to serve on the Executive Committee for the period between consecutive AGM's.

19A. ELECTION AND NOMINATION OF COMMITTEE MEMBERS FOR THE SUB COMMITTEE'S

1. No one may be elected as a member of a Sub Committee, unless they have been a Member of SCFC for a minimum of one year, or he/she is a founder or life Member. He/she must be of good standing of the SCFC and have been nominated in writing by two Members of the club, (who shall be ordinary, parent, honorary, honorary life or founder Members), and shall have accepted such nominations in writing. No Member, whose subscription for the current year is unpaid, shall be eligible as a candidate or be entitled to propose or second a candidate. All nominations shall be delivered to the Club Administrator not less than eight (8) days before the Annual General Meeting.
2. Should more than the required number of nominations be received a ballot, by show of hands, will be held and Members with the most votes will be duly elected.
3. Only if insufficient nominations are received before the A.G.M. may nominations be accepted from the floor during the meeting. Members duly nominated before the meeting will be automatically elected before voting takes place (if required).
4. Scrutinisers shall be appointed at the Annual General Meeting by open nomination and shall declare the result of the election as soon as possible during the meeting.
5. It shall be at the discretion of the incoming EXCO if the election of the members for the Sub Committee's will be held at the AGM or at a later meeting.

20. VACANCIES ON COMMITTEE:

In the event of the death of the Chairman or his ceasing to act, the Vice Chairman shall become the Acting Chairman. In the event of the Vice Chairman becoming the Acting Chairman or dying, or ceasing to act as such, the EXCO shall from its members elect an Acting Vice Chairman.

The member so elected shall hold office on the same terms as the member whose place he takes.

21. COMMITTEE MEMBERS ABSENT WITHOUT LEAVE:

No member of any Committee shall absent himself from more than two consecutive ordinary meetings of that Committee without leave of absence, provided that the Committee may grant him leave of absence from not more than three consecutive ordinary meetings of that Committee.

Notwithstanding the foregoing, any member of a Committee absenting himself for more than four consecutive ordinary meetings shall ipso facto cease to be a member of that Committee.

22. COMMITTEE MEETINGS: REGULATION AND QUORUM:

The Committee may meet together for the dispatch of business, adjourn or otherwise regulate its meetings as it thinks fit, and until otherwise determined by a General Meeting of members, 50% plus one of the total memberships of the Committee shall be a quorum.

23. MANAGEMENT COMMITTEE MEETINGS: CONVENING:

The Committee shall meet regularly and at least once every month. The Secretary on instructions of the Chairman or on written request of at least three members of the Committee shall convene a Committee meeting.

24. VOTING AT COMMITTEE MEETINGS:

Questions arising at any meeting of any Committee, except where ballot is called for by the Chairman, shall be decided upon by a majority of votes on show of hands, and in the case of equality of votes, the Chairman shall have the casting vote in addition to his deliberative vote.

25. MINUTES OF MEETINGS:

All Committee's shall cause minutes of the appointment of Officers, and the names of the Committee present at each meeting with the resolutions and proceedings of such meetings, and all resolutions and proceedings of General Meetings of Members, to be duly entered in the books provided for the purpose. Any such Minutes or extract there from, signed by the Chairman and the Secretary, shall be received as prima facie evidence of the matter stated in such Minutes or extract.

26. POWERS OF THE EXECUTIVE COMMITTEE:

The EXCO shall have full power and authority to do any act, matter or thing which could or might be done by the Club, excepting such matters as are in these rules specially reserved to be dealt with at a General Meeting of Members; and in addition to the general powers and authorities hereby conferred on the Committee and without in any way limiting such powers and authorities, the Committee shall have the following special powers:-

1. ACQUISITION OF PROPERTY:

To acquire for the Club any movable or immovable property calculated to benefit the SCFC.

2. FULFILMENT OF CONTRACT:

To enter into leases on behalf of the SCFC whether as Lessor or Lessee, and further to sell, alienate or deal with the movable property or assets of the SCFC as it shall deem expedient in the interest of the SCFC.

3. DISPOSITION OF PROPERTY:

To dispose of and to deal with in any manner whatsoever, real rights of any kind and to borrow against the security of the SCFC's property, whether by mortgage, pledge, cession or otherwise, such sums of money as may be required by the SCFC for any purpose whatsoever.

4. APPOINTMENTS OF AGENTS, SERVANTS, ETC:

To appoint such attorneys, agents, officers, clerks and servants for permanent, temporary or special services, as it may think expedient, and to determine their duties and fix, vary and pay their salaries or emoluments (if any) and to require security in such instances and to such amounts as it thinks fit, and to suspend or discharge any such persons at its discretion.

5. LEGAL PROCEEDINGS:

To institute, conduct, defend, compound or abandon any legal proceedings by or against the SCFC, or its officers, or otherwise concerning the affairs of the SCFC; and also to compound and allow time for payment or satisfaction of any debts due, and of any claims or demands by or against the SCFC.

6. ARBITRATION:

To refer any claim or demand by or against the SCFC to arbitration, in terms of the Arbitration Act.

7. RECEIPTS, DISCHARGES, ETC:

To make and give receipts, releases and other discharges, for monies payable to the SCFC and for the claims and demands of the SCFC and except where otherwise provided in these rules, such receipts shall be signed by the Treasurer, or some person lawfully acting in the place of such Treasurer.

8. BANKING ACCOUNT:

All monies of the SCFC shall be paid into such Bank(s) as the Committee may decide upon, and shall be drawn there from by cheque's or eft signed authorised by the Chairman or such member or members of the Committee as the latter may from time to time decide, as well as by the Treasurer. All payments by the SCFC shall be made by cheque or eft, drawn as aforesaid, except petty cash payments to a maximum of R50.00. (Treasurer, plus one authorised signature).

9. BYE-LAWS:

To make, vary and repeal bye-laws for the regulation of the affairs of the SCFC, its officers and servants, or the members of any class of the SCFC, provided that such bye-laws do not conflict with the rules of the SCFC.

10. INVESTMENT OF MONEY:

To invest and deal with any monies of the SCFC not immediately required for the purpose of the SCFC upon such securities and on such terms as it may think fit, and from time to time to vary or realise, such investments.

27. ANNUAL GENERAL MEETING DATE:

The Annual General Meeting of the SCFC, of which fourteen days notice shall be given, shall be held no later than the second Monday in November of each year.

The business to be transacted at the Annual General Meeting shall be: -

1. To confirm the Minutes of the previous General Meeting.
2. To receive and consider the reports on the affairs of the SCFC and Statement of Accounts one week after the annual prize giving but no later than the 30th day of October, of each year, which day shall be the end of the SCFC's financial year.
3. To elect, at least, a Chairperson and the other Members of the EXCO from Members of the SCFC, to form the Executive Committee for the ensuing year.
4. To elect the SCFC's Auditors.
5. To elect an Honorary Life Member or Members, if any proposed by the Committee.
6. To consider any business concerning the affairs of the SCFC, of which due notice has been given, which is brought under consideration by the Committee.

28. SPECIAL GENERAL MEETING:

1. The EXCO shall have the power to call a Special General Meeting of the SCFC at any time; or
2. on requisition signed by fifteen Members (who shall be ordinary, parent, honorary, honorary life or founder members) in good standing.

In the case of (1), fourteen days written notice shall be given to all Members for such a meeting and in the case of (2), fourteen days written notice shall be given to the Chairperson by the Members of such meeting and fourteen days written notice shall be given by the Chairperson to all the Members. Only such items as appear on the requisition shall be discussed at such a Special General Meeting.

29. QUORUM AT GENERAL MEETINGS:

A quorum for an Annual General Meeting or a Special General Meeting called by the Committee shall be fifteen Members with one official vote. Provided that if no quorum be present, within fifteen minutes after the time fixed or the meeting, the Meeting shall be called by the Committee, be postponed to the same day and hour in the following week. And at such adjourned meeting the members present shall be deemed to be a quorum for the transaction of all business for the meeting. In the case of a Special General Meeting, called by requisition of members, if no quorum is present, it shall definitely be dissolved.

30. HONORARY LIFE MEMBER: ELECTION OF:

Any member of the SCFC, who is in good standing, may nominate in writing, to the Committee a person he/she feels warrants consideration for Honorary Life Membership. Only the Committee, after investigating the nominee, may present the name to an Annual General Meeting or Special General Meeting of the SCFC called for that purpose. The nominee will be deemed "elected" if the majority of the Members present at such meeting vote in favour. Such Honorary Life Member/s shall be subject to the rules of the SCFC and shall be entitled to the privileges of the SCFC but shall pay no subscriptions.

31. VOTING AT GENERAL MEETINGS:

Every question submitted to a meeting shall be decided by a show of hands except where the Chairman thereof calls for a ballot. The Chairman shall have a second or casting vote in the case of equality.

32. BOARD OF TRUSTEES

32.1. PREAMBLE

The Board of Trustees shall consist of no more than four members with the purpose of ensuring that the Sunningdale City Football Club follows the club objectives as set out in the SCFC Constitution. All movable property shall be vested in the Board of Trustee.

32.2. REQUIREMENTS TO SERVE AS A TRUSTEE

The minimum requirements to be elected as a Trustee will be the one of the following;

- Being a Founder Member or a Honorary Life Member
- Having served as Chairman of the SCFC EXCO for a minimum of 3 years
- Having served on the SCFC EXCO for a minimum of 6 years

32.3. THE BOARD OF TRUSTEES

The Trustees will select one of the Trustees to chair the Board for a term of two years. The selection will be done with a show of hands at the first meeting of the New Year and thereafter every second year. The Chairperson will have a casting vote.

32.4. DUTIES OF THE TRUSTEES

The following will be some, but not all, the duties of the Trustees:

- To ensure that the history of the SCFC is preserved
- To ensure that the SCFC stays true to its objectives and ideals as stipulated in the SCFC Constitution
- To ensure that the SCFC colours and badge is preserved and respected
- To assist and guide the existing EXCO and Operations committees in their allocated duties if required to do so by a member or members of the committees
- To be part of any major discussions that could change the future of the SCFC, like for instance the amalgamation with another club, or the change of club colours, or badge, etc.
- To meet with the existing EXCO and committees to discuss any pertinent issues which the Trustees are unsure of or need clarity on
- To assist in case of major financial issues that may arise
- To preside over and make a ruling on disputes or disciplinary issues that may arise, which the Exco cannot resolve due to issues of impartiality
- To deal with the disposal of property of the SCFC in the event of the SCFC dissolving for any reason

32.5. RESIGNATION/REMOVAL OF A TRUSTEE

A Trustee has the right to resign his or her position by submitting a letter of resignation to the Chairperson of the Board of Trustees. A Trustee can be removed from the Board by a majority vote if the Trustee is unable to perform the duties expected of the position due to, but not limited to the following reasons:

- The Trustee is incapable of performing his or her duties
- The Trustee is absent, without a reasonable excuse, from more than two consecutive meetings
- The Trustee brings the SCFC into disrepute
- For the contravention of the SCFC Constitution or any SCFC Regulation or Laws

32.6. APPOINTMENT OF A TRUSTEE

In the case of a vacancy on the Board, a new trustee will be elected by the existing Trustee by a majority vote. The new Trustee must meet the minimum requirements as set out in point 32.2 above.

32.7. MEETINGS OF THE BOARD OF TRUSTEES

The board will convene at least four times in every calendar year. A quorum for a meeting will be three Trustees. Minutes will be taken at each meeting.

32.8. POWER OF TRUSTEES

The Board of Trustees shall stand possessed of the property of the SCFC and shall apply and dispose of the same for the benefit of the SCFC, in such a manner, as the Board of Trustees shall, in conformity with the rules, direct.

The SCFC's Funds and assets shall be devoted solely to the objects of the SCFC and no Member or Trustee shall be entitled to any portion of the funds or assets thereof

33. DISSOLUTION

In the event of the SCFC dissolving for any reason, all assets and liabilities at the time shall be ceded to an organization of a similar nature in the Sunningdale/ Parklands/Table View area. In particular, no monies or any other assets of the SCFC shall be given or taken over by any Member or any other person in his own right.

34. ALTERATION OF RULES:

Alterations to the foregoing Articles of Association can be made by a two thirds majority only at an Annual General Meeting or Special General Meeting called for that purpose. Fourteen days notice, in writing, of any proposed changes to the Constitution must be given to the Committee. Any proposed changes should be shown on the notice of the Meeting distributed to the Members.