

CONSTITUTION (amended 15 April 2004)

1. TITLE and DEFINITIONS

(1) This organisation shall be called the Scottish Football Association Referees (Fife) hereinafter referred to as the 'Association'

(2) The following definitions shall apply throughout this Constitution :-

“SFA” - Scottish Football Association

“Registration Scheme” - The Scottish Football Association Referee Registration Scheme

“Introductory Examination”- Scottish Football Association Introductory Referee Examination

“Membership year” – the period commencing on the Saturday prior to the Annual General Meeting until the Saturday prior to the Annual General Meeting the following year.

“Normal League Match Fee” – the fee received by a referee for officiating at a fixture regardless of whether or not this is deemed to be inclusive of travelling and other expenses

2. OBJECTS - The objects of the Association shall be :

(a) To recruit train and develop football referees in conjunction with the Area and Executive Supervisor appointed by the SFA.

(b) To conduct all affairs of the Association as require to be done

(c) to act in accordance with the Articles of Association of the SFA as they relate to referees.

(d) to abide by the Constitution

3. MEMBERSHIP - Applications for Membership shall be in writing signed by the applicant, to the Secretary, who shall submit the same to Council for their decision.

(1) Membership shall be open to all football referees who have :-

a) paid the relevant subscription

b) completed the relevant application / membership renewal form

c) have the approval of the Council; and

d) have either completed an examination or Introductory Examination set by the SFA; or who are in current membership of another recognised National Association; or or who satisfy the Association of their qualifications.

Any former member or qualified referee who has not been in membership of a recognised Referee Association within the previous three or more years may be required to complete the Introductory Examination.

Applicants for Membership will require to be the subject of a Disclosure Check with Disclosure Scotland in connection with Part V of the Police Act 1997. The information will be requested by the SFA from Disclosure Scotland on receipt of the completed and signed application form. The cost of obtaining Disclosure Checks will be borne by the SFA. Any information received from Disclosure Scotland by the SFA will be considered by the SFA who shall advise the Secretary whether or not the applicant can be considered for acceptance in to membership.

The Council reserves the right to refuse membership to any applicant and need not give the applicant reason for such refusal.

(2) Trainee Referee Course –An applicant for the Trainee Referee Course shall, on receiving Council approval, and paying the relevant subscription, be eligible to participate in the Trainee Referee Course, until such time as the SFA have advised the Association of the outcome of their Disclosure check in accordance with paragraph (e) below. For the avoidance

of doubt an applicant will not be permitted to commence Part 3 – Practical until the SFA have advised the Association of the outcome of the applicant's Disclosure Check

(a) On completing the Introductory Examination an applicant who achieves this, in the membership year in which they have attended the Trainee Referee Course and before the Saturday prior to the Annual General Meeting shall be required to pay whatever fee is required to register under the Registration Scheme until the end of the membership year. They shall become a Member graded as either Probationer or Youth. An applicant who completes the Introductory Examination after the Saturday prior to the Annual General Meeting shall be required to pay a full fee to become an Ordinary member graded as either Probationer or Youth, such sum will include the fee required to register under the Scottish Football Association Registration Scheme.

(b) In the event that any applicant fails to complete Part 3 – Practical of the Introductory Examination in the membership year that they attended the Trainee Referee Course then they shall be allowed until a date not exceeding four months beyond the date on which they successfully completed Parts 1 and 2 of the Introductory Examination to complete Part 3. This date can be extended on application by the applicant in writing to the Secretary, at the discretion of Council, but only in the event that the applicant has been unable to obtain fixtures or has been unable to referee due to a medically evidenced illness / injury.

(c) Applicants for the Trainee Referee Course will require to be the subject of a Disclosure Check with Disclosure Scotland in connection with Part V of the Police Act 1997. The information will be requested by the SFA from Disclosure Scotland on receipt of the completed and signed application form. The cost of obtaining Disclosure Checks will be borne by the SFA. Any information received from Disclosure Scotland by the SFA will be considered by the SFA who shall advise the Secretary whether or not the applicant can be considered for acceptance in to membership. In the event that the SFA advised that the applicant cannot be considered for acceptance in to membership then the applicant will no longer be permitted to attend the Trainee Referee Course or continue with the Introductory Examination.

(d) The Council reserves the right to refuse membership to any applicant and need not give the applicant reason for such refusal.

4. SUBSCRIPTIONS

(1) The membership fee and percentage for contribution to the Referee Development Fund shall be fixed at the February Members' Monthly Meeting and will apply for the membership year

(a) The subscription for **Ordinary Members** shall consist of the membership fee which will include the sum required for the Registration Scheme. In addition every Ordinary Member shall pay as part of their subscription at any point in the preceding membership year a contribution in to the Referee Development Fund of the equivalent of a percentage of one normal league match fee. The amount to be paid by the member will be a percentage of the normal league match fee received for the highest level of League officiated in domestic football. Members classified as Senior Associate shall pay the membership fee, less the sum required to pay the Registration Scheme. Members who at the date of the Annual General Meeting are :-

- i) Youth Referees, or
- ii) undergoing a course of full time education, or
- iii) unemployed; or
- iv) retired and no longer in full or part time employment

shall have their fee restricted to 60% of the membership fee which shall include the sum required for the Registration Scheme. Applicants may be required to satisfy Council of their qualification for such restricted fee.

(b) The subscription for applicants for the Trainee Referee Course shall be the membership fee and this will include the supply of all standard course materials for Parts 1 and 2 of the Introductory Examination but it does not include any sum which may be required to pay the Registration Scheme. Any Registration Scheme fee shall require to be paid subject to Section 3 Part (2) (b). Applicants for the Trainee Referee Course who at the date of acceptance of their application to attend the Trainee Referee Course are :-

- i) under 18 years of age, or
- ii) undergoing a course of full time education, or
- iii) unemployed; or
- iv) retired and no longer in full or part time employment

shall have their fee restricted to 60% of the subscription or the cost of supplying all standard course materials for Parts 1 and 2 of the Introductory Examination, whichever is the greater. Applicants may be required to satisfy Council of their qualification for such restricted fee.

(2) The Subscription for Ordinary Members shall be payable to the Association by the Saturday prior to the Annual General Meeting. The Secretary shall acknowledge receipt of the Subscription and Membership Renewal form.

The Subscription for Trainee Members shall be payable prior to any attendance at the Trainee Referee Course.

Any Ordinary Member whose Subscription remains unpaid by the Saturday prior to the Annual General Meeting shall not be eligible to vote at the Annual General Meeting. Any nomination that they have received for a position as an office bearer shall fall and they shall not be eligible to be nominated for any position as an office bearer or other elected position at the Annual General Meeting.

(3) Any member whose subscription is not paid by the Saturday prior to the Annual General Meeting but who pays it within a period of fourteen (14) days from that date shall be liable for a late payment fee of 20% of their Membership Fee.

(4) Any member whose subscription and where applicable late payment fee remains unpaid after the expiry of fourteen (14) days from the Saturday prior to the Annual General Meeting shall be deemed to have resigned with immediate effect, but shall nevertheless remain liable for any monies due by the said member to the Association.

(5) Any Member who intimates to the Secretary, in writing, prior to the Annual General Meeting, his or her intention to retire from Membership at the end of the current season shall have his or her Membership extended until 30th June of that year.

(6) Any member who has failed to return their Completed Membership Renewal Form along with their subscription for the ensuing membership year to the Secretary shall not be admitted to the Annual General Meeting.

(7) Any member who attends 3 monthly meetings and the Annual General Meeting in the preceding Membership year shall be entitled to a discount of £5 on their membership fee at the time of payment. (This entitlement shall commence at the end of Membership year 2004 / 5). Council shall have the power in exceptional cases and where a member has submitted apologies, with a reason, in writing for at least 3 monthly meetings and the Annual General Meeting in the preceding Membership year to allow the member to receive this discount.

5. CONDITIONS OF MEMBERSHIP

- (a) No member who resigns shall again become a member, unless they comply with the provisions of Section 3 Membership.
- (b) A member who resigns or is expelled from the Association shall not have any interest in or claim upon the Association or its funds.
- (c) Members must not be connected with a football club, league, association or supporters' association except with the approval of the Council, any changes of circumstances should immediately be notified to the Secretary in writing.
- (d) Members must notify a change of address, telephone number, email address etc. to the Secretary as soon as possible.
- (e) Ordinary Members shall not be eligible to hold office for a period of two years from the date of acceptance into membership.

6. DISCIPLINARY PROCEDURE

- (1) Subject to the provisions hereinafter specified, the Council shall have the power to reprimand, fine (subject to a maximum of twice the Annual Membership Fee of an Ordinary Member), suspend or expel a member.
- (2) In the event of the Council receiving a complaint regarding the alleged conduct of a member which if sustained could reasonably lead to the Council considering the exercise of the powers contained in Section 6 paragraph (1), the Council shall have the power to suspend a Member as a precautionary measure pending the outcome of an investigation in to the circumstances surrounding the complaint. In the event that it is not possible to convene a Council meeting and the complaint is considered to be sufficiently serious then the President, Vice President and Secretary shall have the power to impose a precautionary suspension. The member shall be notified by Recorded Delivery mail of his precautionary suspension.
- (3) Following the receipt of a complaint the Council shall carry out an investigation in to the facts. In the event that the complaint relates to an issue covered by the Child Protection Policy then the Child Protection Co-ordinator shall in conjunction with Council carry out the investigation. Council shall, where appropriate, advise the member complained of (hereinafter "the charged member") in writing of the substance (and origin) of the complaint and shall invite the charged member to make a written explanation to the Council in such reasonable time as determined by the Council.
- (4) On receipt of such written explanation, or in the absence thereof after the time limit specified in Section 6 paragraph (3) the Council if it considers that there is *prima facie* evidence of a material breach of the rules of the Association, shall advise the charged member accordingly and invite him/her and, if thought by the Council appropriate, the complainer on reasonable notice to attend a meeting of the Council to make verbal representations. Witnesses may be called but only to determine questions of fact.
- (5) The Council, having heard the relevant representation(s), or in the event of the charged member and/or complainer not having availed themselves of the opportunity of so doing, shall determine whether or not the complaint is sustained. In the event of the Council so finding the complaint sustained it may exercise the powers contained in Section 6 paragraph (1) if it so deems appropriate.
- (6) The charged member shall be advised by the Council verbally and in writing within a reasonable time of the Council's decision and if appropriate the sentence imposed. The

Member may appeal to the SFA against a decision of the Council in respect of any disciplinary action taken.

(7) An appeal by a member must be dispatched to the SFA by recorded delivery letter within seven days after the meeting at which the decision appealed against was taken unless, for any reason, it was not made known to the referee at such meeting, in which case it may be dispatched within seven days of the receipt of the recorded delivery letter sent to the member intimating the decision. The appeal must be accompanied by the Appeal Fee, as determined by the SFA, applying at that time. The Appeal Fee shall be forfeited if the appeal is not sustained. In all appeals the member may be held liable in all or part for the expenses of the meeting, subject to the discretion of the SFA. The decision of the SFA shall be final and binding on all parties concerned.

7. OFFICE-BEARERS

(1) The Office-Bearers shall consist of (a) President, (b) Secretary, (c) Treasurer, (d) Assistant Secretary, (e) Vice-President, (f) Social Convener (g) Referee Support Scheme Co-ordinator, (h) Youth Development Initiative Co-ordinator, (i) Minor Grade Football Liaison Officer all of whom shall be elected annually at the Annual General Meeting.

(2) All nominations for Office Bearers to be in writing, to the Secretary, prior to the commencement of the March Members' Monthly meeting. The Secretary shall intimate all nominations at that meeting. In the event that a nomination is not received for any position as an Office Bearer or if a nomination becomes invalid prior to the Annual General Meeting then nominations will be accepted at the Annual General Meeting for that position.

(3) A member must have at least sixty (60) per cent actual attendance to be eligible to be nominated for any position as an Office-Bearer.

(4) No Member of the Association may hold more than one Council position.

8. COACHING AND TUTORIAL FUNCTIONS

(1) The Area Supervisor, appointed by the SFA, shall appoint annually at the Annual General Meeting, a Coaching Co-ordinator, Assistant Coaching Co-ordinators, Tutor and Assistant Tutors.

(2) Should the position of Coaching Co-ordinator, Assistant Coaching Co-ordinators, Tutor or Assistant Tutors become vacant during the membership year or should additional persons be required to undertake the roles of Assistant Coaching Co-ordinators and Assistant Tutors then the Area Supervisor shall appoint members as required. The Area Supervisor will require to advise the Secretary of any such appointment.

9. OTHER ELECTED POSITIONS

(1) Two Auditors shall be elected, annually, by a majority of the Members present and voting at the Annual General Meeting. Office Bearers shall not be eligible to be elected as an Auditor of the Association.

(2) A Re-allocation Convener shall be elected annually, by a majority of the Members present and voting at the annual General Meeting.

(3) An Assistant Social Convener and three positions as members of the Social Committee shall be elected at the Annual General Meeting.

10. COUNCIL

(1) The affairs of the Association shall be administered by a Council of seven (7) members, consisting of President, Secretary, Treasurer, Assistant Secretary, Vice President, Tutor and Coaching Co-ordinator.

(2) Five (5) Council Members shall form a quorum for all Council meetings, and if a quorum is not present within 30 minutes of the hour called for the meeting no business shall be transacted.

(3) Any member who wishes to introduce a subject for discussion at a Council Meeting should submit the topic to the Secretary at least FOUR days prior to the meeting. However it would still be permissible for a Council Member to have a topic discussed at the meeting without prior notification provided that it has the unanimous approval of those present. The Council shall meet as and when required.

(4) Should the position of any Office-Bearer or other Elected Position become vacant during the current season, the Council shall have the power to co-opt a member to this position, subject to the approval of the Members.

(5) The Council shall have full powers in all matters concerning the Association, subject to any decisions made in Members or General Meeting.

(6) The President or in his absence the Vice President, and the Secretary or in his absence the Assistant Secretary shall be ex-officio members of all sub-committees.

11. GENERAL MEETINGS

The Annual General Meeting shall be held in April, with a starting time of 7pm. (The date and venue to be indicated at the front of the Members Handbook) The business to be transacted at an Annual General meeting shall be :

(a) To approve the minutes of the previous Annual General Meeting and to receive reports from the Secretary, Treasurer (including the Association's Balance Sheet), Auditors and Chairman.

(b) To consider any Notice of Motion or resolution which has been submitted for consideration at the Annual General Meeting. Any Notice of Motion must be lodged with the Secretary in writing prior to the Members' Monthly Meeting held in March.

(c) To elect :-

- 1) office-bearers. (Retiring office bearers shall be eligible for re-election).
- 2) other elected positions
- 3) Honorary Presidents.

(d) To agree on payments of Honoraria

(e) Any other business which may properly be dealt with at such a meeting.

(f) The Council may call a Special General Meeting at any time they deem it desirable.. A Special General Meeting may be requisitioned by twenty (20) members, and the Council shall be bound to call such a meeting within fourteen (14) days of the receipt of such a requisition. The Notice calling the meeting shall set out the purpose for which the meeting has been called and this shall be the only business dealt with at the meeting.

(g) No notice of motion shall be declared invalid merely because it contains an error as to precisely what part of the Constitution it relates to, provided this can be identified by looking at the motion.

(h) Where more than two candidates are proposed for a position as an Office Bearer the person elected to that position shall be required to receive not less than two thirds of the votes cast. Failing this, the two candidates receiving the most votes cast shall go forward to a second vote. If in the first vote there is a tied vote which prevents two candidates going forward then those with the same number of votes shall draw lots to decide who will go forward to the second vote. Anyone receiving more votes than the candidates involved in the tied vote shall automatically go forward to the second vote. If the second vote is tied then the candidates will draw lots to determine who is elected to the position.

(i) In the event of a tied vote for any position(s) excluding that of an Office-Bearer which means that the position(s) cannot be filled then the candidates who are tied shall draw lots, anyone receiving more votes than the candidates involved in the tied vote shall automatically be elected to the position(s).

12. MEMBERS' MONTHLY MEETINGS

(a) Members Monthly Meetings will be held every month except May, June and July at 7pm. The April Members Monthly Meeting will be held immediately after the conclusion of the AGM. Apologies for absence must be in writing to the Secretary. (meeting dates and venues are indicated at the front of the Members Handbook)

(b) A member other than the movers of the motion and amendments under discussion shall not speak more than once on the subject, unless permission is received from the Chairman of the Meeting.

(c) The Council shall have the power to alter the date and/ or venue of the Members' Monthly meeting and to call additional Members' Meetings as and when required.

(d) Minutes of all Meetings must be approved by the Members, at the first available Members' Monthly Meeting.

(e) The proposer and second of the approval of the Minutes must have been present at all of the said Meeting.

(f) Where more than two motions are proposed, the successful motion shall be required to receive not less than two thirds of the votes cast. Failing this, the two motions receiving the most votes cast shall go forward to a second vote. If in the first vote there is a tied vote which prevents two motions going forward, then the proposer of those with the same number of votes shall draw lots to decide which motion shall go forward to the second vote. Any motion receiving more votes than the motions involved in the tied vote shall automatically go forward to the second vote.

13. SOLICITING ENGAGEMENTS

No member shall be permitted to solicit engagements. This does not debar members from applying to be placed on an official list or Register of referees.

14. ATTENDANCES

(a) All members who are present shall sign the attendance register at each Members' Monthly Meeting and the Annual General Meeting. The Attendance year shall finish on the last day of January.

(b) Any member who is unable to attend a Members' Monthly Meeting or the Annual General Meeting because of an appointment by an authorised League or Association, this to include either a match or overnight travel, shall be credited with an actual attendance mark for that monthly meeting provided a written request for this is submitted to the Secretary.

(c) Minutes of each Members' Monthly Meeting shall contain a list of those present who signed the Attendance Register. The minutes of that Members Monthly Meeting when approved shall be a definitive record of attendance at that meeting

15. TREASURER

(a) The Treasurer shall keep a record of all monies and discharge all debts and liabilities of the Association, and shall submit a balance sheet at the Annual General Meeting.

(b) The Treasurer shall submit a detailed financial report at every members' monthly meeting.

(c) The financial year shall end on the last day of January and all monies due to the Association must be in the hands of the Treasurer on or before that date. Any member who fails to make such a payment to the Treasurer on or before the last day of January shall be liable for a late payment fee of 20% of the sum due.

(d) The funds of the Association shall be administered by the Council who shall invest the funds in such securities and investments as they decide. The bank account and all securities and investments shall be in the name of the Association. The President, Vice-President, Secretary and Treasurer for the time being and their successors in office shall act as Trustees of the Association. The signatures of two (2) Trustees shall be required to withdraw money from the bank.

(e) With the exception of the Treasurer, who shall have the power to sanction the expenditure of twice the current membership fee, no member shall incur expenditure on behalf of the Association without previously having obtained the consent of the Council.

(f) Tickets for Dinner-Dance and Annual Dinner shall be paid at least seven days prior to the function. Any member who fails to pay prior to or at any other Association or Social function shall be liable to a late payment fee of 20% of the total sum due to the Association.

(g) The Association Treasurer shall keep a record of all monies relating to the activities of the Social Committee and submit a separate and detailed balance sheet to the Annual General Meeting.

16. PRESENTATIONS - All presentations to members shall normally be made at the Annual Dance, Annual Dinner or other function as requested by the member.

17. CHAIRMAN

The Chairman shall have a deliberate and casting vote at all Association meetings unless the Constitution contains another provision for deciding the outcome of a tied vote.

18. HONORARY PRESIDENTS

(1) Two members of the Association, eligible to attend and vote at the Annual General Meeting, shall be required to nominate an individual to be considered for the position of Honorary President. A nomination will be successful only if approved by a majority of the members present and voting at the Annual General Meeting.

(2) Honorary Presidents shall not be entitled to attend meetings of the Association, unless they hold Ordinary Membership in which case they shall have the same rights as those of an Ordinary Member.

(3) Once an individual becomes an Honorary President they shall remain as an Honorary president for their lifetime, unless two members of the Association, eligible to attend and vote at the Annual General Meeting, nominate that the individual should be removed from the

position of Honorary President. A nomination will be successful only if approved by a majority of the members present and voting at the Annual General Meeting.

19. INDEMNIFICATION

Members and Office-Bearers shall at all times be indemnified out of the funds of the Association against all loss, costs or charges (by consent of the Council only) which they may incur in season or act, in the execution of their duties as Office-Bearers.

20. INSURANCE - All members who have registered with the Registration Scheme shall be insured by that scheme.

21. RULES FOR MEMBERS ETC.

The Rules for Members, Assault Procedure, Duties of Office Bearers and Other Appointments and Standing Orders in operation at the date of the Annual General Meeting shall be deemed to form part of this Constitution.

22. HONORARIA

a) The sum granted to the Secretary shall be voted in the normal manner and awards to be made to the other Offices and Appointments automatically become a percentage of that sum, whenever it is applicable to these Offices or Appointments, in the following ratios: Treasurer 20%; Assistant Secretary 20%; Tutor 20%; Assistant Tutors 10%

b) The Social Convener and Re-Allocation Convener shall if agreed to award Honoraria be granted Honoraria equivalent to the Membership Fee.

23. REFEREE DEVELOPMENT FUND

The Referee Development Fund shall be administered by the Council to give assistance to the Association Tutors, Coaching Co-ordinator, Support Scheme Co-ordinator and anyone else approved by Council with regard to Recruitment, Retention and Development of all referees within the Association. Contributions to the fund will be accepted throughout the course of the season.

24. CHILD PROTECTION

- a) All Members will require to comply with the Association's Child Protection Policy and Procedures.
- b) Council shall each year in May appoint member(s) to the post of Child Protection Co-ordinator.
- c) Council shall have the power to adopt the Child Protection Policy and issue a copy of the Policy to all members.

Council shall have the power to make amendments to the Child Protection Policy in accordance with changes to Legislation and on the basis of advice given by the Child Protection Co-ordinator and the SFA

25. CONTINGENCY PROVISIONS

The Council shall have the power to deal with any contingency for which provision is not specifically made in the above constitution. Any use of this power must be approved by the Members at the first available opportunity.