



**NORTHERN SUBURBS FOOTBALL
ASSOCIATION INC.**

ASSOCIATION REGULATIONS

Adopted February 17 2014

Amended March 18 2019

ASSOCIATION REGULATIONS

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ASSOCIATION REGULATIONS

1. COMMENCEMENT AND APPLICATION 3

2. DEFINITIONS 3

3. ADMISSION TO MEMBERSHIP..... 4

4. FEES 6

5. BOARD OF DIRECTORS..... 7

6. REGULATIONS 7

7. SUB-COMMITTEES..... 7

8. COMPETITION COMMITTEES 7

9. PROTESTS, DISPUTES & DISCIPLINARY COMMITTEE..... 8

10. APPEALS 8

11. CONDUCT 8

12. COMPETITIONS 9

13. BANK AUTHORITY 10

14. FINANCIAL RECORDS..... 10

15. FINANCIAL DEFAULT 11

ASSOCIATION REGULATIONS

1. COMMENCEMENT AND APPLICATION

- 1.1 These Association Regulations are effective subject to such alteration, addition or deletion as made from time to time by the Board of Directors of Northern Suburbs Football Association Incorporated (NSFA Inc.) pursuant to its Constitution.

2. DEFINITIONS

- 2.1 The words in bold shall in these Association Regulations mean:

- “**Appellant**” - the party appealing a Determination at First Instance.
- “**Away Club**” - the club listed second in the official competition or tournament draw.
- “**Board**” - the elected Board of Directors of NSFA Inc.
- “**CEO**” - the Chief Executive Officer of NSFA Inc.
- “**Competition**” - any series of round-robin matches between football clubs including competitions played in the winter season or in pre-season.
- “**Complaint**” - concerning a breach of the Constitution, Association Regulations, Competition Regulations or a grievance relating to a football activity.
- “**Constitution**” - where the context permits the Constitution of NSFA or of an affiliated football club.
- “**Costs**” – fees and expenses of any nature incurred in proceedings.
- “**Delegate**” – the duly appointed representative of a member club.
- “**Determination at First Instance**” - the final determination of proceedings before a tribunal established by NSFA or affiliated member other than an appeal under clause 11 of these Association Regulations.
- “**Document**” - any written material in whatever form produced.
- “**Field of Play**” - the area upon which a match is played.
- “**Financial Default**” - the non-payment by a member of any monies due and payable to NSFA Inc. or an affiliated member after the date when such monies were due and payable.
- “**Football Club**” - an entity formed for playing football in competitions and tournaments conducted by NSFA Inc.
- “**Game**” means the activity of football (also known as soccer) and Futsal.
- “**Ground**” - the venue at which a match is played.
- “**Home Club**” – the club listed first in the official competition or tournament draw.
- “**Initiating Notice**” - where the context permits, a “Notice of Complaint, Notice of Appeal, Notice of Protest, Notice to Produce, Notice to Attend, notice of Dispute or General.
- “**Insolvency Event**” - where an affiliated member has:
 - (a) Had a manager, receiver or administrator appointed against it or any part of its undertaking or assets;
 - (b) Had an administration order made against it;
 - (c) Had a winding-up” order made against it;
 - (d) Had a resolution passed for its winding up;
 - (e) Had entered into any arrangement with its creditors or some part of them in respect of its payment of its debts or part of them as a company under voluntary arrangement or Scheme of Arrangement under the Corporations Act 2001;
 - (f) Had any proceeding or step taken in any jurisdiction made which has a substantially similar effect to any of the above.

ASSOCIATION REGULATIONS

- **“Match”** - football played between football clubs whether as a competition, tournament, trial or friendly.
- **“Knock-out”** – each team in a tournament plays one match at a time until defeated.
- **“Material Change”** - a change in the Constitution or shareholding or membership of an affiliated club such as to reduce the beneficial control or ownership by fifty-one (51) percent or more or to cease to play football as its principal activity in a competition or tournament conducted by NSFA Inc. or an affiliated member.
- **“Member”** – a football club affiliated to NSFA Inc. or an individual or entity admitted as a member under the Constitution of NSFA Inc.
- **“Notice”** – an Initiating Notice, document or letter.
- **“Office Holder”** means a person who holds a position, whether elected or appointed, as;
 - (a) President, vice president, secretary, treasurer, director or management committee member, sub-committee member or employee of NSFA Inc. or an affiliated member of the association;
 - (b) A Life Member.
- **“Participant”** – players, coaches, team managers, office holders, match officials, spectators and any other person involved in a football activity.
- **“Party”** – a person or entity involved in any proceedings
- **“Person”** - a natural person.
- **“Player”** – a person registered with a football club to participate in competitions or tournaments.
- **“Playing area”** - the field of play and the perimeter area extending ten (10) meters from the external lines of the field of play.
- **“Pre-season”** - the period of the year outside the winter season.
- **“Proceedings”** means any hearing to determine any matter pursuant to these Association Regulations or the grievance procedure of Football Federation Australia, Football NSW or a Court of Law.”
- **“Registration”** - the registration of a player or person with an affiliated club.
- **“Round Robin”** – a predetermined number of matches where all teams play a series of matches against other teams in the competition.
- **“Spectator”** - a person who attends a football activity.
- **“Sub-committee”** means a committee instigated by the Board for a specific purpose.
- **“Tournament”** – any series of “knock-out” matches between football clubs including tournaments played during the winter season or pre-season.
- **“Winter season”** – First Saturday in April to last Sunday in August

3. ADMISSION TO MEMBERSHIP

Affiliation

- 3.1 Any football club wishing to enter into competitions or tournaments conducted by NSFA shall apply for affiliation in writing to the CEO using the affiliation forms prescribed by the Board: [BOD 03/19](#)
- (a) On an annual basis; and,
 - (b) On such terms and conditions as the Board may determine.

ASSOCIATION REGULATIONS

- 3.2** Acceptance in any one year shall not constitute a right or privilege of affiliation in any subsequent year. The Board may determine whether to accept or reject an application for re-affiliation at its discretion.
- 3.3** The application shall contain a provision for a signed declaration stating that the football club and each of its participants:
- (a) Acknowledges that this affiliation operates from March 1st of the current year until the last day of February of the following year;
 - (b) Agrees to be bound by and comply with the Association Constitution and Association Regulations, Competition Regulations, Direction of the Board or the CEO and any alteration, revocation or addition to any of the above made from time to time;
 - (c) Agrees to be bound by the Constitution and Statutes, Regulations and policies of Football Federation Australia and Football NSW and any alteration, revocation or addition to any of the above made from time to time;
 - (d) Agrees to be bound by and comply with any agreement between FFA, Football NSW or NSFA and their respective sponsors or with any other person made for the benefit of FFA, Football NSW, NSFA or in the general interests of the game;
 - (e) Acknowledges that where there is any inconsistency between the Constitution, Association Regulations and Competition Regulations of NSFA and Constitution and By-Laws and/or Regulations of the affiliated Club, then to the extent of such inconsistency, the Constitution, Association Regulations and Competition Regulations of NSFA shall apply;
 - (f) Warrants that each of its participants prior to registration has read and understood the NSFA Constitution, Association Regulations, Competition Regulations, policies, directions of the Board and/or the CEO referred to in clause 3.3 and has agreed in writing to be bound by and submit to the jurisdiction of the NSFA and the affiliated club;
 - (g) Undertakes to ensure that any debts incurred to this Association will be paid in full under the terms of the Constitution, Association Regulations and Competition Regulations.
- 3.4** The NSFA and each Member, Participant or Football Club submits exclusively to the jurisdiction of any tribunal established pursuant to these Association Regulations to determine any complaint/dispute that arises between the NSFA, Member, Participant or Football Club or a combination of any of them and will not commence or pursue any proceedings in a Court of Law until such time as the Internal Resolution Process of the complaint/dispute has been exhausted.
- 3.5** Each affiliated club shall annually provide to the CEO, no later than the date advised by NSFA, the following:
- (a) The Affiliation Form provided being fully completed, which includes a list of the names and addresses of all its office-bearers including two delegates for general meetings of the association;
 - (b) A colour photograph of the club's full colours for both the main strip and alternate strip. Clubs are only permitted one main strip and one alternate strip. The alternate strip is for use where a clash of colours is evident and the home team will wear the approved alternate strip;
 - (c) A copy of the club's Certificate of Incorporation;

ASSOCIATION REGULATIONS

- (d) A signed copy of the most recent Department of Fair Trading Return Form A12;
- (e) A signed copy of the club's most recent financial statements and Annual Report;
- (f) A signed copy of the club's audit report if required by the Associations Incorporation Act 2009;
- (g) A signed copy of the NSFA Club Financial Report as per Appendix A;
- (h) Any other document deemed necessary by NSFA;
- (i) All affiliated clubs must have attained at least a Level 1 accreditation under the FFA National Club Accreditation Scheme;
- (j) Affiliated clubs must ensure that they renew their Level 1 accreditation status when required to do so by FFA.

The Board may disaffiliate any club that fails to provide the documents above.

- 3.6** If after the date of acceptance as an affiliated club, such affiliated club wishes to make a material change to its constitution, shareholding, or membership it shall advise NSFA in writing. The Board may decide whether such change causes that club to become a new entity for the purposes of affiliation, and the Board may as a result require that club to re-apply for affiliation.

Life Members

- 3.7** The Board may endorse a nomination for Life Membership using the following scoring system. As a guideline, the nominee should score a minimum of 500 points:
- (a) Service on Association Board – 100 points per year of service;
 - (b) Service on Association sub-committees – 25 points per year of service;
 - (c) Service as club President and/or Secretary – 20 points per year of service;
 - (d) Service on club committee other than in (c) – 10 points per year of service.

4. FEES

- 4.1** Upon acceptance of a club's affiliation, the club shall pay all prescribed fees within twenty-one (21) days from the date of the invoice. The CEO/Treasurer may grant an extension of time for payment of the prescribed fees. BOD 03/19
- 4.2** If an affiliated club fails to pay all prescribed fees in full within thirty-five (35) days from the date of the invoice, NSFA will charge the club a fee of \$50 per invoice. BOD 03/19
- 4.3** If an affiliated club fails to pay all prescribed fees in full within forty-five (45) days from the date of the invoice, NSFA will charge the club interest on any outstanding amount in accordance with **clause 15.1**. BOD 03/19
- 4.4** If an affiliated club fails to pay all prescribed fees in full within sixty (60) days from the date of the invoice, the Board shall declare that the affiliated club is in "Financial Default", and as such shall be subject to the conditions outlined in **Section 15**. BOD 03/19
- 4.5** If any other debtor fails to pay an invoice within sixty (60) days of the date of the invoice, the Board will refer the outstanding debt to a licensed Debt Collection agency. BOD 03/19
- 4.6** Affiliation and registration fees shall be determined each year by the Board. BOD 03/19

ASSOCIATION REGULATIONS

5. BOARD OF DIRECTORS

Powers and Functions of the Board

- 5.1** In addition to the powers vested by the Constitution, the Board has the power to determine:
- (a) Admission or rejection of applications by persons for registration as players.
 - (b) Fining, suspending or otherwise disciplining a member, team, player, official or supporter for misconduct or failure to comply with the rules of the Association or its Association Regulations.
 - (c) The control and management of all competitions and matches conducted by the Association.
 - (d) The power to order any player, official, supporter or member to appear before the Board or P.D & D.C to answer any charge of conduct that is considered prejudicial to the game and or the Association.
 - (e) To alter, veto or set aside any sub-committee decisions.
 - (f) To award or deduct points at its discretion.

6. REGULATIONS

- 6.1** The Board shall make such Regulations, Standing Orders and Playing Conditions, as it deems necessary in respect of any matter arising from or incidental to the implementation of these Association Regulations.
- 6.2** Regulations, Standing Orders and Playing Conditions made pursuant to section 6.1 above come into effect on the date determined by the Board.
- 6.3** The power to make Regulations, Standing Orders and Playing Conditions includes the power to amend, delete or add to Regulations, Standing Orders and Playing Conditions made.

7. SUB-COMMITTEES

- 7.1** The Board may establish such sub-committees as it may from time to time determine and designate to each of them their respective functions and powers.
- 7.2** The Board shall appoint the Chairman and committee's members.
- 7.3** All sub-committees shall report directly to the CEO.

8. COMPETITION COMMITTEES

- 8.1** The Board may establish one or more football committees at their discretion to manage competitions in conjunction with the NSFA office staff.
- 8.2** The Board shall appoint a chair to each committee and then each chair shall appoint the members of the committee. The Directors may, at their discretion veto any member appointed to any committee.

ASSOCIATION REGULATIONS

- 8.3** All competition committees so established shall report directly to the CEO unless otherwise specified in the Terms of Reference for that particular committee.

9. PROTESTS, DISPUTES & DISCIPLINARY COMMITTEE

- 9.1** The Board shall establish the Protests, Disputes & Disciplinary Committee (P.D. & D.C) which shall investigate & determine if:
- (a) Any offence on the field of play in accordance with the Schedule of Offences listed in the relevant NSFA Competition Regulations;
 - (b) Any reports or complaints of misconduct by players, coaches, managers, club officials or spectators;
 - (c) Any protests by affiliated clubs against a decision of an NSFA sub-committee or competition committee;
 - (d) Any matter referred by the Directors, CEO or Member Protection Information Officer (MPIO).
- 9.2** The Board shall appoint a Chair. The Chair shall then appoint five (5) suitable persons to the Committee who are independent and at arm's length of any party involved before the Committee. No fewer than three (3) members of the committee, in addition to the Chair, must sit on any hearing before the Committee.
- 9.3** The P.D. & D.C. shall report directly to the CEO.

10. APPEALS

Appeal Tribunals

- 10.1** The Board shall establish an Appeal Tribunal to determine appeals from a Determination at First Instance.
- 10.2** The Board shall appoint a panel of persons to sit on the Appeal Tribunal.
- 10.3** There shall be no less than three (3) persons sitting on any Appeal Tribunal.
- 10.4** No person on the Appeal Tribunal may hear any appeal if that person was involved in the Determination at First Instance.
- 10.5** Persons on the Appeal Tribunal shall be independent of the parties to the appeal and must not hold any position with a party to the appeal whether honorary or otherwise.
- 10.6** The Appeal Tribunal may make such determination as available to it pursuant to the Regulations.

11. CONDUCT

Insolvent Conduct

- 11.1** Where any Member or Football Club suffers an Insolvency Event, the CEO shall refer the matter to the Board, which may:

ASSOCIATION REGULATIONS

If a Football Club and the Insolvency Event occurs at any time during the playing season:

- (a) Deduct points it has accumulated in the competition in which it participated; or
- (b) Where the Insolvency Event occurs during the pre-season, deduct points from the Competition following the pre-season such that it starts that Competition on minus the number of points deducted.

Discontinue the Member or Football Club from membership of NSFA or any of its competitions and tournaments.

11.2 A member or football club may appeal against the Board's decision. The CEO shall refer the appeal to the Appeals Tribunal.

11.3 Prior to the Appeal Tribunal hearing the appeal, it shall appoint an independent Chartered Accountant to review the Member or Football Club's activities and prepare an independent report into the circumstances surrounding and leading up to the insolvency event and to its general future financial viability.

- (a) The independent report shall be made available to the Member or Football Club, the Appeal Tribunal hearing the appeal, and the Directors.
- (b) The Member or Football Club shall pay the Cost of the independent report.
- (c) The Tribunal shall not hear the appeal until it is in receipt of the independent report and evidence of payment by the Member or Football Club of the independent report.

Misconduct

11.4 All members, football Clubs, Participants and spectators are governed by the Football Federation Australia National Code of Conduct and the provisions of that Code shall govern the carriage of any charge in relation to misconduct.

12. COMPETITIONS

Admission and Suspension

12.1 The CEO shall conduct such Competitions as the Directors may from time to time determine.

12.2 The administrative control and conduct of competitions vests in the CEO subject to any resolution by the Directors to the contrary.

12.3 The Board may upon reasonable grounds and on terms and conditions as in its absolute discretion determines, admit, suspend, promote, relegate, expel or accept the withdrawal of any Football Club from a competition.

12.4 The Board may admit a Football Club from other associations to participate in NSFA Competitions.

12.5 The Board shall determine the playing season of a competition from time to time.

Eligibility and Application for Admission

ASSOCIATION REGULATIONS

- 12.6** The Board, which shall set admission criteria, shall determine eligibility for admission to a competition.
- 12.7** Application for admission shall be made to the CEO by written application.
- 12.8** A Football Club shall in any application for admission to a competition warrant that at all times it will comply with criteria for admission to the competition, including the Competition Regulations and these Association Regulations.

Exemption from Compliance

- 12.9** Any application for exemption or time for compliance with the criteria or part thereof must be made at the time of application for admission.
- 12.10** The Board may approve any application for exemption or time to comply with criteria subject to such terms and conditions as the Directors may determine (“Conditional Admission”).
- 12.11** A Football Club which does not comply with Conditional Admission or part may be expelled from competition by resolution of the Board if no later than fourteen (14) days prior to the commencement of the Competition it has failed to comply in all respects with the conditional admission.

Expulsion

- 12.12** A resolution by the Board to expel a Football Club from Competitions may also include a resolution for expulsion from Membership of NSFA.

13. BANK AUTHORITY

- 13.1** All electronic payments made by the Association shall be authorised by any two (2) Directors or any one (1) Director and the CEO, and in accordance with the Board-Approved Delegations of Authority. BOD 03/19
- 13.2** All cheques issued by the Association shall be signed by any two (2) Directors or any one (1) Director and the CEO, and in accordance with the Board-Approved Delegations of Authority. BOD 03/19

14. FINANCIAL RECORDS

- 14.1** Each Member and Football Club shall keep accounting records to record the fact and nature of all payments and receipts in a manner as to disclose with reasonable accuracy at any time its financial position including assets and liabilities.
- 14.2** Each Member and Football Club is to make available at the request of the CEO all annual financial statements prepared in accordance with State and Commonwealth Legislation as relate to incorporated associations.
- 14.3** Any material errors or omissions in the accounting records or financial statements of a Member must be reported to NSFA where accounting records and annual returns have already been lodged.

ASSOCIATION REGULATIONS

15. FINANCIAL DEFAULT

15.1 Where the Member that is in Financial Default is a Football Club and without prejudice to any other right, power or remedies of NSFA, the Member shall pay interest on monies due under the Financial Default at a rate equivalent to the prevailing National Australia Bank (NAB) Business lending rate plus 200 basis points. BOD 03/19

15.2 In addition to interest, rights, powers and remedies referred to in **clause 15.1** the Board shall:

- (a) Withhold any points earned from matches in which the Member's teams participate until the Financial Default is rectified; and BOD 03/19
- (b) Not reinstate any points lost during the period that the Member is in Financial Default; and BOD 03/19
- (c) Prohibit the Member's teams from participating in semi-final or final play-off series; and BOD 03/19
- (d) Withhold any trophies or other prizes earned by the Member until the Financial Default is rectified; and BOD 03/19
- (e) Suspend the Member's voting rights until the Financial Default is rectified.
BOD 03/19

15.3 Where the Member that is in Financial Default is not a Football Club the Board shall impose such other sanctions as the Board may determine including suspension as a Member. BOD 03/19