



**NORTHERN
SUBURBS
FOOTBALL**
EST. 1957

**NORTHERN SUBURBS FOOTBALL
ASSOCIATION LTD.**

REGULATIONS

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REGULATIONS

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REGULATIONS

1. COMMENCEMENT AND APPLICATION

- 1.1 These 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 Limited (NSFA Ltd.) pursuant to its Constitution. BOD 10/19

2. DEFINITIONS

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

- **Appellant** - the party appealing a Determination at First Instance.
- **Association** – NSFA Ltd. BOD 10/19
- **Board** - the elected Board of Directors of NSFA Ltd. BOD 10/19
- **CEO** - the Chief Executive Officer of NSFA Ltd. BOD 10/19
- **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, Regulations, Competition Regulations or a grievance relating to a football activity. BOD 10/19
- **Constitution** - where the context permits the Constitution of NSFA Ltd. or of an affiliated football club. BOD 10/19
- **Costs** – fees and expenses of any nature incurred in proceedings.
- **Determination at First Instance** - the final determination of proceedings before a tribunal established by NSFA Ltd. or affiliated member other than an appeal under **clause 11** of these Association Regulations. BOD 10/19
- **Document** - any written material in whatever form produced.
- **FFA** – Football Federation Australia
- **Financial Default** - the non-payment by a member of any monies due and payable to NSFA Ltd. or an affiliated member after the date when such monies were due and payable. BOD 10/19
- **Football Club** - an entity formed for playing football in competitions and tournaments conducted by NSFA Ltd. BOD 10/19
- **Game** - the activity of football (also known as soccer) and Futsal.
- **Ground** - the venue at which matches are played. BOD 10/19
- **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 Notice. BOD 10/19
- **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 (Cth.);
 - (f) Had any proceeding or step taken in any jurisdiction made which has a substantially similar effect to any of the above.
- **Match** – football contest played between football teams whether as a competition, tournament, trial or friendly. BOD 10/19
- **Knock-out** – each team in a tournament plays one match at a time until defeated.

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- **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 Ltd. or an affiliated member. BOD 10/19
- **Member** – a football club affiliated to NSFA Ltd. or an individual or entity admitted as a member under the Constitution of NSFA Ltd. BOD 10/19
- **Member Protection and Information Officer (MPIO)** – person appointed to protect the welfare of participants in all activities conducted by NSFA Ltd. and its member clubs. BOD 10/19
- **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 Ltd. or an affiliated member of the association; BOD 10/19
 - (b) A Life Member.
- **Participant** – players, coaches, team managers, office holders, and 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 and/or tournaments. BOD 10/19
- **Pre-season** - the period of the year outside the winter season.
- **Proceedings** means any hearing to determine any matter pursuant to these Regulations or the grievance procedure of Football Federation Australia, Football NSW or a Court of Law. BOD 10/19
- **P.D & D.C.** - Protests, Disputes & Disciplinary Committee. BOD 10/19
- **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 competitions or tournaments conducted by NSFA Ltd. shall apply for affiliation in writing to the CEO using the affiliation forms prescribed by the Board: BOD 10/19
- (a) On an annual basis;
 - (b) On such terms and conditions as the Board may determine.
- 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.

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- 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 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; **BOD 10/19**
 - (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 Ltd. and their respective sponsors or with any other person made for the benefit of FFA, Football NSW, NSFA Ltd. Or in the general interests of the game; **BOD 10/19**
 - (e) Acknowledges that where there is any inconsistency between the Constitution and Regulations and Competition Regulations of NSFA Ltd. and Constitution and By-Laws and/or Regulations of the affiliated club, then to the extent of such inconsistency, the Constitution, Regulations and Competition Regulations of NSFA Ltd. shall apply; **BOD 10/19**
 - (f) Warrants that each of its participants prior to registration have read and understood the Association Constitution and 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 NSFA Ltd. and the affiliated club. **BOD 10/19**
 - (g) Undertakes to ensure that any debts incurred to the Association will be paid in full under the terms of the Constitution and Regulations and Competition Regulations.
- 3.4** NSFA Ltd. and each Member, Participant or Football Club submits exclusively to the jurisdiction of any tribunal established pursuant to these Regulations to determine any complaint/dispute that arises between NSFA Ltd., a Member, Participant or Football Club or any combination of these 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. **BOD 10/19**
- 3.5** Each affiliated club shall annually provide to the CEO, no later than the date advised by NSFA Ltd., the following:
- (a) The NSFA Ltd. Affiliation Form being fully completed, including a list of the names and contact details of all its office-bearers and Member Protection and Information Officer (MPIO). **BOD 10/19**
 - (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 shall wear the approved alternate strip; **BOD 10/19**
 - (c) A copy of the club's Certificate of Incorporation;
 - (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;

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- (f) A signed copy of the club's audit report if required by the Corporations Act 2001 (Cth.)
- (g) A signed copy of the NSFA Ltd. Club Financial Report; BOD 10/19
- (h) Any other document deemed necessary by NSFA Ltd; BOD 10/19

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 Ltd. 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. BOD 10/19

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. Either the CEO or Treasurer may grant an extension of time for payment of the prescribed fees. BOD 10/19
- 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 Ltd. will charge the club a fee of \$50 per invoice. BOD 10/19
- 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 Ltd. will charge the club interest on any outstanding amount in accordance with **clause 15.1**. BOD 10/19
- 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 **clause 15**.
- 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.
- 4.6** Affiliation and registration fees shall be determined each year by the Board.

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 and/or officials; BOD 10/19
 - (b) Fining, suspending or otherwise disciplining a member, team, player registered official or spectator for misconduct or failure to comply with rules of the Association or its Regulations; BOD 10/19
 - (c) The control and management of all competitions, tournaments and other matches conducted by the Association; BOD 10/19

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- (d) To order any player, registered official, spectator 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. BOD 10/19

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 Regulations. BOD 10/19
- 6.2 Regulations, Standing Orders and Playing Conditions made pursuant to **clause 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 members of a sub-committee.
- 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 its discretion to manage competitions in conjunction with the office staff of NSFA Ltd. BOD 10/19
- 8.2 The Board shall appoint a chair to each committee and then each chair shall appoint the members of the committee. The Board may, at its discretion veto any member appointed to any football committee.
- 8.3 All competition committees so established shall report directly to the CEO unless otherwise specified in the Terms of Reference for that committee.

9. PROTESTS, DISPUTES & DISCIPLINARY COMMITTEE (P.D. & D.C.)

- 9.1 The Board shall establish the P.D. & D.C which shall investigate: BOD 10/19
 - (a) Any offence on the field of play in accordance with the Schedule of Offences listed in the relevant NSFA Ltd. Competition Regulations. BOD 10/19
 - (b) Any reports or complaints of misconduct by players, registered coaches, managers and club officials and spectators: BOD 10/19
 - (c) Any protests by affiliated clubs against a decision of an NSFA Ltd. sub-committee; BOD 10/19
 - (d) Any matter referred by the Board, CEO or Member Protection Information Officer (MPIO). BOD 10/19

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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:

- (a) Discontinue the Member or Football Club from membership of NSFA Ltd. or any of its competitions and/or tournaments; or **BOD 10/19**
- (b) If a Football Club and the Insolvency Event occurs at any time during the playing season, deduct points its teams have accumulated in the competitions in which it has participated; or **BOD 10/19**
- (c) If a Football Club and the Insolvency Event occurs during the pre-season, deduct points from the competitions it is participating in following the pre-season such that it starts those competitions on minus the number of points deducted. **BOD 10/19**

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, the CEO 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.
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The independent report shall be made available to the Member or Football Club, the Appeals Tribunal hearing the appeal, and the Board. BOD 10/19

The Member or Football Club shall pay the Cost of the independent report.

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 the Code shall govern the carriage of any charge in relation to misconduct.

12. COMPETITIONS AND TOURNAMENTS BOD 10/19

Admission and Suspension

- 12.1 The CEO shall conduct such competitions and tournaments as the Board may from time to time determine. BOD 10/19
- 12.2 The administrative control and conduct of competitions and tournaments vests in the CEO subject to any resolution by the Board to the contrary. BOD 10/19
- 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 or tournament. BOD 10/19
- 12.4 The Board may admit a Football Club from other associations to participate in NSFA Ltd. competitions or tournaments. BOD 10/19
- 12.5 The Board shall determine the playing season of a competition or tournament from time to time. BOD 10/19

Eligibility and Application for Admission

- 12.6 The Board, which shall set admission criteria, shall determine eligibility for admission to a competition or tournament. BOD 10/19
- 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 or tournament, warrant that it will always comply with criteria for admission to the relevant competition or tournament, including these Regulations and the relevant Competition Regulations. BOD 10/19

Exemption from Compliance

- 12.9 Any application for exemption or extension of time to comply with the criteria or part thereof must be made at the time of application for admission. BOD 10/19

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- 12.10** The Board may approve any application for exemption or extended time to comply with criteria subject to such terms and conditions as the Directors may determine (“Conditional Admission”). BOD 10/19
- 12.11** A Football Club which does not comply with Conditional Admission or part may be expelled from a competition or tournament 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. BOD 10/19

Expulsion

- 12.12** A resolution by the Board to expel a Football Club from competitions and tournaments may also include a resolution for expulsion from membership of NSFA Ltd. BOD 10/19

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.
- 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.

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 Ltd. where accounting records and annual returns have already been lodged. BOD 10/19

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 Ltd., 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 10/19
- 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

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

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.

Northern Suburbs Football Association
4 Bridge Street Pymble, NSW, 2073
Phone: 02 94494933