



**Penicuik Athletic Football Club  
Penicuik Park  
Carlops Road  
Penicuik**

# **Constitution**

## CONSTITUTION

- 1 The name of the Club shall be Penicuik Athletic Football Club.
- 2 The Club is an unincorporated body with no fixed or heritable assets.
- 3 The aims of the Club are to play football at the highest level possible and to encourage the development of football at all levels in the Penicuik area, and to provide the best possible facilities to allow the whole community to support their local football club without barriers.
- 4 The Club shall be a member of the Scottish Football Association and the appropriate League bodies through the pyramid structure. Penicuik Athletic shall adhere to the constitutions and rules of these bodies.
- 5 The affairs of the Club will be run by a Committee consisting of a President, Vice President, a Secretary, a Treasurer ("The Office-bearers"). The minimum number of committee members is eight including Office-bearers and the maximum number is twenty, including Office-bearers.
- 6 The Annual General Meeting shall be held not later than the last day in June each year. At least 4 weeks' notice of the date and venue of the Annual General Meeting shall be given.
- 7 The President shall act as Chairperson at all full meetings of the Club including the Annual General Meeting. In his/her absence, the next senior Office-bearer shall act as Chairperson, i.e. Vice President, Secretary then Treasurer. This does not relate to working parties.
- 8 The Office-bearers will be elected at an Annual General Meeting, by means of a proposer and seconder. Each Office-bearer can stand for re-election if willing to continue in office and provided a proposer and seconder can be found. The President and the Vice President will serve a term of three years before they are eligible for re-election. Nominations will only be allowed in writing to the Secretary within a prior period of twenty-one days of the date of the Annual General Meeting. Office bearers must have served on the general committee for at least a year immediately prior to nomination.
- 9 Committee Members, unless they have indicated in writing that they wish to resign, may be re-elected at each Annual General Meeting, by means of a proposer and seconder. Any person willing to stand for election to the Committee at the AGM must be proposed and seconded in writing to the Secretary within a period of 21 days of the date of the AGM. At any other time, additional Committee Members may be appointed, provided a majority of the existing Committee Members agree to the appointment.
- 10 Existing Office-bearers and Committee Members may be dismissed from the Committee if a majority of the Committee, other than the person in question, consider that

he/she has brought the name of the Club into disrepute or is not carrying out his/her duties to a satisfactory standard.

11 All business of the Club shall be discussed at a monthly meeting of the Committee, the dates to be mutually agreed. At all meetings each Committee Member shall have one vote. If a tie ensues on any proposal/amendment the Chairperson in addition to his/her right to vote, shall have a casting vote. All matters discussed at meetings and resolutions passed shall be properly minuted.

12 In addition to monthly meetings, additional meetings may be convened on the instructions of the President, after discussion with the Office Bearers, if he/she considers a matter is of such importance as to warrant an additional meeting. Any committee member may request through the President to call an additional meeting if he/she considers a matter of such importance as to warrant an additional meeting.

13 The committee may decide to set up Working Parties to concentrate on specific issues such as fund raising and there must be at least one Office-bearer in each Working Party. These working parties are authorised to make proposals and the senior Office-bearer must give a full account of the proposal at the next meeting of the committee. At working party meetings, the senior Office-bearer will have a casting vote on the wording of the proposal.

14 A quorum of five, including at least two Office-bearers is required to constitute a meeting, except working parties looking at specific issues.

15 The Club as agreed by the full committee shall be empowered to borrow funds for any purpose that progresses the aims of the Club as set out at 3 above. Liability for such borrowing falls equally on all current members of the Committee at the date of taking this decision

16 The Club shall be empowered to enter into partnership or joint ventures with any other organisation whose aims are considered to be in harmony with the Club's. The Club shall also be empowered to be a Trustee of any Trust whose aims are considered to be beneficial to the Club.

17 The Committee shall have the power to institute legal action or other proceedings in the name of the Club.

18 The Treasurer shall keep proper books and records of all financial transactions and arrange for these to be audited each year by Accountants. At each monthly meeting, he/she shall present a financial report and at Annual General Meetings he/she shall present a statement of annual income and expenditure for the year in question.

19 Any Office-bearer or Committee member may inspect the Club books at any time, subject to the request not infringing on personal information held under the Data Protection Act or Personal Information Act. All monies received by the Club, other than small sums

required for petty cash, shall be lodged in the Club's bank accounts, which bank the committee decides. All cheques must be signed by at least one Office-bearer and one other approved signatory. All payments for sums in excess of £5 in the Club's books must be vouched by means of a paid cheque or receipt.

20 All matters regarding recruitment of players, training, team selection and team discipline shall be the responsibility of the Manager who shall be appointed by and answerable to the Committee. All financial arrangements regarding the signing of players or the transfer of players must be approved by the Committee. No member of the Committee shall have any say in matters of team selection, training methods etc.

21 If any Office-bearer or member of the Committee considers that the Manager is not performing any of his/her duties to a satisfactory standard, this must be raised at a meeting of the Committee, not directly with the Manager. However, if a situation arises which is deemed to be of sufficient importance to warrant immediate action, this can be raised immediately with the Manager by two Office-bearers after discussion with the Committee members present, without the need to convene a meeting. The Committee shall decide on any action to be taken, including dismissal of the Manager, if appropriate.

22 If any player has any grievance to take up with the committee, this must be done via the Manager.

23 The Manager may be called to attend a committee meeting at the Committee's request.

24 Ad Hoc meetings of the Committee can be arranged on training nights in order that the Manager has the opportunity to raise matters with the committee and vice versa. All matters discussed shall be considered part of the meeting and minuted accordingly. The Manager shall be entitled to receive a copy of the relevant section of the minutes, on request.

25 If upon the winding up or dissolution of the Club there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall be given or transferred to some other organisation or body to be determined by a vote by the Committee Members at or before the time of dissolution, and if and so far as effect cannot be given to such provision then to some charitable organisation, again to be decided by a vote by these same parties.

26 None of the foregoing shall be altered except at a specially convened meeting, and then only on the condition that the proposed alteration receives the support of a majority of those present and voting at the said meeting. Notice of any proposal to amend this Constitution must be in writing and delivered to the Secretary at least 21 days before the date of the meeting.

**Constitution adopted at Committee Meeting 19th November, 2018**

**Signed**

**President**

**John Fraser**

**Vice President**

**Jim Dick**

**Secretary**

**Neil Gordon**

**Treasurer**

**John MacBean**