



BY-LAW 12 - CLUB COMPLIANCE POLICY

POLICY OBJECTIVE

To pursue the objects set out in the FFV Constitution of governing, administering and regulating football throughout Victoria, by ensuring all entities participating or intending to participate in FFV competitions or programs satisfy or comply with:

- the definition of a 'Club' as provided for under the FFV Constitution, particularly in respect of voting rights of club members;
- FFV's Rules and Regulations; and
- Club Accreditation and Re-accreditation requirements and processes.

COMPLIANCE REQUIREMENTS

Definitions

A '**Club**' is defined in the FFV Constitution as:

'(a) a body corporate or incorporated association recognised by the Association and having the following characteristics:

- (i) it organises teams to participate in competitions sanctioned by the Association or FFA;*
- (ii) all members of its teams are entitled to club membership;*
- (iii) Club members (or their parent or guardian) may vote in an election for any club officeholders;*
- (iv) agrees to be bound by the Statutes and Regulations and those of the By-laws expressed to apply to or in relation to Clubs; or*

(b) any legal entity deemed to be a Club by the Association.'

A '**Compliant Club**' for the purposes of this By-Law is an entity which has satisfied FFV, in FFV's sole discretion that it:

- (a) is a Club;
- (b) complies with FFV's Rules and Regulations; and
- (c) has met and continues to meet FFV's Club Accreditation and Re-accreditation processes, as these vary from time to time, including but not limited to constitutional and annual statement compliance requirements.

Compliance Processes

1. Unless otherwise determined in FFV's sole discretion, only Compliant Clubs are entitled to participate in FFV competitions and programs.
2. Notification will be sent to all Victorian Clubs (or entities) alerting them to this By-Law and their obligations under this By-Law (including information regarding Club Accreditation and Re-accreditation processes).
3. FFV will determine, in its sole discretion, whether a Club (or entity) which applies for or has been granted approval to participate in FFV competitions or programs is and continues to be a Compliant Club.
4. FFV may at any time require a club (or entity) to demonstrate that it is (or shortly will be) a Compliant Club and whether it should be permitted to continue, or start to participate in FFV competitions and programs.
5. FFV may require a Club (or other entity) to provide information regarding compliance with the procedures contained in this By-law and the Club (or entity) shall submit responses to the FFV within the stated time frame, including but not limited to the following:
 - a. the Club or entity's constitution, by-laws, regulations or other governance documents and certificates or other information from the relevant regulator, Council or other authority;
 - b. evidence that it is a registered body corporate or incorporated association (or if another entity – evidence of this entity);
 - c. the latest financial returns including profit and loss statement and balance sheet documentation submitted to the relevant regulator.
 - d. evidence that **all** members of its teams are entitled to club membership (evidence can include Constitution, AGM Minutes, agendas, notices etc);
 - e. evidence that **all** the entity's playing members (or their parent or guardians) can vote in an election for club officeholders (evidence can include Constitution, AGM Minutes, agendas, notices etc); and
 - f. any other requirements stipulated by the FFV or any other evidence that the entity may consider supports its status as a Compliant Club.
6. FFV shall be entitled to seek additional information from the Club at any time and may make further independent enquiries of relevant authorities, committee members, Club members and other associated persons or entities. FFV shall consider the information provided and otherwise obtained to determine whether an entity is a Compliant Club and if the entity is able to participate in FFV competitions and programs.
7. FFV may impose a time frame by which an entity must demonstrate it is a Compliant Club. If FFV considers the entity is not, or will not, by that time frame, be a Compliant Club, FFV may do any or all of the following in its discretion:
 - a. suspend the entity from FFV competitions or programs for any period of time or until it can satisfy the FFV it is a Compliant Club;
 - b. suspend the club or entity from accrual of championship points until it is a Compliant Club;

- c. suspend part of the entity from FFV competitions or programs for a period of time (for example the entity may be permitted to participate in FFV's Small-Sided Football to demonstrate its ongoing intent to achieve Compliant Club status);
- d. exercise its discretion to allow the entity to participate in FFV competitions or programs, subject to provision of appropriate undertakings regarding future compliance;
- e. undertake such other action or impose or require compliance with such other penalties or procedures as FFV is entitled to take or do under FFV's Constitution, Rules and Regulations.

Effective Date

This By-law is effective from 8 December 2011.