

CLUB COMPLIANCE BY-LAW

8 February 2022

BY-LAW OBJECTIVE

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

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

COMPLIANCE REQUIREMENTS

Definitions

Club is defined in the FV Constitution as:

- 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 FA;
 - 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 FV, in FV's sole discretion that it:

- a) is a Club;
- b) complies with FV's Rules, Regulations and policies; and
- c) has met and continues to meet FV'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 FV's sole discretion, only Compliant Clubs are entitled to participate in FV competitions and programs.
2. Notification will be sent to all Clubs (and such other entities as FV considers necessary) alerting them to this By-Law and their obligations under this By-Law (including information regarding Club Accreditation and Reaccreditation processes.)
3. FV will determine, in its sole discretion, whether a Club (or entity) which applies for or has been granted approval to participate in FV competitions or programs is and continues to be a Compliant Club.
4. FV 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 FV competitions and programs.
5. FV 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 FV 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 FV or any other evidence that the entity may consider supports its status as a Compliant Club.
6. FV is 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. FV 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 FV competitions and programs.

7. FV may impose a time frame by which an entity must demonstrate it is a Compliant Club. If FV considers the entity is not, or will not, by that time frame, be a Compliant Club, FV may do any or all of the following in its discretion:
 - a) suspend the entity from FV competitions or programs for any period of time or until it can satisfy the FV 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 FV competitions or programs for a period of time (for example the entity may be permitted to participate in FV'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 FV 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 FV is entitled to take or do under FV's Constitution, Rules and Regulations.
8. All entities who wish to participate in FV sanctioned activities must comply all Victorian government and FV directives, policies and protocols including the COVID-19 Return to Training/Play Conditions and COVID-19 Rules – Impacted NPL Competitions as published on the FV website and updated from time to time.