



Hamilton Croatia S.C. (since 1957)

Constitution

<u>Policy Type</u>	<u>Author</u>	<u>Approved By</u>	<u>Approval Date</u>
HR/Administrative	F. Ljubanovich	HCSC Board of Directors	March 1, 2022

Hamilton Croatia SC adopts and follows policies per Ontario Soccer standards and guidelines from the Hamilton and District Soccer Association. HCSC also implements the following policies to assist in the fairness and equitable application of rules in the organization.



Hamilton Croatia S.C. Constitution



Table of Contents

Sec. 1: Name and Affiliation	3
Sec. 2: Club Mission	3
Sec. 3: Membership	4
Sec. 4: Election of the Executive Committee (EC)	5 to 7
Sec. 5: Financial Business of the Club	8
Sec. 6: Termination of the Club	8



Hamilton Croatia S.C. Constitution



Section 1: Name and Affiliations

- a) "Hamilton Croatia Soccer Club" herein will be referred to as the Club.
- b) The Club shall be affiliated with Ontario Soccer (herein referred to as OS) through the Hamilton and District Soccer Association (herein referred to as H&DSA).
- c) The Club will conform to the Constitution and By-Laws of OS unless otherwise amended at the Annual General Meeting (herein referred to as AGM).
- d) The Club shall be incorporated under the Provincial Charter.

Section 2: Club Mission

The Hamilton Croatia SC mission is to promote and strengthen the Croatian heritage in Canada through sport. The Club aims to be a visible contributor in promoting multiculturalism in Canada while also strengthening the relationship between Canada and the Republic of Croatia.

Furthermore, Hamilton Croatia SC is committed to the sport of soccer in the City of Hamilton and will provide a safe and healthy environment that fosters the growth of players, coaches and officials to achieve their optimum goals while promoting the values and ethics of true sportsmanship, skill development, training and encouragement.



Hamilton Croatia S.C. Constitution



Section 3: Membership

Any individual can become a member of the Club if they are interested in contributing to the purpose of the Club's existence (Section 2). All members must respect and abide by the Constitution and other rules of the Club.

Types of Members:

- i. General Members – members who pay an annual membership fee and reap all the benefits of Club membership.
- ii. Honorary Members – deserving individuals can be nominated and voted in at the AGM; honorary members do not have to pay an annual membership.
- iii. Player Members – “A team” players are all members of the club and they do not have to pay an annual membership fee.

Membership Fees

All members must pay their annual fees except for the ones that are granted exceptions. Membership Fees are to be paid annually based on amounts that can only be set and adjusted at the AGM. Any individual who is a member for 3 months or longer can attend the AGM. Members who do not pay membership fees (i.e., Honorary Members & Player Members) have no right of vote nor can they be eligible for the Executive Committee. Only General Members in good standing and who were members for longer than 6 months can be eligible for the Executive Committee.

Suspension/Expulsion

Any member who fails to respect or abide by the rules of the Club can be proposed for expulsion by Executive Committee or by a single member. The proposal must be submitted to the Board in a written format. The Executive Committee then gives the Proposal to the Honorary Court which by unanimous decision issues a penalty. If a member is punished by the Court, the member has 30 days to appeal the decision by submitting a written request to the Executive Committee. Until the appeal is processed, that member has no right to continue or take on any work regarding the Club.



Hamilton Croatia S.C. Constitution



Section 4: Election of the Executive Committee (EC)

Election of the Executive Committee (EC) is done at each AGM. Members vote with a secret ballot (unless they agree to have a public vote) to choose the new EC. Election to the EC is valid if members are elected by 50% + 1 of the members who have the right to vote. Only members in good standing who pay an annual membership and who have been members for longer than 6 months are eligible to be nominated for the EC.

At the AGM, once all the reports have been read and accepted by the members, at the Supervisory Court's suggestion, the old EC will be released of their duties. Before the EC is released, they will suggest three (3) members lead the election of the new EC and those elections will proceed under the laws of the Club.

At the AGM, each position is put up for nominations. Nominations are made by eligible members and need to be supported by at least one more member to be accepted. All nominated individuals are asked if they accept their nomination, at which point these individuals must give a Yes or No answer (no reason for their answer is necessary).

The EC is comprised of the following positions:

- 1) President.
- 2) Vice-President.
- 3) Vice-President.
- 4) Secretary.
- 5) Assistant secretary.
- 6) Treasurer
- 7) Assistant Treasurer

Duties of the President

President is the highest position of the Club and presides over all meetings and calls as required. It is their responsibility to work in the best interest of the Club. The President has the highest authority and can the right to veto decisions of the Club. In case the president cannot perform his functions due to illness or other justifiable cause, the vice-president will take over his functions. The President can only be removed at an Emergency General Meeting.



Hamilton Croatia S.C. Constitution



Supervisory Committee

The Supervisory Committee (SC) consists of three members is a completely independent body from the Executive Committee. It is elected at the AGM same as the board. The SC must monitor that the rules of this constitution and other rules of the Club are being observed and carried out, especially all financial aspects of the Club. The SC can inspect the financial reports at any time, but at least once a year they must inspect them and submit a report that will be presented at the AGM to all members. At the AGM old Executive Committee will be released of their duties at the suggestion of the SC. If for any reason the President was unable to or refused to call the AGM, the SC would be expected to call the AGM after 2 weeks of inactivity. If for some important reason, 75% of members asked for an Emergency General Meeting, they would have to submit a formal written request to the SC who would be responsible for arranging the meeting within 30 days.

In the event where an EGM has been called, the SC will serve as a “Temporary Executive Committee” which is also a governing body of the Club until the new Executive Committee is elected and the Club situation is normalized. In case the new Executive Committee is not elected at such EGM, the SC must continuously call the same meetings until the new Executive Committee is elected.

The Honourary Court

The Honourary Court (HC) consists of three (3) members and is a body elected at AGM. Their duties are to solve any disputes between members, who can hinder the progress of the Club. Members of the HC are not members of the EC, therefore are not required to attend EC meetings and have no right to vote.

The HC receives the letter from Executive Committee that summarizes the dispute, and they proceed with hearings of all parties, without the presence of the Executive Committee. After the hearings (again without the presence of the plaintiff or the accused) and after at least 15 days from the last day of hearings, HC produces a decision in complete confidentiality. All three (3) members of the HC must present in writing to each other what their decision is and who the guilty party is. The verdict and punishment will only be discussed if all THREE members are unanimous in the decision. If at least one member of HC is of a different opinion, the accused is freed of all charges and punishment. A final decision must be presented by HC at the next membership meeting and all members are introduced to the case.



Hamilton Croatia S.C. Constitution



The Executive Committee is not authorized to attend the meetings of HC, nor any other member of other Committees and Departments. The Executive Committee cannot direct any of the members of HC on the decisions or make any kind of agreement. HC can provide verdicts to any individual member or Board itself if they are not respecting the laws of the Club. The severity of the sentence is decided in the utmost discretion, and it can be made up of:

- Warning.
- A Suspension (HC decides on the length).
- Monetary Reimbursement (in case of material damage, the same must be covered in full with a due date chosen by the HC).

Therefore, the HC judges the member(s) and not the Executive Committee. Members of the HC can only be replaced at the AGM. Board cannot choose the new member of HC.

Members involved in a dispute can be represented by another member (with fulfilled membership duties) and only one (1) per involved party. Decision(s) of the HC cannot be overruled by the Executive Committee or individual members. All decisions are warranted from the date they are made or until the first membership meeting when the convicted party can submit an appeal. Each such appeal must be submitted to the Board (who does not try and solve it) but only deliver to the HC, at least 15 days before the membership meeting. Appeals must be in written format. All verdicts and sentences must be delivered in written format to the accused, the Executive Committee, proper state authorities (if necessary) and one copy remains with HC for reference.

Each accused must abide by their sentence since it is warranted and lawful. Whoever misuses the decision and the verdict, will be prosecuted under the Provincial laws of this Country. Have in mind that this Club is a legal institution with all privileges under Canadian Laws-



Hamilton Croatia S.C. Constitution



Section 5: Financial Business of the Club

The Treasurer has the responsibility for diligently performing all the financial duties of the Club. The Assistant Treasurer will also be responsible for managing and recording the transactions of the Club, including certain banking and petty cash responsibilities. Only members of the EC can be designated as official signing authorities of the Club, and no other individuals may sign cheques written on the Club’s behalf.

The EC has the authority to approve any expenses less than \$5,000. All expenses above \$5,000 must be presented to the general membership and must be approved by a vote of greater than 50%. All funds of the Club must be deposited in the Club’s bank account(s) and always accounted for. Certain expenses may at times be paid for by cash but can only be under the direction and approval of the entire EC.

For any material embezzlement, the person responsible must be brought before the HC, and where appropriate, prosecuted under the Provincial Laws of Ontario.

Section 6: Termination of the Club

In the event the Club stops with its work for whatever reason, all Clubs assets must be given to a lawyer “IN TRUST” for a 5-year period. Once the 5 years have passed, the final Executive Committee will ensure that all assets of the Club are sold for appropriate value and the proceeds are donated to an honourable Croatian organization, to be determined at that time.

In case there is no defined Executive Committee at the time of the termination, a “Temporary or Last Executive Committee” must be formed of at least 10 honourable Croatians that were members of then-former “Club”. This Committee will recommend a decision in which manner to proceed and may not be held accountable or prosecuted for their decision. However, the decision of this Committee must be within the spirit of the Club and proceeds must be given to a Croatian organization(s) with similar values and objectives.

Revision History

Rev. #	Date	Revisor	Comments
.001	March 1, 2022	F. Ljubanovich	New Document