

FOOTBALL SUPPORTERS FEDERATION

Draft Constitution – general summary of changes

In the proposed new FSF Constitution and bye laws, a number of clauses have been amended without changing their effect, the aim being to improve their wording or the order in which they are listed, for example so as to bring different clauses covering the same or related subjects together rather than being widely separated as some were before. Some neighbouring clauses and bye laws which related to the same subject area, have now been brought into a single clause and numbered as one.

Some clauses have simply been amended so as to simplify the language used.

On the other hand, to improve the ordering and readability of clauses, some paragraphs have been separated out to form new clauses. An example of the latter is new bye law 5 “Rights of members”. That information was previously largely contained in a bye law concerned only with affiliate members, so that references to members’ rights had also to be included elsewhere, to point out differences in other areas.

There are though some areas where actual changes to the effect of the constitution and bye laws are proposed. They are included below.

1) **FSF objectives** - Constitution clause 2 –

- b) This has been shortened so that this objective is no longer the responsibility solely of the National Council, as it read before.
- e) The reference to campaigning no longer stipulates that this includes improved facilities for the disabled – it is felt that the improvement of facilities for supporters in general will always include the disabled so that there is no reason to mention them separately.
- g) This objective concerns discrimination and the opportunity has been taken to broaden this to include the general heading of “diversity”.

2) **Executive Committee (EC)** –

This new body has been brought into the constitution in various places firstly in clause 5 where it becomes a **requirement** of the National Council to appoint an EC. It is stated how the EC shall be made up.

Additionally, the responsibilities and duties of the EC are often referred to. In new bye law 7 on “Finance” the EC may be delegated the NC’s powers of investment. New bye law 13 gives the EC the power to take urgent decisions on behalf of the NC and deal with matters delegated to it by the NC. The EC must report back to the NC.

3) **Conflicts of interest** –

The opportunity has been taken to clarify where conflicts of interest may arise and what must be done about them. Officers, members and other servants of the FSF may be appointed to posts where they will earn reasonable and proper remuneration for their work. That is as before.

However any such person, or any other NC member shall declare an interest where a related subject arises at any time, and they shall not vote on that and may be asked to leave the room where that issue is being debated in a meeting.

4) Charitable donations/work –

Clause 11 on charitable donations and the setting up of organisations to help in that is simplified.

5) Changes to the Constitution –

Clause 13 on changing this constitution now requires that a majority of 60 % will be necessary for changes to be implemented, rather than 75% as before.

6) Expulsion from FSF, the NC and the Appeals Committee –

This new FSF body is established as a result of new bye law 28, which states the term of office of its members etc..

Bye law 1, on membership of FSF, states briefly who may join us, and how members may be expelled, permanently or temporarily, from membership, when considered by the NC to have acted wrongly or against the interest of the Federation or its members. Appeals against such punishment will now be to the Appeals Committee, rather than to the AGM as before.

Bye law 9, on the elected officers and NC members, now gives the NC a right, which did not exist before, to suspend, after proper enquiry and hearing, an NC member considered to have broken the rules or acted against the interests of the Federation. Again, an appeal may be made to the Appeals Committee.

7) Bye law 2 – Affiliate group members –

This bye law indicates how groups may be affiliated to the FSF. The right of the NC to make enquiries into applications for membership still exists, and though it is no longer stated here that these enquires may be delegated to the officers, that right still exists under other rules.

This bye law still dictates that membership is for one year periods, but the bye law no longer states when that year begins and ends. That decision and the amount of the membership fee comes under NC authority. Not stating the year end date or the specific fee in the constitution makes it easier for the NC to change those details, without having to wait for an AGM to do so.

As stated before, affiliates' rights are now the subject of a separate bye law (number 5) separate from bye law 2 where it was contained before.

8) Bye law 3 – Associate Group members –

This bye law as stated above no longer includes a statement of these members' rights, that information being elsewhere.

9) Bye law 4 – Individual members –

This bye law is expanded so as to include the rules about these members' membership year and how membership will end because of the failure to renew membership. These rules were previously elsewhere in the constitution but are unchanged.

10) Bye law 6 – National Council –

The wording of this bye law has been changed solely to aid readability, except that a quorum for meetings has been introduced. At least half the voting membership of the NC must be in attendance.

11) Patron President and Vice Presidents -

Previous separate bye laws on these posts have been combined. There are simplified rules on appointment and the NC now has a right to remove these appointees from office for serious matters, such decisions to be ratified by the AGM. It will no longer be compulsory for a patron to be appointed.

The President shall, ex-officio, be a member of the national Council, and may serve as many terms of office as desired, subject to re-election after each one, if the office holder is willing to continue in office.

Vice Presidents will now not, ex-officio, be members of National Council but may stand for election to it, in the same way as other eligible members. Vice Presidents will become honorary members of FSF.

12) Bye Law 9 – NC membership, election etc. –

To remove duplication, this bye law no longer dictates the NC numbers because that is contained in Constitution clause 3.

Those National Council members directly elected at the AGM (in addition to those who serve as divisional representatives) are here given a two year term of office, with half standing for re-election each year, should they wish to continue in office. The process whereby this procedure will start is laid down here.

How the NC elections are to be carried out is stated. In future it will be necessary for each nominated candidate's proposer and seconder to be named at the time that the nomination is given to the secretary.

13) Bye law 10 – Disbarment from membership of the National Council

This bye law gives the NC a right to suspend one of its members who is found to have transgressed, with a right of appeal to the new Appeals Committee.

13) Bye law 12 – Special meetings of the NC –

The change here is that a special meeting of the NC must be called if 10 NC members call for it, rather than 7, as before, in addition to the right of the chairman to call a special meeting of the NC..

14) Bye law 13 – Meetings of the NC –

This bye law now includes other clauses on the "ordinary" Council meetings which were previously elsewhere – notice of meetings, papers required, minuting of meetings, admission of members and voting decisions.

15) Bye law 14 – NC business and authority –

This is as before, except that the duties of the EC are included, together with the NC's rights to appoint professional advisors, and to issue general instructions to divisional committees.

16) Bye law 15 – Indemnity of officials, expenses –

This new bye law brings together previously separate rules on these issues, largely unchanged except for simplification. A Financial Control Document has been adopted separately by the NC, which will govern many of the issues which would concern this bye law.

17) Bye law 17 – FSF Conference & AGM –

This brings together the separate rules on this topic, with the AGM already the responsibility of the NC.

18) Bye law 18 – Voting –

This bye law dictates how voting throughout FSF shall be carried out. The change is that each Associate Group member will now be treated in the same way as an individual member in that they will have one vote (affiliates continuing with three votes).

A measure of proxy voting is now to be permitted, should an individual member be unable to attend a meeting. He or she may, by giving written authority, signed by both of them, to another individual member, allow that member to use their vote on their behalf. Any member may only be given up to two such proxy's, and the written authority must reach the National Secretary at least seven days before the meeting.

19) Bye Law 19 – Special meetings –

The bye law on these meetings is expanded to include requirements previously contained in other rules.

20) Divisions –

Again the bye laws on the duties, rights and operation of divisions have largely been re-ordered to improve reading, and to bring together rules on similar topics.

Bye Law 20 now says that a division may, after a decision of its members, choose its own divisional name, but that that name must be ratified by the National Council.

A quorum is introduced for divisional meetings (bye law 24), which, though set at quite a low level, will help to remove what is considered to be an abuse, where meetings take decisions on important issues with only a very small number of people present and voting.

Bye Law 25 now states that divisional secretaries must advise the National Secretary of the dates of all divisional meetings at least 14 days before each meeting.

21) Bye Law 28 - Branches –

This new type of FSF body is introduced, enabling the setting up of groups of supporters, perhaps informally, working within the FSF.

22) Standing Orders –

These rules on meetings have been re-ordered again to improve readability and to bring together rules on similar topics.

A new procedural motion is introduced where a motion under debate may be referred to NC – that did not exist in the Standing Orders before.

The chairman will now have a right to vote in addition to having a casting vote.

Voting will be administered by an Agenda Committee of three members, which shall appoint tellers and make other administrative decisions about the conference.

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FSF
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