

Proposed Changes to the Articles of Association of Birmingham County Football Association – 2019

Version: 27/11/2019

Current Article

9. APPOINTMENT OF PRESIDENT, CHAIRMAN AND DEPUTY CHAIRMAN

9.1 PRESIDENT

No person shall be eligible for election as President unless they has been recommended by the Directors and shall have completed 21 years' service on the Council.

The President shall serve for a two year term with effect from 1st July in the year in which they are elected and is not eligible for re-election, as they may only serve one two year term. The President shall have such rights and privileges as the Council shall from time to time prescribe.

The President shall be nominated by the Directors and any proposals for nomination must be submitted by Council Members to the Chief Executive Officer by the 1st March in the year of election. The nominations will then be considered by the Directors and their choice submitted to Council for ratification at the April Council Meeting, each alternate year.

Proposed Change to the Articles

9. APPOINTMENT OF PRESIDENT, CHAIRMAN AND DEPUTY CHAIRMAN

9.1 PRESIDENT

No person shall be eligible for election as President unless they has been recommended by the Directors and shall have completed 21 years' service on the Council.

The President shall serve for a *three* year term with effect from 1st July in the year in which they are elected and is not eligible for re-election, as they may only serve one *three* year term. The President shall have such rights and privileges as the Council shall from time to time prescribe.

The President shall be nominated by the Directors and any proposals for nomination must be submitted by Council Members to the Chief Executive Officer by the 1st March in the year of election. The nominations will then be considered by the Directors and their choice submitted to Council for ratification at the April Council Meeting, *in each year as required under this Article*.

Reasons

The change to a three year term for President will bring the position into line with the terms for the Chair, Deputy Chair, Directors and FA Representative.

Current Article

9.2 CHAIRMAN and;

9.3 DEPUTY CHAIRMAN

(f) At the completion of the term of office, The Chairman and Deputy Chairman shall retire but are eligible for re-appointment provided they have not attained the age of 75 prior to the 1st July in that year.

Proposed Change to the Articles

9.2 CHAIRMAN and;

9.3 DEPUTY CHAIRMAN

(f) At the completion of the term of office, The Chairman and Deputy Chairman shall retire but are eligible for re-appointment. *Delete the following* (provided they have not attained the age of 75 prior to the 1st July in that year.)

Reason

The FA are mindful of a possible challenge to the “age discrimination” of this condition.

Current Article

14. FA REPRESENTATIVE

14.2 Such nomination, which must be in accordance with the Articles of Association and Standing Orders of The Football Association from time to time in force, must be received by the Chief Executive Officer by 1st March in any election year. In the event of there being more than one nomination then a ballot shall take place.

14.4 Voting papers must be returned to the Chief Executive Officer not later than seven days prior to the date of the April Council Meeting, in an envelope provided, and shall only be opened by the Scrutineers who have been appointed by the Council.

14.6 At the completion of the three (3) year term of office, the Representative shall retire but is eligible for re-appointment provided they have not attained the age of seventy-five (75) prior to the 1st July in that year and are compliant with Article 14.7.

Proposed Change to the Articles

14.2 Such nomination, which must be in accordance with the Articles of Association and Standing Orders of The Football Association from time to time in force, must be received by the Chief Executive Officer *and/or the Chairman as appropriate* by 1st March in any election year. In the event of there being more than one nomination then a ballot shall take place.

14.4 Voting papers must be returned to the Chief Executive Officer *and/or the Chairman as appropriate* not later than seven days prior to the date of the April Council Meeting, in an envelope provided, and shall only be opened by the Scrutineers who have been appointed by the Council.

14.6 At the completion of the three (3) year term of office, the Representative shall retire *and, if remaining compliant with Article 14.7, be eligible for re-appointment.*

Reason

14.2 and 14.4: The Chief Executive Officer is a possible nominee for the position of FA Representative and should not be conflicted in the nomination process and any subsequent vote.

14.6: The FA are mindful of a possible challenge to the “age discrimination” of this condition.

Current Article

15. POWERS OF COUNCIL

15.2 Pursuant to Article 15.1 and prior to the July Council Meeting in each subsequent year Council, via the Officers, shall create and appoint such Council Members to Standing Committees to hold office until the next July Council Meeting following the next annual general meeting.

Proposed Change to the Articles

15. POWERS OF COUNCIL

15.2 Pursuant to Article 15.1 and prior to *1st July in any year and* in each subsequent year, *the Chair, Deputy Chair and the Executive*, shall create and appoint such Council Members to Standing Committees to hold office until *30th June in the following calendar year*.

Reason

With the change to the Birmingham County Football Association financial year which has resulted in the change to the calling of the Annual General Meeting and the reduction in the number of Council Meetings called there remains a requirement to maintain the Standing Committees, currently Discipline, Competitions and Referees.

Current Article

16. PROCEEDINGS OF COUNCIL

16.2 The Chief Executive Officer may, and on the request of any ten (10) Council Members shall, call Council Meetings. The notice shall be sent to all Council Members individually. At least seven (7) clear days' notice shall be given of Council Meetings. The accidental omission to give notice of a Council Meeting to, or the non-receipt of notice of a meeting by, any Council Member shall not invalidate any resolution passed or the proceedings of that meeting. The Council shall meet not more than three (3) times in each year. No business shall be transacted at any meeting unless a quorum of eleven (11) Council Members is present.

Proposed Change to the Articles

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Reason

With the fluctuating annual numbers of Council Members, it is considered that a percentage should be used for a quorum at a Council Meeting.

Current Article

20. ELECTION OF THE BOARD

20.1 (a) at the Association's first Annual General Meeting following acceptance of these AMENDED Articles, the Chairman and Deputy Chairman of Council so elected shall also serve as Chairman and Deputy Chairman of the Board of Directors and shall serve for a three (3) year term. At the completion of their term of office they shall retire but be eligible to stand for re-election providing they have not attained the age of 75 prior to 1st July in that year.

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Reason

The FA are mindful of a possible challenge to the "age discrimination" of this condition.

Current Article

23. DISQUALIFICATION AND REMOVAL OF DIRECTORS

The office of a Director shall be vacated if:

In the case of an employee he ceases to be an employee of the Company; or
(f) he reaches the age of 75; or

Proposed Change to the Articles

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The office of a Director shall be vacated if:

In the case of an employee he ceases to be an employee of the Company; or
Delete the following ((f) he reaches the age of 75; or)

Reason

The FA are mindful of a possible challenge to the "age discrimination" of this condition.