



Constitution

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1. NAME

The Association shall be called the England Touch Association (ETA), hereinafter referred to as the Association. For trading and other purposes the name 'England Touch' may be used.

2. INTERPRETATION

In this Constitution and in any By Laws made hereunder, unless the context otherwise requires, bear the following meanings:

- 2.1 'Affiliated League' means the level of membership for any person, committee, business or other organisation who runs a regular touch competition, of whatever format, in England.
- 2.2 'Affiliate Member' means the members of the Association having the right to vote at general meetings established under [Affiliate Member](#).
- 2.3 'Executive Committee' means the Executive Committee of the Association provided by [Executive Committee](#).
- 2.4 'General Committee' means any other committee operating under the guidance of the Executive Committee
- 2.5 'League Provider' means any person, committee, business or other organisation who runs more than one Affiliated League, in England.
- 2.6 'Member' means all the individuals who play, coach, referee, organise or support affiliate members or through appointed roles of the Association whether entitled to vote or not
- 2.7 'Nominated Delegate' means the person, in attendance at a meeting, who has been nominated in writing by the relevant Affiliate Member, to represent such member at meetings of the Association.
- 2.8 'Postholder' means an individual that operates in accordance with the relevant task description.
- 2.9 'Proxy Vote' has the meaning given in [voting](#).
- 2.10 'Regional Franchises' means a regional team denoted by the boundaries as determined by the Executive Committee.
- 2.11 'Touch' means the sport played under the governance and rules as determined by the Federation of International Touch (FIT).

3. OBJECTS

The objects for which the Association is established are as follows:

- 3.1 To act as the single governing body and central authority in England in all matters connected with the organisation and playing of the sport of Touch by males and females and exercise all powers in connection with the same
- 3.2 To be affiliated to the Federation of International Touch (FIT), to act as the representative for England in international affairs and to carry out functions delegated to it
- 3.3 To promote and deliver the sport of Touch at all levels in accordance with the Association pathway pyramid
- 3.4 To make and enforce By laws and regulations concerning all forms and aspects of the sport of Touch and to formulate and issue guidelines and policy documents including anti-doping, safeguarding and equity
- 3.5 To promote, organise and conduct Elite Squads, Regional Franchises and National Touch competitions.
- 3.6 To further the development of the sport of Touch by increasing public awareness and interest and liaising with other National Governing Bodies
- 3.7 To protect the interests of and foster friendly relations between all players, officials, administrators and affiliate members

4. AFFILIATE MEMBER

- 4.1 The number of Affiliate Members which the Association proposes to be registered is unlimited
- 4.2 The Affiliated Members of the Association shall be Touch Leagues, Clubs, Schools, and HE/FE institutions
- 4.3 Every application for Affiliate Membership shall be in writing signed by or on behalf of the applicant in such form as the Executive Committee may from time to time determine
- 4.4 The Executive Committee shall admit to membership such associations or organisations as it shall think fit and the Executive Committee may from time to time prescribe (and vary) criteria for membership.
- 4.5 Each Affiliate Member shall pay the annual affiliation fees, or subscriptions as determined by the Executive Committee.
- 4.6 Membership shall not be transferable and an Affiliate Member shall cease to be an Affiliate Member:
 - 4.6.1 in the case of an association or organisation if it ceases to exist
 - 4.6.2 if, by notice in writing to the Association, the Affiliate Member resigns
 - 4.6.3 if for good reason including, without limitation, the failure to pay fees or subscriptions as and when they fall due,
 - 4.6.4 If the Affiliate Member fails to meet the criteria set in the Association By Laws

5. COMMITTEES

At the discretion of the committee guests and observers can be admitted or excluded from its meetings and any guests and observers may, on the invitation of the Chairperson, address the meeting.

5.1 Executive Committee

The Executive Committee of the Association shall consist of:

- President
- Vice President
- Finance Director
- Governance Director
- Technical Director
- Referee Director

5.1.1 The Executive Committee is responsible for the representation, strategy and administration of the Association. The duties of the Executive Committee can be found in more detail in the Executive Committee task descriptions in the By Laws.

5.1.2 The Executive Committee upon election may, at its discretion, appoint such persons upon such terms and conditions as the Executive Committee shall see fit.

5.1.3 The Executive Committee may delegate from time to time powers not otherwise specifically authorised by this constitution to the Executive Committee or Sub Committees, as it shall deem appropriate.

5.2 General Committee

The general committee of the Association shall consist of:

- Secretary
- Development Director
- PR / Marketing Director
- Events Director
- Membership / Affiliation Director
- High Performance Director

5.2.1 The duties of the General Committee can be found in more detail in the General Committee task descriptions in the By Laws.

5.2.2 A structure map for these committees can be found in the Association By Laws.

5.3 Sub Committees

- 5.3.1 The Executive Committee may appoint such sub committees as it deems appropriate with relevant powers and duties and may appoint a chairperson of such.
- 5.3.2 If no chairperson is appointed in this manner, the sub committee shall elect a chairperson from amongst its members.

6. GENERAL MEETINGS

6.1 Frequency

- 6.1.1 The Association shall hold a general meeting in every calendar year as its Annual General Meeting (AGM) at a date and place agreed by the Executive Committee and shall specify the meeting as such in the notice calling it, provided that no one AGM shall be held more than 15 months after the last preceding AGM.
- 6.1.2 A general meeting may be called at anytime by the Executive Committee, or by the Chair of a sub committee acting on behalf of the Executive Committee or may be called on written request to the Executive Committee from at least 5% of the voting members.
- 6.1.3 Special general meetings (SGM) shall be held as determined by the Executive Committee from time to time for the consideration of non-recurring business that requires approval by the members between AGMs.

6.2 Notice

- 6.2.1 Notice in writing of at least 28 days shall be given of every AGM/SGM and 14 days for every other general meeting. Such notice shall specify the place, the day and the time of the meeting accompanied by the agenda, resolutions and all relevant papers, including for the AGM an annual report and the statement of accounts and balance sheet duly audited which it is proposed to submit to the meeting.

6.3 Order of Business for AGM

The order of business shall include:

- a) To receive and consider the minutes of the previous AGM
- b) To receive and consider the minutes of any Special General Meetings held since the previous AGM
- c) To elect Officers of the Executive Committee:
- d) To receive and consider the annual report and audited accounts of the Association
- e) To appoint an auditor if required
- f) To consider any proposed resolutions submitted including amendments to the Constitution and / or By Laws
- g) To consider any proposed changes to the Association structure
- h) To consider any proposed changes to relevant policy documents

- 6.3.1 All meetings shall be held in accordance with the Association By Laws.

7. QUORUM FOR GENERAL MEETINGS

- 7.1 No business shall be transacted at a General meeting unless a quorum of members is present. A quorum shall be constituted by ten (10) persons entitled to vote as determined in article 8 upon the business to be transacted when present in person.
- 7.2 If a quorum is not present thirty (30) minutes from the time appointed for the meeting, or if during a meeting the quorum ceases to be present, the meeting shall stand adjourned to such date, time and place as the Executive Committee may determine.

8. VOTING

- 8.1 A resolution put to the vote of a general meeting must be decided in a show of hands unless a poll is duly demanded in accordance with these articles. Every resolution is decided by a majority of votes cast.
- 8.2 Each Executive Committee member shall be entitled to one (1) vote.
- 8.3 Any affiliated league shall be entitled to one (1) vote. Where a league provider affiliates a number of leagues they may only represent a maximum of 20% of the total voting rights of all the members having the right to vote
- 8.4 Any affiliated club, school, FE/HE institution shall be entitled to one (1) vote.
- 8.5 In the event of an equality of votes either on a show of hands or poll, the Chair is entitled to a casting vote in addition to any other vote he or she may have
- 8.6 On a show of hands every Affiliate Member and Members of the Executive Committee who is present by a duly authorised representative or by proxy shall have one vote.
- 8.7 An Affiliated Member may nominate, in writing, another Member to act as its proxy at a General Meeting.
- 8.8 An Affiliated Member shall, when nominating another Member to act as its proxy, specify the items in the Agenda on which its voting rights may be exercised. In the absence of such specification, the proxy holding Member may not exercise the voting rights of the Member organisation.
- 8.9 Abstentions are not counted in determining a majority. In cases, decisions may be made by written and/or electronic correspondence
- 8.10 No Affiliated Member representative shall be entitled to speak or vote (either in person or by proxy) at a general meeting unless all monies then payable by the member to the Association have been paid.

9. ELIGIBILITY OF A COMMITTEE MEMBER

- 9.1 Any voting member may nominate another person to be an elected officer. Any nomination must be made in the form prescribed from time to time by the Executive Committee and signed by the nominee. Any nomination must be seconded by another Voting Member. Voting Members may only nominate or second one candidate for each post and the form must be completed and returned to the Association Secretary not later than such date as the Executive Committee shall prescribe each year
- 9.2 If there are the same number of candidates as there are vacancies for a post, those candidates shall be declared elected unopposed at the AGM. In the event of there being more nominations than vacancies, there shall be a vote in accordance with Article 8.
- 9.3 A person shall be ineligible for membership of the Executive Committee unless the Member of whom such person is affiliated endorses them.
- 9.4 A person shall be ineligible for membership of a Committee, and shall be automatically removed as a member if that person:
- Has been disqualified by a properly constituted disciplinary body, within the sport, from further participation in the sport for a period in excess of one (1) year.
 - Has been found to be incapable by reason of disorder, illness or injury of managing and administering his or her own affairs
 - Has been found of a criminal conviction that is deemed to be inappropriate as determined by the Executive Committee

10. DISQUALIFICATION OR RESIGNATION FROM OFFICE

- 10.1 An office will become vacant at any time, upon the postholder:
- Having submitted a written resignation by notice to the Association
 - Is absent without permission from all their meetings held within a six month period
 - Fails to meet the standards set in the task description and achieve the relevant business objectives
- 10.2 Where an office becomes vacant, an appointment to fill that vacancy may be made by the Executive Committee upon written acceptance by the proposed appointee until the next AGM. The election for office shall be conducted in accordance with Article 9.

11. RESTRICTION FROM HOLDING OFFICE

Unless otherwise agreed by the passing by the General Committee of a Special Resolution to that effect, no person shall be eligible to hold more than one of the offices mentioned in [committees](#).

12. FINANCIAL

- 12.1 The Association shall operate in the name of the ETA at any bank or other financial institution such accounts as may be agreed upon by the Executive Committee. All the funds of the Association shall be paid in to the Association accounts. Unless otherwise resolved, the signatories to the Association accounts shall be the President, Vice President, Finance Director, Governance Director and Technical Director, with any two of the five signatures being required to operate.
- 12.2 The financial records of the Association shall consist of such books as are deemed necessary by the Executive Committee.
- 12.3 The Financial Year of the Association shall end 31st December and the accounts shall be made up to this date and audited by the Auditor appointed at the AGM. The Finance Director shall submit the balance sheet and Accounts to the AGM together with the Auditor's report.

13. AMENDMENT OF CONSTITUTION AND BY LAWS

- 13.1 No alternation to the Constitution or By Laws of the Association may be made other than at an Annual or Special General Meeting
- 13.2 Constitution and By Laws of the Association, if amended, shall be re-issued, to all Affiliated Members each year within three (3) months of the holding of a General Meeting.

14. NOTICES

- 14.1 All Notices under these Articles may be in writing sent by hand, post or by electronic communication.
- 14.2 The only address that an Affiliated Member is entitled to receive notices is the address shown in their registration for affiliation or committee
- 14.3 Any notice given in accordance with these Articles is to be treated for all purposes as having been received:
 - a) 24 hours after being sent electronic communication or by hand to the relevant address
 - b) Two (2) clear days after being sent by first class post to that address
 - c) Three (3) clear days after being sent by second class post to that address
 - d) On being handed to the Affiliated Member personally, or earlier
 - e) As soon as the Affiliated Member acknowledges actual receipt
- 14.4 A Member present or represented in person at any meeting of the Association shall be deemed to have received notice of the meeting and, where necessary, of the purpose for which it was called.

15. MISCONDUCT

- 15.1 Any member may be reported to the Association for misconduct. Such a report shall be in writing to the Association Secretary giving details of the alleged misconduct and shall be given within two (2) weeks of the alleged misconduct occurring.
- 15.2 The Association Secretary shall inform the person against whom the allegation was made, in writing, of the details of the allegation and of the time and place of any proposed hearing.
- 15.3 Any person against whom an allegation is made who fails to appear when called upon, without satisfactory explanation, may be suspended until that person so appears.
- 15.4 The Association Secretary shall notify the person against whom the allegation was made, in writing, of any decision and also notify the relevant Member
- 15.5 All hearings shall be held in accordance with the Association By Laws

16. ASSOCIATION EXPENSES

- 16.1 Members or appointed persons may only receive expenses for approved mileage or public travel allowance (whichever is less) and appropriate subsistence necessarily incurred when carrying out duties on behalf of the Association.

17. BY LAWS

- 17.1 By Laws may be made prescribing matters that are necessary or convenient for carrying out or giving effect to this Constitution and the conduct of the affairs of the Association. By Laws may prescribe the means by which effect is given to this Constitution.

18. INDEMNITY

- 18.1 Every Member shall indemnify and save harmless the Association from all claims, suits, actions, demands, and damages whatsoever which any person may have or suffer arising out of any activity of the Association whether by way of accident, negligence or other cause and all such persons shall be deemed to have waived all such claims, suits, actions, demands and damages which they may thereafter have had against the Association in respect thereof.
- 18.2 By virtue of this indemnity the Association shall on no account be responsible to any Member for the matters above stated.

19. DISSOLUTION

- 19.1 Any resolution to dissolve the Association at an Annual or Special General Meeting must be passed by a minimum of two thirds of the eligible votes being cast in favour of the resolution. Upon dissolution, the assets and all profits, if any, after payment of all expenses and liabilities shall be conveyed to some other Association having similar objects to those of this Association or to a recognised charity as determined by the Executive Committee.