
Participation Agreement Guidelines

1. Overview

- 1.1 Football West is the sole governing body for Football in Western Australia and represents all levels of competition, development and coaching in metropolitan and regional areas.

A key component of the Football West 2018-2022 Strategic Plan is to empower all clubs participating in Football West competitions. A Participation Agreement is a formal agreement between the Club and Football West granting the Club the right to participate in Football West sanctioned competitions and events. The implementation of a Participation Agreement forms part of Football West's strategic objective to raise the standard of governance and management of all clubs regardless of their size, location or financial position.

These guidelines are to be read with the Participation Agreement and are designed to underpin a transparent implementation and assessment process.

2. Guiding Principles and Objectives

Guiding Principles

- 2.1 Football West is committed to the development and growth of football in Western Australia and acknowledges that all levels of competition and all clubs participating in the competitions are essential to ensuring that Football West reaches these strategic objectives.
- 2.2 Football West acknowledges that improving the governance and management of all Clubs will provide a strong framework for achieving growth of the game.
- 2.3 Football West's aim is to enter into a Participation Agreement with *all* Clubs who participated in the 2018 season competitions who have the intention of participating in the 2019 season.
- 2.4 Football West acknowledges that the introduction of any new procedure may be onerous on club volunteers and is therefore committed to providing Clubs the relevant resources and assistance to enable Clubs to comply with the requirements of the application process.

Objectives

- 2.5 The introduction of the requirement to enter into a Participation Agreement has four key objectives:
- 1) to ensure all Clubs are either Corporations or Incorporated Associations;
 - 2) to ensure Clubs that are Incorporated Associations comply with the *Associations Incorporations Act 2015* before the 1 July 2019 deadline;
 - 3) to ensure good governance and best practice across all Clubs; and
 - 4) to establish clear and defined expectations and obligations of both Football West and all Clubs participating in the competitions.

- 2.6 The terms of the Participation Agreement are standard terms that apply to all Clubs seeking to participate in Football West competitions and will not be the subject of any negotiation.

3. Application Process

- 3.1 Clubs must apply to enter into a Participation Agreement with Football West by submitting the online application form found on the Football West website.
- 3.2 Clubs may also submit an application by post or in person by delivering the required documentation to the Football West Office.
- 3.3 The application process requires a Club to submit two documents:
- (a) A certificate of incorporation; and
 - (b) The Club's most recent financial report.

Certificate of Incorporation

- 3.4 Each Club must submit a certificate of incorporation. This demonstrates that the Club has met the requirements under either the *Corporations Act 2001* or *Incorporated Associations Act 2015*.
- 3.5 Importantly this certification shows that the Club has a Constitution for the management of their Club and if they are an Incorporated Association, the Club has either adopted the model rules or satisfied the Commissioner that the Club's rules have been amended in accordance with the *Incorporated Associations Act*.

Financial Report

- 3.6 Each Club must submit their club's most recent financial report. The sole purpose of submitting the report is to demonstrate that the Club is financially viable and sustainable to participate in the 2019 season.
- 3.7 Football West acknowledges that each Club may have different methods and timing for preparing their financial reports.
- 3.8 A Club will satisfy the application requirement if the financial report submitted:
- (a) Is dated no early than 30 June 2015;
 - (b) Has been adopted as the financial report from the Club's most recent Annual General Meeting;
 - (c) Is the financial report prepared by either the Club Treasurer, an appointed bookkeeper or accountant; or
 - (d) Are the Club's most recent audited financial accounts.

Application Period

- 3.9 Applications will close on 22/02/2019.
- 3.10 Football West may, at its discretion, alter the time frame for the closing date for the lodgement of a Club's application.
- 3.11 In exceptional circumstances where a Club cannot complete its application prior to the closing date, Football West may at its discretion grant the club an extension of time for lodgement.
- 3.12 Exceptional Circumstances may include but are not limited to:
- (a) Delays in receiving Certificate of Incorporation from the Department of Mines, Industry Regulation and Safety;
 - (b) Restrictions on access to financial records or delay in preparing most recent financial records;
 - (c) Delay due to change in Club Committee members; or
 - (d) Any other reason that Football West deems exceptional or beyond reasonable control of the Club.

4. Assessment Process

- 4.1 Football West will assess each application as soon as practicable once received.
- 4.2 Football West will objectively assess each application having regard to the requirements outlined in these guidelines to determine whether the information submitted satisfies the requirements.
- 4.3 If Football West accepts the application, the Club will be issued with a copy of the Participation Agreement which must be signed and returned to Football West.
- 4.4 If the Club's application is not accepted in first instance, Football West will work with the Club to provide the relevant resources and assistance to enable the Club to comply.
- 4.5 Football West may in its absolute discretion accept the application of a Club and enter into a Participation Agreement with the Club if it is satisfied that the Club is capable of complying with the material terms of the Participation Agreement within a reasonable time frame.

5. Useful Resources

- 5.1 Department of Mines, Industry Regulation and Safety:
<https://www.commerce.wa.gov.au/books/inc-guide-incorporated-associations-western-australia/transitioning-associations-incorporation>
- 5.2 Department of Local Government, Sport and Cultural Industries:
<https://www.dsr.wa.gov.au/support-and-advice/organisational-development/governance>
<https://www.dsr.wa.gov.au/clubs/every-club>