

STATUTES, RULES AND REGULATIONS OF THE BERMUDA FOOTBALL ASSOCIATION

CONSTITUTION

CHAPTER 1

GENERAL PROVISIONS

1. NAME

Pursuant to an Act of the Bermuda Parliament, No. 256 of 8/6/70, the Bermuda Football Association Act 1970 (the Act) the Bermuda Football Association ("BFA") shall be hereinafter called the Association.

2. OBJECTS

The Objects of the Association shall be:-

- (a) To encourage the game of Football in Bermuda as determined by the statutes of FIFA;
- (b) To promote the game of football in every way in which the Association shall think proper, and to take all such steps as shall be deemed necessary or advisable for preventing infringements of the Rules and Laws of the Game, or other improper practices in the game, and for protecting it from abuse;
- (c) To make, adopt, vary and publish Rules, Regulations and Bye-Laws and conditions for the proper regulation of the Game, and to vary or revoke the same and to take such steps as may be deemed necessary for the enforcement of such Rules, Regulations, Bye-Laws and conditions;
- (d) To make rules concerning eligibility for membership in the Association and to vary or revoke the same and to take such steps as may be necessary for the enforcement of such rules;
- (e) To hold membership in the Federation Internationale de Football Association (FIFA), Confederation of North, Central America and Caribbean Association Football (CONCACAF) and the Caribbean Football Union (CFU) and to abide by its Rules and Regulations.
- (f) To lend or invest any monies of the association in such manner as shall be approved by the Council and to borrow money on such security as the Council may determine and particularly, but not so as to limit the generality of the foregoing, by mortgaging or changing all or any property of the Association;
- (g) To make such representation to the Government of these Islands or any department thereof as the association may from time to time consider it proper.

3. NON-DISCRIMINATION AND RACISM

Discrimination of any kind against a club, player, fan, private-person or group of people on account of ethnic origin, gender, language, nationality, religion or political affiliation or any other reason is strictly prohibited and punishable by suspension or expulsion from the BFA.

CHAPTER 2

4. MEMBERSHIP

Membership in the Association shall be two kinds:

- (i) Full Membership
- (ii) Associate Membership

(a) FULL MEMBERSHIP

Full Membership shall consist of properly constituted clubs or organizations set up for the playing or administration of Football according to the Statutes, Rules and Regulations of the Bermuda Football Association and the Laws of the Game as published by FIFA.

Rights of Full Membership shall be given to all properly constituted Premier and First Division Clubs or other organizations as recommended by the Executive Council and approved by the Congress from time to time as well as:

Bermuda Referees Association (BRA)
Bermuda School Sports Federation (BSSF)

(b) ASSOCIATE MEMBERSHIP

Associate Membership may be granted to such organizations on application by its authorized representatives for approval by the Executive Council on the conditions that it subjects itself to the Statutes, Rules and Regulations of the Bermuda Football Association and the Laws of the Game as published by FIFA;

Associate Membership may be granted to the following bodies:

- (a) Single club or team;
- (b) Association of clubs or teams;
- (c) Corporate or business organizations;
- (d) Social or community organizations;
- (e) Any other organization concerned with the sport of football.

5. HONORARY MEMBERSHIP

The title of Honorary Member shall be granted on the approval of the Executive Council to the following persons from time to time:

- (a) The Honorary President
- (b) Honorary Life Vice Presidents
- (c) Honorary Vice Presidents

Honorary Members may attend and participate in all Congress Meetings of the Association but shall have no right to vote at such meetings.

6. APPLICATION FOR MEMBERSHIP TO THE ASSOCIATION

(a) FULL MEMBERSHIP

A Full Membership according to Article 4(i) in the Constitution is granted on the following conditions:-

- (i) that it subjects itself to the Statutes, Rules and Regulations, directives and decisions of the Bermuda Football Association, FIFA, CONCACAF and the CFU; to abide by the Laws of the Game as published by FIFA; to take part in the Association's competitions and to ensure it's own members comply with the conditions contained in this Article;
- (ii) That it submits to the Association a copy of its Constitution and thereafter gives notification of any changes to its Constitution;
- (iii) that it pays:
 - i. the annual membership fee and;
 - ii. the registration fees;as may be determined by the Executive Council from time to time;
- (iv) All fees must be paid in accordance with the fee payment schedule as determined by the Executive Council from time to time. However, upon reasonable explanation being given by any Full Member for its failure to pay its fees according to the schedule, the Executive Council may extend the time for the member to pay its fees. New members must pay the initial annual fee within ninety (90) days of acceptance into membership.
- (v) A Full Member must submit annually to the Association:
 - (i) Confirmation of its Annual General Meeting
 - (ii) An updated list of its Executive Officers
 - (iii) A list of its coaching staff
 - (iv) Its official address including contact telephone numbers of the President and Secretary in addition to any other person responsible for conducting business on its behalf. Any correspondence not signed by the foregoing will not be regarded as official correspondence.
- (vi) Failure to comply with the conditions of Full Membership may result in the suspension of voting rights or participation as a Full Member until such time as the above conditions have been fully satisfied.
- (vii) Notwithstanding the above, the granting of Full Membership is subject to review and approval by the Congress at either the Annual Congress Meeting or the Semi-Annual Congress Meeting.

(b) ASSOCIATE MEMBERSHIP

Associate membership shall be granted to those organizations according to Article 4(ii) in the Constitution who are desirous of participating in the Association's football leagues. Associate membership may also be granted to such other organizations upon application by its authorized representative for consideration by the Executive Council of the Association on the following conditions:

- (i) that it subjects itself to the Statutes, Rules and Regulations, directives and decisions of the Bermuda Football Association, FIFA, CONCACAF and the CFU; to abide by the Laws of the Game as published by FIFA; to take part in

the Association's competitions and to ensure it's own members comply with the conditions contained in this Article;

- (ii) that it pays the applicable annual registration fee as may be determined by the Executive Council from time to time;
- (iii) The annual fees must be paid in accordance with the fee payment schedule as determined by the Executive Council from time to time. However, upon reasonable explanation being given by any Associate Member for its failure to pay its fees according to the schedule, the Executive Council may extend the time for the member to pay its fees. New members must pay the initial annual fee within ninety (90) days of acceptance into membership.
- (iv) An Associate Member must submit annually to the Association:
 - (i) a list of its Executive Officers
 - (ii) a list of its Coaching or Technical Staff (if applicable)
 - (iii) its official address including contact telephone numbers of the President and Secretary in addition to any other person responsible for conducting business on its behalf. Any correspondence not signed by the foregoing will not be regarded as official correspondence.
- (v) Failure to comply with the conditions of Associate Membership may result in the suspension of participation as an Associate Member until such time as the above conditions have been fully satisfied.
- (vi) Notwithstanding the above, the granting of Associate Membership is subject to an annual review and approval by the Executive Council.

(c) NEW MEMBERSHIP (amended 8/10/09)

- (i) Application for new membership in the Association must be submitted to the Association's Administrative Office in accordance with the procedures set by the Executive Council.
- (ii) Applicants must satisfy the Executive Council that they are actively engaged in promoting the game of football in accordance with the objects and principles of the Association.
- (iii) The Executive Council shall examine all applications for membership and make recommendations to the Congress regarding the acceptance, deferment or rejection of any application for provisional membership. If provisional membership is granted the Association shall observe the manner in which the applicant Club is organized over a period of at least two years before the applicant club is recommended for Full Membership in the Association with all rights and privileges.
- (iv) Provisional Members shall be granted Members Rights in accordance with Article 7 (below) except the right to vote at all Congress Meetings for the duration of the probationary period. Provisional Members will not be included in the quorum for the meeting.
- (v) During the probationary period the Executive Council shall compile a final detailed report describing how the Club is organized.
- (vi) The Executive Council shall decide whether the applicant Club fulfils the requirements for Full membership to the Association based on the final report.

- (vii) If the requirements have been fulfilled, the next Congress shall decide whether to admit the applicant Club or not.
- (viii) Any Club whose application has been rejected shall not be eligible to re-apply within a 12-month period from the date of the initial application.

7. MEMBERS' RIGHTS

The Members of the BFA have the following rights:

- (a) to take part in the Congress of the BFA, to know its agenda, to be called to the Congress within the prescribed time and to exercise their voting rights;
- (b) to draw up proposals for inclusion in the agenda of the Congress;
- (c) to nominate candidates for election to the BFA Executive Council;
- (d) to be informed of the affairs of the BFA through the official bodies of the BFA;
- (e) to take part in competitions (if applicable) and/or other sports activities organized by the BFA;
- (f) to exercise all other rights arising from the Statutes and regulations of the BFA.

The exercise of these rights is subject to the provisions in these Statutes and all other applicable regulations as may be decided upon by the Congress and the Executive Council from time to time.

8. MEMBERS' OBLIGATIONS

The Members of the BFA have the following obligations:

- (a) to comply fully with the Statutes, regulation, directives and decisions of FIFA, and the BFA at all times and to ensure that these are also respected by its members;
- (b) to ensure the election of its decision-making bodies;
- (c) to take part in competitions (if applicable) and other sports activities organized by the BFA;
- (d) to pay their membership subscriptions;
- (e) to respect the Laws of the Game as published by FIFA and to ensure that these are also respected by its members;
- (f) to adopt a statutory clause specifying that any dispute requiring arbitration involving itself or one of its members and relating to the Statutes, regulations, directives and decisions of the BFA, CFU, CONCACAF and FIFA shall be solely under the jurisdiction of the appropriate Arbitration Tribunal of BFA or FIFA and that any recourse to Ordinary Courts is prohibited;
- (g) to communicate to the BFA any amendment of its statutes and regulations as well as the list of its Officials or persons who are authorized signatories with the right to enter into legally binding agreements with third parties;
- (h) not to maintain any relations of a sporting nature with entities that are not recognized or with Members that have been suspended or expelled;
- (i) to observe the principles of loyalty, integrity and good sporting behavior as an expression of Fair Play;
- (j) to administer a register of members which shall regularly be updated;
- (k) to comply fully with all other duties arising from the Statutes and other regulations of the BFA.

Violation of the above-mentioned obligations by any Member may lead to sanctions provided for in these Statutes.

9. STATUS OF CLUBS AND OTHER GROUPS OF CLUBS

- (a) Clubs, and any other groups of clubs affiliated to the BFA shall be subordinate to and be recognized by the BFA. These Statutes define the scope of authority and the rights and duties of these clubs and groups of clubs. The statutes and regulations of these clubs and other groups of clubs must be approved by the Executive Council of the BFA.
- (b) The clubs and groups of clubs in membership with the BFA shall take all decisions on any matters regarding their membership independently of any external body. This obligation applies regardless of their corporate structure.
- (c) In any case, no natural or legal person (including holding companies and subsidiaries shall exercise control over more than one club or group whenever the integrity of any match or competition could be jeopardized.

10. CLUB LICENSING (new - 01/31/2017)

The Executive Council shall define the Club Licensing system and in particular:

- (a) The licensing process;
- (b) The relevant licensing bodies;
- (c) The minimum criteria to be fulfilled by clubs in order to participate in the competitions of the Association.

11. APPROVAL

No member club or player affiliated with the Association shall have playing membership with another club or participate in competitions on the territory of another national Association affiliated with FIFA or CONCACAF without written permission in accordance with the Association's Rules and Regulations Governing Foreign Tours or where applicable, the granting of a FIFA International Transfer Certificate.

12. CONDUCT OF MEMBERS AND OFFICIALS

All members, players and officials must observe the Statutes, directives, regulations, decisions and codes of conduct as established by the BFA, CFU, CONCACAF and the FIFA Code of Ethics.

13. (i) DISMISSAL OF A PERSON OR BODY

- (a) The Congress may dismiss a person or body. The Executive Council may place the dismissal of a person or body on the agenda for the Congress. The Executive Council may also dismiss a person or body provisionally. Any Executive Council member may submit a proposal to place such a motion for dismissal on the agenda of the Executive Council or Congress.
- (b) The motion for dismissal must be justified. It will be sent to the Members of the BFA along with the agenda.
- (c) The person or body in question has the right to speak in his or its own defense.
- (d) If the motion for dismissal is upheld, the Congress or Executive Council shall reach a decision by means of secret ballot. For the motion to be passed, a majority of two-thirds of the valid votes is required.
- (e) The person or body dismissed (provisionally) must be relieved of his or its functions with

immediate effect.

(ii) Suspension

- (a) The Congress is responsible for suspending a Member. The Executive Council may, however, suspend a Member that seriously and repeatedly violates its obligations as a Member with immediate effect. The suspension shall last until the next Congress, unless the Executive Council has lifted it in the meantime.
- (b) A suspension shall be confirmed at the next Congress by 2/3 majorities of the votes taken. If it is not confirmed, the suspension is automatically lifted.
- (c) A suspended Member shall lose its membership rights. Other Members may not entertain sporting contact with a suspended Member. The Disciplinary Committee may impose further sanctions.
- (d) Members that do not participate in the sports activities of the BFA for two (2) consecutive years shall be suspended from voting at the Congress and their representatives shall not be elected or appointed until they have fulfilled their obligations in this respect.

(iii) Expulsion

- (a) The Congress may expel a Member if:
 - it fails to fulfill its financial obligations towards the BFA;
 - it seriously violates the Statutes, regulations, directives or decisions of the BFA;
- (b) A minimum of 2/3 of Members entitled to vote at the Congress must be present and a decision to expel a member must be adopted by three-quarter majority of the valid votes cast.

14. RESIGNATION

- (a) A Full Member may resign from BFA with effect from the end of the current season. Notice of resignation must reach the General Secretariat no later than the deadline for team registration of the upcoming season.
- (b) The resignation is not valid until the Member wishing to resign has fulfilled its financial obligation towards the BFA and other Members of the BFA.

CHAPTER 3

15. FINANCIAL PERIOD

The financial period of the BFA shall begin on May 1st and end on April 30th.
The Treasurer is responsible for drawing up the annual Audited Financial Statements of the BFA.

The revenue of the BFA arises specifically from:

- (a) Members' registration fees;
- (b) Income generated from matches both Domestic and international;
- (c) Fines imposed by the authorized bodies;
- (d) Other subscriptions and receipts in keeping with the objectives pursued by the BFA including marketing rights and merchandising for which the BFA is entitled.

EXPENSES:

The BFA bears:

- (a) The expenses stipulated in the budget;
- (b) Other expenses approved by the Congress and expenses that the Executive Council is entitled to incur within the scope of its authority;
- (c) All other expenses in keeping with the objectives pursued by the BFA.

16. INDEPENDENT AUDITORS

The independent auditors appointed by the Congress shall audit the accounts approved by the Finance Committee in accordance with the appropriate principles of accounting and present a report to the Congress. The annual audit report has to be approved by the Congress. The auditors shall be appointed annually. This mandate may be renewed.

17. MEMBERSHIP FEES

- (a) Membership fees are due on the date set by the Executive Council. The annual fees for New Members for the year in question shall be paid on or before the date set by the Executive Council after being approved by the Congress at which they are admitted.
- (b) Any club who fails to pay its outstanding fees on the date set by the Executive Council shall not be permitted to register for the season in which they wish to participate.
- (c) Any club who fails to pay its current fees will be deducted one point on the 30th day of each month that the fees remain outstanding and shall not be permitted to participate in the FA Cup Competition.
- (d) Any club whose fees remain outstanding at the Semi-Annual Congress Meeting shall forfeit its right to vote at the Semi-Annual Congress Meeting in addition to the provisions as set out in Clause (c) above.
- (e) The Congress shall approve the annual Membership Fees every 4 years on the recommendation of the Executive Council. The Congress reserves the right to consider making adjustments to the Annual Membership Fees, only if an absolute majority (50% + 1) of the Members eligible to vote submit such a proposal to the Executive Council for submission to the Congress.

18. SETTLEMENT

The BFA may debit any funds due to a Member to settle claims.

CHAPTER 4**19. LEGISLATIVE, EXECUTIVE AND ADMINISTRATIVE BODIES**

The Congress shall be the legislative body of the BFA and as such the supreme authority. The Executive Council shall be the elected council of the BFA.

The General Secretariat shall be the Administrative body of the BFA. The Standing and Ad hoc Committees shall assist the various bodies of the BFA. The roles and responsibilities are stipulated in the Standing Orders. The bodies of the BFA shall either be elected or appointed by the BFA itself without any external influence and in accordance with the procedures described in these statutes.

20. THE CONGRESS

The Association shall be governed by a Congress consisting of one (1) voting representative from each of the FULL MEMBERSHIP Organizations. Such representative must be a member of the Management Committee or a designate of the said FULL MEMBERSHIP Organization.

- (a) The Congress is responsible for amending the Statutes and By-Laws of the Association;
- (b) Any proposals for an amendment to the Statutes must be submitted in writing with a brief explanation to the General Secretariat by a Member or by the Executive Council. A proposal submitted by a Member is valid, provided it has been supported in writing by at least one-third (1/3) other Full Members entitled to vote at the Congress.
- (c) For a vote on an amendment to the Statutes to be valid, two-thirds (2/3) majority of the Members eligible to vote must be present.
- (d) A decision to amend the Statutes shall be adopted only by a three-quarter (3/4) majority of the valid votes cast.

21. CONGRESS MEETINGS

- (a) The Congress shall meet twice annually in the months of January and September, with the September meeting being the Annual Congress Meeting, and the January meeting being the Semi-Annual Congress Meeting.
- (b) Special Meetings of the Congress may be called at any time by the President or by no less than 1/3 of the Full Membership Organizations. Such request for a meeting by the Full Membership Organizations must be submitted in writing by each individual organization signed by the President and Vice President or Secretary of each organization and contain the reason(s) for which the meeting is being called. At all times, the reason(s) must conform to the provisions of the Constitution and Bye-Laws and must not violate any rule or regulation of the Association.
- (c) At all Congress meetings, the Full Members of the Association, through their authorized representatives, and all members of the Executive Council of the Association shall be entitled to be present and to speak.

22. REPRESENTATIVES

Each Full Membership Organization shall be entitled to be represented by a maximum of three (3) delegates all of whom may take part in the discussions. The names of the three (3) delegates must be sent to the Administrative Office before the Congress Meeting. Each Full Membership Organization shall upon receipt of a notice of a Congress Meeting, notify the Association in writing of the name of its voting representative. Should this delegate leave the Meeting Hall at any time during the meeting, he / she shall be replaced by the next representative on the list of delegates for the Full Membership Organization concerned.

23. DECISIONS OF THE CONGRESS MEETINGS

At all Congress Meetings the following shall apply:

- (a) Each FULL MEMBERSHIP Organization through its authorized representative shall be entitled to have one (1) vote.
- (b) During their term of office, members of the Executive Council shall have no right to vote.
- (c) Voting by letter or proxy is not allowed.
- (d) Unless otherwise stipulated in these Statutes, a simple majority of the Members entitled to vote is sufficient for a vote to be valid. The number of valid votes counted shall decide the majority. Spoiled or blank voting slips or any other forms of abstentions are disregarded in calculating the majority.
- (e) A decision that requires a vote shall be reached by a show of hands or by or by secret ballot where stipulated. If a show of hands does not result in a clear majority in favor of a motion, the vote shall be taken by calling the roll in alphabetical order.
- (f) Decisions passed by the Congress shall come into effect for the Members 14 days after the close of the Congress, unless the Congress fixes another date for a decision to take effect.

24. QUORUM

- (a) An absolute majority (50% + 1) of the number entitled to membership of the Association under Article 4 (i) above shall constitute a quorum at all Congress meetings of the Association unless otherwise stipulated in these regulations.
- (b) If a quorum is not achieved, a second Congress shall not take place within 24 hours (or another period defined by the Association) after the first, with the same agenda.
- (c) A quorum is not required for the second meeting unless any item on the agenda proposes the amendment of the Statutes of the BFA, the election of the President and election of the Vice-Presidents and members of the Executive Committee, the dismissal of one or a number of members of a body of the BFA, the expulsion of a Member of the BFA or the dissolution of the BFA

25. EXECUTIVE COUNCIL

The Executive Council of the Association shall consist of the President, 1st Vice President, 2nd Vice President, Treasurer and nine (9) Executive members.

The Executive Council shall be the Association's executive body. It shall be empowered to take decisions on all matters, which are not exclusive to the Congress.

The President, two Vice Presidents and Treasurer shall be known as the Executive Officers and shall be empowered to take such decisions on behalf of the Executive Council in matters of urgency.

No individual shall hold more than one position within the Executive Council of the Association.

26. AREAS OF AUTHORITY

The Executive Council shall be empowered to make decisions in the following areas:

- (a) To manage the affairs of the Association in all respects;
- (b) To appoint the General Secretary and the other administrative staff of the Association, approve their job specifications and monitor their activities;
- (c) To appoint coaches and all other technical staff to all national representative teams;
- (d) To appoint, and where applicable, dismiss members of the various Standing and Ad Hoc Committees;
- (e) To prepare and convene the Annual and Semi Annual Congress Meetings;
- (f) To draft the budget and the accounts and report on the same to the Congress;
- (g) To prepare the regulations to be adopted or amended by the Congress, to issue or modify regulations and directives other than the Statutes for implementation by the membership;
- (h) To commit funds to the expenses of the Association;
- (i) To institute, organize and abolish competitions of the Association;
- (j) To approve the composition and regulations governing all leagues and cup competitions and to make amendments to the same as may be deemed necessary from time to time;
- (k) To maintain relations with the international and local sporting bodies and to propose representatives to various activities involving these bodies;
- (l) To propose any person suitable to be awarded the title of honorary vice president;
- (m) To provide information to all persons or organizations in membership with the Association as well as the general public;

Furthermore, the Executive Council shall exercise those areas of authority that are not expressly assigned to other bodies of the Association.

At its own discretion, the Executive Council may delegate tasks arising out of its area of authority and engage the services of advisors or allocate responsibilities to third parties.

27. HONORARIUMS

The Executive Council may pay an honorarium to members and/or others for their services to the Association, as it sees fit.

28. GENERAL SECRETARY

The General Secretary shall be appointed by the Executive Council and shall be responsible for the administrative office of the Association.

The General Secretary shall be responsible for:

- (a) The correspondence of the Association;
- (b) Participation in the meetings of the Congress and the Executive Council;
- (c) Production of the official minutes of the Congress and the Executive Council Meetings;
- (d) To attend to the financial matters of the Association;
- (e) To collaborate with the Standing or Ad Hoc Committees when required;
- (f) To execute the decisions taken by the Congress or the Executive Council.
- (g) To hire and terminate office staff.

CHAPTER 5

29. JUDICIAL BODIES

The Judicial Bodies are the Disciplinary Committee and the Appeals Committee. These Committees (Bodies) shall be appointed without any external influence and in accordance with the regulations governing these Committees (Bodies)

- (a) The responsibilities and functions of these bodies shall be stipulated in the Disciplinary Code of the BFA.
- (b) The decision-making powers of other committees remain unaffected.
- (c) The members of the judicial bodies may not belong to any other body of the BFA at the same time.

30. MISCONDUCT

- (a) The Association shall have the right to discipline any member, player, or official, connected with Football, for any violation of the Laws of the Game and Regulations of the Association for misconduct or behavior likely to bring the game into disrepute. Such disciplinary action must be instituted in accordance with the Regulations Governing Disciplinary Procedures. The Executive Council shall appoint the members to the Disciplinary and Appeals Committees when necessary.
- (b) It shall be the duty of all officers and administrators to report any acts of misconduct or behavior likely to bring the game into disrepute to the Disciplinary Committee.
- (c) If there is an act or acts of misconduct connected with Football which have not been reported, the President or the Executive Council shall set up a fact-finding committee to investigate.

31. (NEW) ANTI-DOPING

In the event of any discrepancy between the national regulations and the FIFA Anti-Doping Regulations, the provisions set out in the FIFA Anti-Doping Regulations shall prevail.

32. DISCIPLINARY MEASURES

The disciplinary measures are primarily:

- a. for natural and legal persons:
 - (a) a warning;
 - (b) a reprimand;
 - (c) a fine;
 - (d) the return of awards.
- b. for natural persons:
 - (e) a caution;
 - (f) an expulsion;
 - (g) a match suspension;
 - (h) a ban from the dressing rooms and/or the substitutes' bench;
 - (i) a ban from entering the stadium;
 - (j) a ban on taking part in any football-related activity.

- c. for legal persons:
 - (k) a transfer ban;
 - (l) playing a match without spectators;
 - (m) a playing a match on neutral territory;
 - (n) a ban on playing in a particular stadium;
 - (o) annulment of the result of the match;
 - (p) expulsion;
 - (q) a forfeit;
 - (r) deduction of points;
 - (s) relegation to a lower division.

33. DISCIPLINARY COMMITTEE

- (a) The Disciplinary Committee shall consist of a chairman, deputy chairman and the number of members deemed necessary.
- (b) The function of this body shall be governed by the Disciplinary Code of the BFA. The committee shall pass decisions only when at least three members are present. In certain cases, the chairman may rule alone in accordance with the Disciplinary Code of the BFA.
- (c) The committee may pronounce the sanctions described in these Statutes and the Disciplinary Code of the BFA on Members, Officials, Players, Clubs, and match and players' agents.
- (d) These provisions are subject to the disciplinary powers of the Congress and the Executive Council with regards to the suspension and expulsion of Members.

34. APPEALS COMMITTEE

- (a) The Appeals Committee shall consist of a chairman, deputy chairman and the number of members deemed necessary.
- (b) The function of this body shall be governed by the Disciplinary Code of the BFA. The committee shall pass decisions only when at least three members are present. In certain cases, the chairman may rule alone in accordance with the Disciplinary Code of the BFA.
- (c) The Appeals Committee is responsible for hearing appeals against decisions from the Disciplinary Committee that are not declared final.

35. ARBITRATION

- (a) The Association recognizes the Bermuda Alternative Dispute Resolution (ADR) to resolve disputes arising out of decisions taken by the Executive Council, Disciplinary Committee or Appeals Committee.
- (b) Should the Bermuda Alternative Dispute Resolution (ADR) be unable to deal with any such football matter within a period of 30 days than all parties shall agree to comply with the provisions as contained in the Standing Orders Article 9 under Disputes.
- (c) Recourse may only be made to the Bermuda Alternative Dispute Resolution (ADR) or an Arbitration Panel independently established after all other internal channels have been exhausted.

36. JURISDICTION

- (a) The BFA, its Members, Players, Officials and any other person or groups in membership with the Association will not take any dispute to Ordinary Courts unless specifically provided for in these Statutes and FIFA regulations. Any disagreement shall be submitted to the jurisdiction of the BFA, CONCACAF or FIFA.
- (b) The BFA shall have jurisdiction on internal disputes, i.e. disputes between parties belonging to the BFA. FIFA shall have jurisdiction on international disputes. i.e. disputes between parties belonging to different Associations and/or Confederations.

37. COURT OF ARBITRATION FOR SPORT

- (a) In accordance with Articles 59 and 60 of the FIFA Statutes, any appeal against a final and binding FIFA decision shall be heard by the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland. CAS shall not, however, hear appeals on violations of the Laws of the Game, suspensions of up to four matches or up to three months, or decisions passed by an independent and fully constituted Arbitration Tribunal of an Association or Confederation.
- (b) The BFA shall ensure its full compliance and that of its Members, Players, Officials and any other person or groups in membership with the Association regarding any final decision passed by a FIFA body or CAS.

CHAPTER 6

38. STANDING COMMITTEES

These articles shall govern the composition, function and duties of the Standing Committees. The Association may constitute as many committees as necessary.

1. The Standing Committees of the Association are: **(Amended 01/31/17)**

- (a) Audit Committee
- (b) Competitions Committee
- (c) Finance Committee
- (d) Marketing and Media Relations Committee
- (e) Physical Infrastructure Committee
- (f) Player Development Committee
- (g) Referees' Committee
- (h) Safety and Security Committee
- (i) Women's Football Committee
- (j) Youth Football Committee
- (k) Disciplinary Committee
- (l) Appeals Committee
- (m) Ad-Hoc Committees

2. The Chairman and Deputy Chairman of the Standing Committees shall be members of the Executive Council with the exception of those for the Disciplinary Committee and Appeals Committee, who shall not belong to the Executive Council. The BFA President shall appoint

the Chairman and Deputy Chairman of each Standing Committee. The members of each Standing Committee shall be appointed by the Executive Council on the recommendation of each Standing Committee Chairman. The Chairmen, Deputy Chairmen and the members of the Standing Committees shall be designated for a term of office of 1 year.

3. Each Chairman shall represent his committee and conduct business in compliance with the relevant regulations drawn up by the Executive Council.
4. Each Chairman shall fix the dates of meetings in collaboration with the Administrative Office, ensure that all tasks are carried out and report back to the Executive Council.
5. Each committee may propose amendments to its regulations to the Executive Council.

(a) AUDIT COMMITTEE

The Audit Committee will ensure compliance with sound fiduciary and managerial policies and assist, monitor and advise the Executive Council with financial and compliance matters.

(b) COMPETITIONS COMMITTEE

The Competitions Committee will assist Teams with the re-establishment of sound fundamentals and maximum opportunities to engage high quality opponents. .

(c) FINANCE COMMITTEE

The Finance Committee will ensure that the availability of cash and quality services so as not to constrain the activities of Bermuda football. The Committee shall formulate the annual budget, oversee the accounts and financial statements and make recommendations to the Executive Council regarding the financial stability of the Association.

(d) MARKETING AND MEDIA RELATONS COMMITTEE

The Marketing and Media Relations Committee will work to rebuild Bermuda Football's bond with current and future generation of fans.

(e) PHYSICAL INFRASTRUCTURE COMMITTEE

The Physical Infrastructure Committee will work with Clubs to improve facilities, equipment and information technology to meet international standards.

(f) PLAYER DEVELOPMENT COMMITTEE

The Player Development Committee will work to develop highly qualified coaches, referees and team administrators to assist in the cultivation of a large number of more talented players.

(g) REFEREES COMMITTEE

The Referees Committee shall deal with all matters arising from the rules governing referees, as approved and amended from time to time by the Executive Committee.

(h) SECURITY COMMITTEE

The Security Committee will work to ensure that Bermudians enjoy football-related activities in complete safety.

(i) **WOMEN’S FOOTBALL COMMITTEE**

The Women’s Football Committee shall administer the rules and regulations as approved and amended from time to time by the Executive Council for Women and Girls leagues and cup competitions under the auspices of the Association and shall deal with general issues relating to the development and promotion of Women and Girls football.

(j) **YOUTH FOOTBALL COMMITTEE**

The Youth Football Committee shall administer the rules and regulations as approved and amended from time to time by the Executive Council for all Youth leagues and cup competitions under the auspices of the Association.

(k) **DISCIPLINARY COMMITTEE**

Without prejudice to the areas of authority devolved to the Congress, the Disciplinary Committee is authorized to impose the various disciplinary sanctions in accordance with specific regulations that must be adopted by the General Membership. The composition, the areas of authority and the functions of the Disciplinary Committee are contained in these regulations.

(l) **APPEALS COMMITTEE**

All Members of the Association may exercise their right of appeal against decisions of the Disciplinary Committee, Executive Council or any other Committee acting on its behalf in accordance with the specific regulations governing appeals, which must be adopted by the General Membership. The composition, the areas of authority and the functions of the Appeals Committee are contained in these regulations.

(m) **AD-HOC COMMITTEES**

The Executive Council may, if necessary, create ad-hoc committees for special duties and for a limited period of time. The Executive Council shall appoint a chairman, a deputy chairman and the members. The duties and function shall be defined in special regulations drawn up by the Executive Council. All Ad-hoc committee shall report directly to the Executive Council.

CHAPTER 7

39. ELECTIONS

- (a) The following Executive Council Members shall be elected by means of a secret ballot at the Annual Congress Meeting of the Association:-

- (i) The President
- (ii) The 1st Vice President
- (iii) The 2nd Vice President
- (iv) The Treasurer
- (v) The nine (9) Executive Members

- (b) The President, Vice Presidents (2), Treasurer and the Nine (9) Executive Members shall be elected for a period of four (4) years, with the President, 2nd Vice President and four (4) Executive Members being elected in the same year, and the 1st Vice President,

Treasurer and the remaining five (5) Executive Members at the Annual Congress Meeting, two years after the aforementioned Officers. **(Amended 9/28/17)**

- (c) An attendance record should be kept of all Executive Committee Meetings. Should an Executive member fail to attend three (3) consecutive meetings without just reason then the member shall be summoned to appear before the Executive Council and requested to resign from their position on the Council.
- (d) Any member of the Executive Council who resigns or otherwise vacates their position during their term of office shall be replaced for the un-expired period as provided for in Article 1(b) above.
- (e) Members of the Executive Council shall have no right to vote during the elections.
- (f) Election to the Executive Council shall be decided by an absolute majority (50% +1) of the valid votes counted by the Members entitled to vote. Spoiled or blank voting slips or any other forms of abstentions are disregarded in calculating the majority.
- (g) Voting during the Election to the Executive Council shall be by secret ballot
- (h) Voting by letter or proxy is not allowed.

40. RETURNING OFFICER

- (a) Voting upon the election of the Association's Executive Council Members shall be presided over by a Returning Officer appointed by the President wherein all applicable offices shall be declared vacant and the Returning Officer shall preside over the election.
- (b) The Returning Officer shall be independent of the Executive Council and shall have no voting rights.
 - (b) In the event of a tie, the Returning Officer shall instruct that another vote be taken. Should the second vote fail to break the tie, the Returning Officer shall instruct the Congress that the election of unfilled offices take place within 21 days and no less than 7 days from the original election date.

41. CANDIDATES FOR THE EXECUTIVE COUNCIL

- (a) The names of candidates for the Executive Council may be submitted by any Full Member Organization and must reach the Administrative Office at least 30 days prior to the date of the Annual Congress Meeting. The General Secretary must forward the names of all candidates to all Full Membership Organizations at least 21 days prior to the date of the Annual Congress Meeting.
- (b) All retiring Executive Council members are eligible for re-election only to the position they previously occupied unless they are nominated for another position in accordance with the provisions contained in these Articles. If a retiring Executive Council member stands for re-election to their current position, he must be proposed and seconded by a Full Membership Organization at the Annual Congress Meeting. The General Secretary must forward the names of such Executive Council Members to all Full Membership Organizations at least 21 days prior to the date of the Annual Congress Meeting.

- (c) In all cases, candidates for the Executive Council must be confirmed in writing and signed by the nominee. In cases where there are no nominations received for a particular office or in the event that a previously submitted nomination is withdrawn prior to the election then the Returning Officer may receive nominations from the floor for that particular office only and then the election shall continue according to the prescribe procedures.

BYE LAWS

1. PLAYERS

- (a) The status of players and the provisions for their transfer shall be regulated by the Executive Council of the BFA in accordance with the current Regulations Governing the Qualification of Players (Domestic Competitions).
- (b) Players shall be registered in accordance with the applicable BFA rules and regulations.

2. LAWS OF THE GAME

The game of football shall be played in accordance with the Laws of the Game as published by FIFA.

3. PLAYING SEASON

The playing season in Bermuda shall be from the first day of September to the last day of April. The remainder of the year shall be known as the Closed Season, and no Association Football shall be played during this period without the express permission of the Executive Council of the Association.

4. PROPRIETARY RIGHTS

- (a) The BFA and its Members are the original owners of all of the rights emanating from competitions and other events coming under their respective jurisdiction, without any restrictions as to content, time, place. These rights include, among others, every kind of financial rights, audiovisual and radio recording, reproduction and broadcasting rights, multimedia rights, marketing and promotional rights and incorporeal rights such as emblems and rights arising under copyright law.
- (b) The Executive Council shall decide how and to what extent these rights are utilized and draw up special regulations to this end. The Executive Council shall alone decide whether these rights shall be utilized exclusively, or jointly with a third party or entirely through a third party.

5. AUTHORIZATION

The BFA and its Members are exclusively responsible for authorizing the distribution of image and sound and other data carriers of football matches and events coming under their respective jurisdiction, without any restrictions as to content, time, place and technical aspects.

6. INTERNATIONAL MATCH CALENDAR

The Association shall comply with the provisions attached to the International Match Calendar as published by FIFA and CONCACAF.

7. CONTACTS

The BFA shall not play matches or make sporting contacts with Associations that are not members of FIFA or with provisional members of a Confederation without the approval of FIFA.

8. DISSOLUTION

- (a) Any decision relating to the dissolution of the BFA requires a 2/3 majority of the Members entitled to vote at a Special Congress Meeting convened for this purpose.
- (b) If the BFA is disbanded, its assets shall transfer to the Supreme Court of Bermuda. It shall hold these assets in trust as “bonus pater familiae” until the BFA is re-established. The final Congress may choose another recipient for the assets on the basis of a 2/3 majority.

9. AMENDMENTS TO THE CONSTITUTION AND BYE-LAWS

No alteration, addition, or amendment of this Constitution and the Bye-Laws shall be made except at one of the two Congress Meetings, or at a Special Congress Meeting of the Association called for that specific purpose of which due notice has been given to all Full Members of the Association as provided for in Article 2(a) of the Standing Orders.

10. UNFORESEEN CONTINGENCIES AND FORCE MAJEURE

The Executive Council shall have the final decision on matters not provided for in the Statutes or in cases of force majeure.

11. FINAL PROVISIONS

These Statutes were amended at the Congress in Hamilton, Bermuda on December 15th, 2008 and came into force on December 29th, 2008.