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**SCARBOROUGH**  
**SOCCER**  
**ASSOCIATION**  
  
**CONSTITUTION**  
  
**2009**

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## **Scarborough Soccer Association**

### **Constitution**

#### **ARTICLE 1: NAME**

The name of this organization shall be The Scarborough Soccer Association, hereinafter referred to as the District Association. The headquarters of the District Association shall be in the City of Toronto, Ontario.

**The Seal, an impression of which is stamped on these by-laws, shall be the seal of the District Association; the secretary for the District Association shall have custody of the seal.**

#### **ARTICLE 2: OBJECTS**

The District Association which is incorporated under the Corporations Act of the Province of Ontario as a not for profit Corporation, is governed by this Constitution and shall have the following objects:

1. To promote, develop, support, govern, maintain and administer the game of soccer, both indoor and outdoor, in the District, primarily for the benefit of its residents.
2. To represent and act on behalf of The Ontario Soccer Association, hereinafter referred to as The OSA, in the administration of OSA programs within the District.
3. To represent and act on behalf of its Member organizations and assist them develop and effectively administer soccer programs that promote the development of the mental, physical, social, and leadership skills of their Members.
4. To support and maintain the principles of the Laws of the Game as established by the International Football Association Board and recognized by FIFA, except as provided herein to accommodate differences in age or climatic conditions.

Changes shall come into effect in the playing season immediately following their adoption.

### **ARTICLE 3: AFFILIATIONS**

The District Association shall be a Member of the Ontario Soccer Association and shall follow the published rules of The OSA. The District Association is subject to the published rules in declining order of authority of the following governing organizations:

1. The Canadian Soccer Association
2. The Ontario Soccer Association (OSA)
3. The District Association

### **ARTICLE 4: MEMBERSHIP**

**The District Association shall be composed of Members as herein after set out, and shall be managed by a Board of Directors constituted as stated in these by-laws.**

There are four (4) classes of Membership:

#### **(a) Active Membership**

Active Membership shall be open to clubs that meet the following criteria:

1. are properly constituted soccer clubs
2. have their headquarters in the District
3. operate within defined boundaries as specified in the Rules and Regulations
4. have obtained the approval of the Board of Directors

All Clubs shall have a Constitution which meets the minimum requirements for a Club Constitution in accordance with the OSA's published rules.

#### **(b) Associate Membership**

(i) Associate Membership shall be open to:

- leagues governed by the District Association including:
  - District Leagues
  - Multi-Jurisdictional Club Leagues
- leagues mandated by The OSA published rules, including:

- Regional Leagues in which Active members of the Association participate
- Multi-Jurisdictional District Leagues in which Active members of the Assn. participate

#### Article 4: Membership

##### (b) Associate Membership continued:

- senior, professional, or semi-professional teams registered in the district of Scarborough, who are not affiliated with any other member clubs in the district.
- other organizations which operate soccer programs including, but not limited, to:
  - soccer camps, schools or academies
  - school leagues
  - college **leagues**
  - university leagues
  - referee associations
  - coach and trainers associations

which support the objectives of, and operate within, the District Association and have obtained the approval of the Board of Directors.

- ii) In order to be eligible for Associate Membership in a District Association, all existing Leagues must have a By-Law or Constitution which is in full compliance with the minimum requirements for a League By-Law as defined in League Policy 4.3, by no later than its District Association's Annual Meeting, immediately following September 1, 2006.
- (iii) A Club which meets the OSA definition of:
- professional club which operates professional team(s) only
  - club which operates both professional and amateur teams
  - social club
  - service club
  - club operated by a municipality
  - club operated by a facility
  - club running a senior recreational league
  - for-profit club

may apply in writing for an exemption from any minimum requirement for a Club Constitution, subject to the approval of the Executive Committee of the District Association, and the Board of Directors of The OSA.

**(c) Honorary Membership**

The Executive Committee may confer an honorary Membership upon an organization or a person for a period of time.

**The Director of Parks and Recreation East District or his/her delegate is an honorary member of the District Association.**

**(d) Life Membership**

The Executive Committee may confer a life Membership upon a person.

**(e) Membership Fees**

Except where mandated by The OSA published rules, the annual Membership fees for each class of membership shall be set by the Executive Committee.

**(f) Player Registration Fees**

Members shall be required to pay player registration fees which shall be set by the Executive Committee.

**(g) Approval of New Members**

(i) A Club shall be accepted into Active Membership upon:

- a) meeting the criteria set out in article 4 (a)
- b) submitting an application form along with the other required documents and Membership fees
- c) obtaining the approval of the District Association Board of Directors, (in accordance with the Rules and Regulations).

(ii) An organization shall be accepted into Associate Membership upon:

- a) meeting the criteria set out in article 4 (b)

- b) submitting an application form along with the other required documents and Membership fees
- c) obtaining the approval of the District Association Board of Directors, (in accordance with the Rules and Regulations).

( h) **Membership Renewal**

- (i) All members shall declare their intention to renew their membership in the District Association by completing and signing the “Annual Club Membership Renewal Application Form” for youth clubs, and the “Senior Team Application Form”, for senior clubs/teams. All fees shall be paid within thirty days (30) of the billing by the District Association.
- (ii) To maintain membership, all Active Members are required to have paid all outstanding fees no later than seven (7) days prior to the Annual General Meeting, and by submitting a copy of the applicant's current constitution, a list of current Officers, and a current Financial Statement by February 28<sup>th</sup> each year.  
Subject to the above conditions, renewal of Active and/or Associate Membership shall be automatic and does not require the approval of the Board of Directors.
- (iii) Penalties for late payment or nonpayment of monies due shall be established by the Board.

(i) **Rights of Active and Associate Members**

- (a) Active Members shall be accorded the following rights:
  - To be governed in accordance with The OSA and the District Association’s published rules,
  - To register players, administrators, team officials and referees with The OSA and the District Association,
  - To be a Member of, and register their teams with, OSA sanctioned Leagues,
  - To enter teams in OSA sanctioned competitions,
  - To participate in OSA sanctioned programs such as player, coach and referee development,
  - To participate in District Association sanctioned programs,
  - To attend and vote at all general meetings called by the District Association,

- To operate Club Leagues in accordance with The OSA published rules,
- To operate Player, Coach and Referee Development Programs, and
- To participate in The OSA Insurance Plan

(b) Associate Members shall be accorded the following rights:

- To be governed, where applicable, in accordance with The OSA and the District Association's published rules,
- To register, where applicable, administrators and teams with The OSA and the District Association,
- To enter teams, where applicable, in OSA sanctioned competitions,
- To participate in OSA and District Association sanctioned programs, and
- To attend and vote at all general meetings called by the District Association

**(j) Discipline of a Member**

A Member may be fined, censured, suspended or expelled from Membership for cause and only after charges have been laid in accordance with the District Association's published rules and a hearing held in accordance with the District Association's and OSA's published rules. A Member whose Membership has been suspended loses all rights of Membership until the suspension has been completed.

**(k) Termination of Membership**

Membership in the District Association shall be deemed to have been terminated:

- If the Member submits a signed letter of withdrawal to the District Association
- If the Member is expelled by the District Association
- If the Member fails to renew Membership in accordance with the Constitution.

**ARTICLE 5: BOARD OF DIRECTORS**

**(a) The business of the District Association shall be conducted by a Board of Directors, which shall be comprised of the elected Directors of the Association and one (1) Director appointed from each club in active membership.**

**(b) The elected Directors of the Association shall be: The President, Vice President, Secretary, Treasurer, Indoor Chair, and four (4) Directors at Large.**

**(c) The election of Directors of the Association shall be by secret ballot at the District Association's Annual General Meeting, and shall require a majority of votes present.**

**(d) The elected Directors of the Association shall serve as the Executive Committee.**

**(e) The Executive Committee**

- (i) An elected Director shall be eighteen (18) years of age or older and shall not be an undischarged bankrupt.
- (ii) An elected director shall serve for a term of two years.
- (iii) A person holding a position in any other soccer organization, except for the District Representative on the OSA Board of Directors shall not hold the position of President of the District Association.
- (iv) A paid employee of the District Association may not hold a position on the Board of Directors of that District Association.
- (v) The following shall be elected for a two (2) year term at the Annual General Meeting held in odd numbered years: President, Treasurer, Indoor League Chair and two (2) Directors at Large.
- (vi) The following shall be elected for a two (2) year term at the Annual General Meeting held in even numbered years: Vice-President, Secretary, and Two (2) Directors at Large.
- (vii) All candidates seeking election to the Executive Committee must submit their intentions to the District Association, in writing, at least twenty one (21) days prior to the Annual General Meeting. Nominations will be closed at that time.

**(f) Director Vacancy**

- (i) The Office of a member of the Executive Committee shall be vacated:
  - (a) Upon resignation in writing.
  - (b) If they absent themselves from two (2) meetings without satisfactory reasons.
  - (c) If they are removed by resolution of the District Association for good and

sufficient cause.

- (d) If an Officer of the Association leaves the organization which they represent.
- (ii) Should a vacancy occur in the Executive Committee, the Executive Committee may appoint a person to fill the vacancy until the next Annual General Meeting.
- (iii) Should a vacancy occur among the directors appointed by Member Organizations, (club representatives), the affected member shall appoint a qualified person to fill the vacancy until the next Annual General Meeting
- (g) Removal of Elected Directors**
- (i) No Member of the Executive Committee shall be removed for arbitrary reasons, but may be removed if:
- (a) the Director is unable to perform the duties expected of the position due to, but not limited to, any of the following reasons:
- if she/he becomes incapable of performing the business of the District Association
  - if she/he is absent from two or more meetings of the Board without satisfactory reason
  - if she/he no longer resides in reasonable proximity to the District Association
  - if she/he becomes, or is discovered to be, an undischarged bankrupt; or
- (b) the Director has compromised the integrity of the District Association due to, but not limited to, any of the following reasons:
- if she/he has been found guilty of an offence under the Harassment Policy of The OSA
  - if she/he has been found guilty of an offence involving violence under the Discipline Policy of The OSA
  - if she/he has failed to properly account for monies or other property belonging to the District Association
  - if she/he has been found guilty of a criminal offence regardless of whether or not the offence directly affected the District Association
  - if she/he has been found guilty of failing to act in accordance with the Conflict of Interest Policy of The OSA

- (ii) A Member of the Executive Committee holding his or her respective position(s), as Director or other position(s), may be removed from office by the Executive Committee for good and sufficient cause by a two-thirds (2/3's) majority vote of the Executive Committee present, provided notice to remove the Director has been given to all Directors of the District Association. If a Director is removed by the Executive Committee, the Executive Committee may appoint a successor to the incumbent's position(s) until the next Annual General Meeting.

(h) **Conflict of Interest and Standards of Conduct**

The Directors shall be subject to the *Conflict of Interest Policy, (Policy 21.0)*, in the OSA's published rules,

(i) **Duties of the Executive Committee**

- (a) During the intervals between meetings of the District Association, the Executive Committee shall possess and may exercise all the powers of the District Association in the management and Administration of the District Association.
- (b) The Executive Committee shall be responsible for the appointment and renewal of appointments of all positions within the District Association except for those positions elected by the Membership of the District Association. This shall include the appointment of volunteer and paid positions for coach and administrator positions within the District Association's operations. The selection process and the appointments shall be based on procedures outlined in the District Association's published rules.
- (c) The Executive Committee may also revoke, for cause, any appointment providing that it has followed the procedures for revoking an appointment as outlined in the District Association's published rules.
- (d) The Executive Committee of the Scarborough Soccer Association shall also act as the Soccer Center Committee, to successfully promote and operate the Scarborough Soccer Center, and the Scarborough Indoor Soccer League (SISL).
- (e) The District Referee Coordinator shall also be nominated by the Executive Committee, whose nomination shall be approved at the first meeting of the Executive Committee, following the Annual General Meeting.
- (f) Any capital expense over five (5) thousand dollars must have the approval of the full Board of Directors.

**(j) Duties of Elected Directors**

**(i) *President***

Except as provided for in the Dispute Resolution Policy of the OSA, and where the President delegates the responsibility to another person, the President shall preside at all meetings of the District Association and of the Executive Committee. He/she will be responsible for the day to day administration of the district. He/she shall have a casting vote only. The President shall be ex officio a member of all committees, except any nominations committee; shall appoint all chairs of standing and special committees subject to ratification by the Executive Committee; coordinate all duties of the Board, committees, staff; and shall be the spokesperson for the District Association.

**(ii) *Vice-President***

The Vice President shall be the senior officer of the District Association next to the President and shall preside at all meetings, and will assume the duties of President when necessary, in the President's absence.

The absence of the president and vice-president shall require the selection by the Executive Committee of a pro tem Presiding Officer.

**(iii) *Treasurer***

The Treasurer shall be responsible for the fiscal affairs of the District Association, and shall ensure that full and accurate records are kept of the accounts of the District Association; shall report to the Executive Committee at least once per quarter; and shall submit an Annual Report to the Annual General Meeting.

**(iv) *Secretary***

The secretary shall be responsible for:

- a) Keeping a record of all minutes of the organization;
- b) Keep on file all committee reports;
- c) Notifying officers and committee Members of their election or appointment;
- d) Furnish committees with those documents required to perform their duties;
- e) Signing all certified copies of acts of the Association, unless otherwise specified in the District Association's published rules;

- f) Maintaining record books in which the constitution, published rules and minutes are entered and to have the current record books available at each meeting;
- g) Sending out to the Membership a notice of each general meeting;
- h) Sending out to the board notice of each meeting;
- i) Conducting the general correspondence of the organization that is not the proper function of another officer or committee;
- j) Preparing an order of business, prior to each meeting, in consultation with the presiding officer.

There shall be an Administrative Assistant who shall be appointed by the Executive Committee who shall be responsible for the recording and maintaining of the minutes of the Executive Committee and Board of Director's meetings.

(v) *Indoor Chair*

The Indoor Chair shall be responsible for convening a committee to determine the needs of indoor soccer in the district at all levels, and to organize the appropriate leagues in response to these needs.

(vi) *Directors at Large*

The duties of the Directors at Large shall be determined by the [Executive Committee](#).

**(k) Nominations and Elections**

- (i) All candidates seeking election to the Executive Committee must submit their intentions to the District Association, in writing, at least twenty one (21) days prior to the Annual General Meeting. Nominations will be closed at this time. Nominations for positions on the Executive Committee may be made by any Active Member in good standing. Nominations from Associate members must be endorsed by an Active member.
- (ii) In the event that no nominations have been received by the closing date, nominations may be made by any member in good standing at the Annual General Meeting, and will follow normal nomination procedure.
- (iii) Nominations and elections for positions open shall be held in the order of the positions listed in the Constitution.
- (iv) The election of Officers of the Association shall be by secret ballot at the Annual General Meeting.

In the event only one candidate is nominated, no vote is required and the nominated candidate shall be declared elected by acclamation.

- (v) One ballot listing all candidates for each position shall be prepared. The candidate with the most votes is elected. If more than one position is to be filled then a second, (third etc.), ballot will be held.

**(l) District Representative**

The President of the District Association shall be District Representative to The OSA unless the President declines the position or is removed from the position by a majority vote of the Board of Directors.

In the event the President declines, or is removed from, the District Representative position, the Executive Committee, by majority vote, shall elect one of its Executive Committee to the position. The term of office of the District Representative will be in accordance with The OSA's published rules.

**ARTICLE 6: MEETINGS**

**(a) Board Meetings**

- (i) The Board of Directors shall meet not less than quarterly.
- (ii) An official notice of each meeting shall be given to all Members at least 14 days before the meeting is to be held, at such place, and at such date as the Executive Committee may determine. Such notification shall be by e-mail, or any other method determined by the Members.
- (iii) For the purpose of Board meetings a quorum shall be 50% plus one (1) of the Active Members with a minimum of four (4) Officers present. Questions arising at any Board meeting shall be decided by a majority of votes, where each director is entitled to one (1) vote.

**(b) General Meetings**

A majority of Active and Associate Members shall form a quorum at all General Meetings of the District Association.

**(i) Annual General Meeting:**

- All members shall receive fourteen (14) days notice of the date, time and location of the Annual General Meeting.
- The Annual General Meeting of this District Association shall be held no later than December 31<sup>st</sup> of each year.
- The agenda of the Annual General meeting shall include:
  1. Roll Call and Report of Credentials Committee
  2. Benediction/Anthems
  3. Period of Remembrance
  4. Tributes and Introduction of Guests
  5. Minutes of Previous Annual General Meeting
  6. President's Address
  7. Directors' Reports
  8. Treasurer's Report
  9. Auditor's Report
  10. Appointment of Auditors
  11. Other Reports
  12. Unfinished Business
  13. Amendments to the Constitution/By-Laws
  14. Roll Call and Report of Credentials Committee
  15. Election of Officers and Directors
  16. Any Other Business
  17. Adjournment
- The President may, at his/her discretion, introduce any special business for discussion after approval of the minutes.

**( ii ) Special General Meetings:**

- A Special General Meeting of the District Association may be called by the Executive Committee with a minimum of seven (7) days notice.
- A Special General Meeting of the District Association may be called by the Board of Directors by its own motion;
- A Special General Meeting shall be held within thirty days (30) following receipt of a written request signed by not less than one third (1/3) of the members, with a minimum of 14 days notice.

- Only the business for which a Special General Meeting has been called will be dealt with, except with the unanimous consent of those present.

**(c) Delegates to General Meetings**

- (i) A Member is entitled to have a maximum of five (5) delegates, from its membership, attend a general meeting of the District Association.
- (ii) Those who shall be qualified to vote and to take part at General Meetings of the District Association shall be accredited delegates of organizations in Membership.
- (iii) The names of accredited delegate alternatives must be filed with the District Association upon registering on the day of the General Meeting.

**(d) Voting at General Meeting:**

- (i) Each Member must appoint one of its delegates to cast all of its votes at a general meeting.
- (ii) No proxy votes are allowed at general meetings.
- (iii) Voting shall be by a show of hands unless a Tally Vote is required. Decisions shall be reached by a simple majority unless otherwise required by the by-laws of the District Association or Corporate Law.
- (iv) An Active Member of the District Association shall be entitled to the following representation at all General Meetings of the District Association:
  - Two (2) votes for the first twenty (20) players registered (including both indoor and outdoor registrations)
  - One (1) vote for each additional twenty (20) players registered (including both indoor and outdoor registrations)
- (v) Each Associate Member shall be entitled to one (1) vote.
- (vi) Each Life Member may introduce and debate any matter deemed relevant to the business of the District Association, but may not vote.

(vii) Each Honorary Member may introduce and debate any matter deemed relevant to the business of the District Association, but may not vote.

(f) **Executive Committee Meeting**

The Executive Committee shall meet not less than quarterly, upon fourteen (14) days notice, at such place and time as the Executive Committee may determine.

A majority of the members of the Executive Committee shall form a quorum at all meetings of the Executive. Questions arising at any meeting shall be decided by a majority of votes where each director is entitled to cast one vote.

**ARTICLE 7: COMMITTEES**

(a) There shall be Standing Committees established, with the chair of each committee being nominated by the Executive, whose nomination shall be approved at the first meeting of the Board of Directors, following the Annual General Meeting. The members of each committee shall be recommended by the chair of that Committee, for approval by the Executive. The president shall be an ex-officio member of all committees.

(b) All duties and guidelines pertaining to the Committees are as determined by the roles and responsibilities of each committee.

1. Standing Committee on Appeals and Discipline.
2. Standing Committee on the Robbie International Soccer Tournament.
3. Standing Committee on Albert Campbell Tournament.

(c) The District Association may also constitute such other committees from time to time, as it deems necessary to ensure the efficient and orderly administration of its affairs.

**ARTICLE 8: PROCEDURES GOVERNING MEETINGS**

All meetings of the District Association shall be conducted in accordance with the most recently published Robert's Rules of Order insofar as they apply.

**ARTICLE 9: AMENDMENTS TO THE CONSTITUTION**

Amendments to the Constitution may be proposed by any Active or Associate

Member, in good standing, of the District Association.

- (a) All proposed amendments to the Constitution shall be forwarded in writing to the District Association no later than (30) thirty days prior to the Annual General Meeting, and shall be no later than (30) thirty days prior to a Special General Meeting called for the purpose of amending the Constitution.
- (b) Copies of proposed amendments to the Constitution shall be sent to all Members no less than (14) fourteen days prior to the General Meeting at which they will be considered.
- (c) Amendments to the Constitution will require a (2/3) two thirds majority vote of those accredited members present at the General Meeting, unless otherwise required by the Corporations Act.

#### **ARTICLE 10: RULES AND REGULATIONS**

- (a) The District Association shall have Rules and Regulations as may be deemed necessary to promote, develop and govern the game of soccer.
- (b) The District Association may impose such other regulatory measures as it deems necessary for the efficient administration of the playing structures of the game within its jurisdiction.
- (c) No such regulation may violate the individual's rights and freedom except as may be required to protect the rights and freedom of any other individual and to ensure the stability of the basic structure of the game.
- (d) Amendments to the Rules and Regulations can be made at any meeting of the Board of Directors provided:
  - 1. The amendment is proposed by a member of the Board of Directors.
  - 2. A minimum of (14) fourteen days notice is given to members of the Board of Directors of a vote on a proposed amendment.
- (e) Amendments to the Rules and Regulations can also be made at the Annual General Meeting in the same manner as amendments to the constitution as prescribed in Article 9 – By-Laws and Amendments.

## **ARTICLE 11: INDEMNITY**

Members of the Executive Committee or other servants to the District Association, their heirs, executors, administrators and estate and effects respectively shall be indemnified and saved harmless at all times by the District Association against all costs, losses and expenses incurred by them respectively in or about the discharge of their respective duties, except such as happens from their own respective willful neglect or default.

## **ARTICLE 12: FINANCE**

- (a) The accounts of the District Association shall be audited annually by a qualified Chartered Accountant and the correctness of the Financial Statement ascertained by the Auditor.
- (b) The audit statement shall be presented to the Annual General Meeting for adoption.
- (c) The Auditor shall be appointed by motion of the voting members at the Annual General Meeting.
- (d) The fiscal year of the District Association shall end on September 30th of each year, unless otherwise ordered by the Board of Directors.

## **Article 13: DISPUTE RESOLUTION**

- (a) The District Association shall adhere to the Dispute Resolution process as published and approved by The OSA from time to time. Any member of the District Association may initiate the Dispute Resolution process by communicating in writing the nature and facts of the dispute to The OSA, with a copy to the District Association. The OSA, at its discretion, may proceed with the Dispute Resolution process by assigning one or more neutral persons to the dispute.
- (b) The Dispute Resolution process shall not to be used for game discipline which follows the normal discipline and appeals process.
- (c) The District Association shall make available to any member a copy of the Dispute Resolution process when requested.

## **Article 14: HARASSMENT**

- (a) The District Association shall adhere to the Harassment Policy as published and approved by The OSA from time to time.

- (b) The Harassment Policy shall apply to all employees, directors, officers, volunteers, coaches, game officials, administrators, players, members and registrants of the District Association.
- (c) Harassment is defined as any comment, conduct, or gesture directed toward an individual or group of individuals which is insulting, intimidating, humiliating, malicious, degrading or offensive. It includes, but is not limited to, sexual harassment.
- (d) The District Association shall make available to any member a copy of the Harassment Policy when requested.
- (e) All member clubs are responsible for implementing the O.S.A. policy on Harassment.  
To assist members in implementing this policy a District Harassment Officer is appointed by the District Association.

#### **Article 15: APPEALS**

- a) Any registrant or registered organization directly affected by a decision of the District Association may appeal such decision, except as stipulated in 15 c). The denial or termination of membership in the District Association may be appealed by a non-registered organization.
- b) A decision of the District Association may be appealed to The OSA. The appeal shall be conducted in accordance with The OSA's published rules.
- c) An individual shall not appeal a decision made by the Board of Directors regarding the appointment, non-appointment, re-appointment or revocation of an appointment of an individual to any coach or administrator position within the District Association's operations, except where the selection, appointment and revocation process outlined in the Rules & Regulations has not been followed.

#### **Article 16: DISSOLUTION**

In the event of dissolution of the District Association, and after payment of all debts and liabilities, its remaining property shall be distributed or disposed of by the Board of Directors to one or more not-for-profit soccer related organizations which is (are) registered with the OSA.

**Article 17: CONSTITUTIONAL REVIEW**

The District Association shall annually submit its Constitution to the OSA which shall be responsible for ensuring compliance with District Association Policy 1.2.

The District Association is required to submit any amendments to the District Association Constitution to the OSA within sixty (60) days after the District Association's General Meeting at which the amendments were approved.