

STATUTE
Of
Trade Union of Professional Football Players of Montenegro

I GENERAL PROVISIONS

Article 1.

Trade Union of Professional Football Players of Montenegro (hereinafter SPFCG) is interest, independent, democratic, autonomous and voluntary organization of members of the Trade Union which represent organizational part of Trade Union of Athletes of Montenegro.

The Trade Union of Professional Football Players of Montenegro is full member of the FIFPro – World Players Union.

For the purposes of this Statute, unless otherwise specified, the term player refers to players of both sexes.

II NAME, MEMBERSHIP, HEADQUARTER

Article 2.

The name of the Trade Union is: "Sindikatski udruženje profesionalnih fudbalera Crne Gore".

English name of the trade union is: "Trade Union of Professional Football Players of Montenegro".

Article 3.

The official abbreviation of the Trade Union is: "SPFCG"

Article 4.

The SPFCG is independent organization in which professional and amateur football players, who are engaged in football clubs that act within framework of Football Association of Montenegro, are associated on the voluntary basis.

Article 5.

Membership in the SPFCG is individual.

Article 6.

Logo of The Trade Union is consisted of blue and white shield with two irregular triangles that makes stylized Latin letter "S" painted in red color and black and white ball next to the letter. Below

the letter, there is inscription "Trade Union of Professional Football Players of Montenegro" in Montenegrin language.

Article 7.

The SPFCG acts within Trade Union of Athletes of Montenegro. The SPFCG shall be obliged to harmonize its Statute with Statute of Trade Union of Athletes of Montenegro, and must respect decisions of its authority bodies. The SPFCG can withdraw from the Trade union of Athletes of Montenegro only on the basis of Decision made by two third majorities of total members of Assembly.

Article 8

The SPFCG headquarter is in Podgorica. Executive Committee shall be made Decision on changing the headquarter.

Article 9.

The SPFCG has its seal, stamp, logo and flag. The stamp is of rounded shape; with logo of the Trade Union and encryption in Latin letters "Trade Union of Professional Football Players of Montenegro" around the logo.

The seal is of rectangular shape with encryption in Latin letters "Trade Union of Professional Football Players of Montenegro", in Montenegrin language with columns for register number and date. The flag is white.

There is emblem of the SPFCG in the middle of the flag and encryption "Trade Union of Professional Football Players of Montenegro" in Montenegrin language.

Article 10.

The SPFCG shall cooperate with other trade unions in Montenegro and abroad on the basis of principles of equality, mutuality and solidarity.

The SPFCG shall also cooperate with international trade union organizations in accordance with essential program's orientations and common asserted attitudes of Trade Union of Athletes of Montenegro. Besides principle from the first paragraph, in its work, the SPFCG shall rely on program's aims of the FIFPro.

III AIMS AND TASKS

Article 11.

The SPFCG is independent of state authorities, political parties, employers and other institutions outside of trade union. The SPFCG is neutral regarding religious orientation.

Article 12.

The task and purpose of the SPFCG is conjoining of protection and promotion of respective, particular and common economic, social, professional and cultural interests and rights of its members, as well as of sport at all.

Article 13.

The SPFCG shall seek conjoining of interests of all professional football players who are respectively employed or engaged for fee, or they are looking for such kind of employment with football club or professional association.

Article 14

The Tasks and aims of the SPFCG are particular as follows:

- Proposing of democratic and progressive sport legislation and participation and contribution in decision making process with authorities, Football \association and associations related to issues that are of significance for professional football players;
- Creation adequate social condition for development and democratization of sport;
- Protection and promotion of professional, working, economic and social rights of persons who are engaged in professional football;
- Development and promotion of social dialogue, that is, applying of collective bargaining in practice and concluding of collective agreement;
- Creating conditions for realization universalities of football (equality, solidarity, antidiscrimination, friendship), integrity of football competitions (protection from external political, commercial and financial influences) and preserving of adequate relation between professional and amateur football;
- Improvement of health and social protection system for football players during, and particularly, after ending of their professional careers.
- Law regulation of pension status;
- Support to young players in professional career building;
- Support players in planning and realization of professional work after ending of their sport careers;
- Participation and influence on decision making process in state authorities and football associations on issues that are of significance for professional football players;
- Establishing and development of international activity with international sport and trade union organizations and our umbrella organization FIFPro as well as implementation of the FIFPro program orientation;
- Solidarity aid for members of the SPFCG according to needs and financial capacities of the SPFCG;
- Promotion of goals and interests of the SPFCG in public.

In realization of these aims the SPFCG shall use all democratic, legal and legitimate international recognized instruments and methods of trade union fight.

IV METHODS AND FORMS OF TRADE UNION FIGHT

Article 15.

The SPFCG shall use, the first of all, methods of trade union fight in line with democratic structure and aims for which it strives:

- Establishing social dialogue
- Collective bargaining and concluding of collective agreements and an agreement with a club on professional engagement;
- Developing activities that are necessary for organization and communication with membership and for strengthening of their capacities;
- Developing of activities that are enable to leaders and activists in their trade union organizations to gain skills and get information that are necessary for realization of rights of employment;
- Legal aid service to players with a view of protection of their interest before arbitration and other domestic or international bodies;
- Public protests;
- Strikes.

Selection of methods and forms of trade union fight is performed in line with concrete conditions.

Article 16.

Decision on strike shall be made by the SPFCG Executive Committee with previous communication and agreement by Committee of Trade Union of Athletes of Montenegro.

V RIGHTS AND OBLIGATIONS OF MEMBERSHIP

1. Entering into membership

Article 17.

Entering into The SPFCG membership is voluntary and individual, and it shall be realized by signing of Statement of Joining to the SPFCG.

By signing of the Statement of Joining, a member is bound to accept this Statute, program documents and decisions of the SPFCG at all levels, to initiate and participate in trade union actions and to pay regularly membership fee.

Membership fee shall be paid by members who are professional football players. The membership fee amounts 3 eur for members who play in the Montenegrin leagues and leagues from countries of Western Balkans region.

The members who play in the other leagues pay 6 eur monthly.

Article 18.

Upon reception into The SPFCG, a member shall get membership card.

Shape and content of the membership card shall be asserted by the SPFCG Executive Committee.

A member is obliged to show his Membership Card when realizing of his rights that are stipulated by this Statute and other program documents, as well as on request of adequate bodies and officials of The SPFCG.

Article 19.

The Membership Card is property of the SPFCG. When withdrawing or expelling from membership, a member who is concerned shall be obliged to give back the Membership Card.

In case of losing the Card, a member is obliged that within period of 10 days record to the SPFCG a disappearing of the Card and request for issuing of duplicate.

2. The rights of members

Article 20.

A member who performs hid obligations toward The SPFCG has rights as follows:

- To propose candidates, to elect and be elected in The SPFCG bodies;
- To express freely his/her interests, to harmonize them with interests of other members of The SPFCG and to participate in all forms of trade union work;
- To make influence and to participate at collective bargaining;
- To get legal assistance free of charge;
- To get solidarity assistance and aid during a strike;
- To set an initiative at The SPFCG bodies;
- To get a benefit of program's activities of the SPFCG;
- Other rights stipulated by this Statute and statutory documents of the SPFCG.

Amateur players shall have the all rights as the professional players except right to propose candidates, to elect and be elected in the SPFCG bodies.

3. Ending of membership

Article 21.

Membership in the union ends:

- a) by resigning the union membership,
- b) by being erased from the record in case of unjustified non-payment of membership fee for a period longer than three months after beginning of the new season;
- c) by changing the working status – if the member becomes a director or an employer. In that case, upon his/her request, membership in the union can be temporarily suspended (frozen);
- d) by expelling the member.

Article 22

Resigning from The SPFCG membership shall be done by signing the written resignation form and returning the membership card to authorized body of the SPFCG.

After that the member shall have no longer rights defined by this Statute. The member shall be bound to fulfill the all obligations up to day of resigning

Article 23.

The member of The SPFCG, who was erased from the record in case of unjustified nonpayment of membership fee, can renew his/her membership status upon personal request.

By erasing from the record, the all rights shall be ceased including free legal aid.

Article 24.

Measure of expelling shall be imposed to any member who acts contrary to the SPFCG program and statute, in case of being disciplinary or mandatory sentenced for using trade union property illegally, as well as in case when he prevents other members from participating in the activities lead by the Union or disrespect independence of The SPFCG in relation to the State, an employer, political parties or religious communities.

Article 25

The decision to expel the player is adopted by the SPFCG Executive Committee.

The Commission shall be formed before making decision on expelling and it shall collect and investigate all facts that could impact the decision on expelling.

The member against whom expelling procedure is set shall be obliged to attend an invitation made by the Commission.

The Commission shall be formed by Executive Committee and one third of members shall be nominated on proposal of the player against whom expelling procedure is set.

Article 26.

The Commission shall be bound to establish state of the facts in the shortest possible period of time. The member against whom expelling procedure is set cannot perform any function in the SPFCG during the procedure.

In that case the member should be granted regular procedure and the right to appeal to Executive Committee of Trade Union of Athletes within period of 30 days from the day of receiving written information on expelling.

The Commission is obliged to assert state of the facts in short time. During proceeding, the player against whom expelling procedure is set cannot perform any function in the SPFCG. When considering the appeal to Committee of Trade Union of Athletes is obliged to get opinion of Statutory Committee of The SPFCG. Decision on expelling is in effect when Republic Committee of Trade Union of Athletes confirms it.

VI BODIES

Article 27.

Bodies of THE SPFCG are:

- Assembly
- Executive Committee
- President
- General Secretary
- Statutory Committee
- Monitoring Committee

Assembly

Article 28

The Assembly is the highest body of the SPFCG.

The Assembly can be regular or extraordinary.

The Regular Assembly shall be held once per year.

The election of members of the bodies of the Trade Union shall be held once in four years according to the rules from Art. 45 of this Statute.

Decision on convening, time, venue and agenda of the Assembly shall be made by Executive Committee at least 15 days before the Assembly takes place.

Article 29.

The Assembly consists of the SPFCG members from professional football clubs from Montenegro, elected by principle of number of professional players in that clubs:

Up to 5 professional players is equivalent to 2 members

From 6.....to 9 professional players is equivalent to 3 members

From 10.....to 14 professional players is equivalent to 5 members

Over 14 professional players is equivalent to 7 members

The right on participation at Assembly is also conditioned by regular payment of membership fee which is proved by adequate financial documentation.

In extraordinary circumstances caused by force majeure (floods, extreme weather conditions, space constraints, health protection, etc.), regular and extraordinary assemblies may be convened and held without a quorum, with the obligatory presence of only club captains who will represent other delegates of their club from paragraph 1 of this article.

Article 30.

The Extraordinary Assembly should be convened if requested formally by Executive Assembly, Republic Committee of Trade Union of Montenegro or at least 20% of members of the SPFCG. The

information on convening and agenda of the General Assembly will be sent at least two weeks in advance to the Assembly members.

The provisions governing the regular assembly shall apply accordingly to the quorum and holding of the extraordinary assembly, unless otherwise determined by this statute for the extraordinary assembly.

Article 31.

The Assembly as the highest body of the SPFCG:

To determine the basic directions of trade union strategy and policy;

- To adopt Program and Statute;
- To elect members of Executive Committee, Statutory Commission and Monitoring Committee; - To consider and adopt reports on work of Executive Committee, Statutory Commission and Monitoring Committee;
- To adopt internal rules on work;
- To decide on other issues of importance for work of the SPFCG.

Executive Committee

Article 32

The Executive Board has nine members and it consists of the President, Vice President, Secretary General, two experts and 4 active football players, one of whom must be from the ranks of women's clubs.

In case of ending of active football career, a member who was an active football player shall be replaced by first player from the list of substitutes which was adopted by the Assembly.

Members of the Executive Committee shall be elected at Assembly.

The Executive Committee can nominate an Honored President as a person who is significant member for development of trade union movement, with high professional reputation, experience and knowledge in professional football.

The Honored President can participate in work of the Executive Committee by giving suggestions, but without right of making decision.

Article 33.

Executive Committee shall:

- Realize program aims and tasks defined at the Assembly;
- Prepare and convene the Assembly;
- Make decisions on financial issues – adopt annual financial plan in line with directions of the Assembly and adopt annual Report;
- Form working bodies, stipulate organization of work, and organize work of secretariat;
- Make decisions on establishing of regional committees at the level of municipalities and regions;
- Submit the Report on work to the Assembly;
- Adopt internal rules for work.

Article 34

President

President of the Executive Committee, who is in the same time President of the SPFCG shall be elected on 4 years mandate by the Assembly and:

Represent and advocate the SPFCG in relation to third persons;

- Convene and chair sessions of the Executive Committee and the Presidency;
- Take care on conducting of attitudes and decisions made by the Executive Committee;
- Take care on execution of financial plan and prepare the Report on financial operations for bodies of the SPFCG;
- Supervise book keeping of the SPFCG, verify that all activities shall be performed within budget and submit regular financial reports to the Executive Committee,
- Organize and coordinate activities within field of collective bargaining;
- Take responsibility together with General Secretary for realization of program's aims of the FIFPro.

Article 35.

Vice-President

Vice-President shall be appointed on mandate period of 4 years. The Vice-President shall be appointed by the Executive Committee on proposal made by president. Vice president shall:

Substitute President in case of absence or inability to perform his function;

- Organize and conduct work within scope of his duties;
- Assist to the President in performing his duties;
- Coordinate other works for which he is charged by the Executive Committee and President.

Article 36.

General Secretary

The General Secretary is the highest administrative and managing body of the SPFCG. The General Secretary shall be elected by the Assembly on proposal made by President on the mandate period of 4 years. The General Secretary shall:

- Manage administration of The SPFCG;
- Exercise decisions made by appropriate Trade Union bodies under supervision of the President;
- Coordinate work of the all bodies of The SPFCG;
- Assist to Executive Committee and President in preparation of the Assembly and other bodies of The SPFCG;
- Represent and advocate The SPFCG;

- Communicate with the FIFPro, other sport organizations, and shall be responsible for media releases and giving information on Trade Union activities;
- Perform other tasks entrusted by appropriate bodies of The SPFCG;
- Take responsibility, together with the President, for realization of program's aims of the FIFPro.

Statutory Commission

Article 37.

Statutory Commission has three members – President and two members who graduated at a law school. Members of the Statutory Commission shall be elected by the Assembly.

Article 38.

The Statutory Commission shall:

Monitor implementation of this Statute;

- Interpret this Statute between two Assemblies;
- Give proposals for changes and amends of this Statute;
- Make decisions on statutory disputes;
- Give its opinions on individual disputes on request of the bodies and members.

Article 39.

President of the Statutory Commission shall participate in work of all bodies, without decision making right.

Member of the Statutory Commission cannot be elected for a member of other bodies of THE SPFCG.

Monitoring Committee

Article 40.

The Monitoring Committee has three members – President and two members who shall graduate at an economic school and be elected by the Assembly.

The Monitoring Committee shall:

Monitor material – financial operations of THE SPFCG;

- Control financial operations at least once per year;
- Adopt Report of census commissions;
- Consider annual Report on Operations and submit findings to the Executive Committee;
- Submit Report on Material – Financial operations to the Assembly.

Article 42.

President of the Monitoring Committee shall participate in work of all THE SPFCG bodies, without decision making right. Member of the Monitoring Committee cannot be elected for member of the other bodies of THE SPFCG.

VII SHOP STEWARD

Article 43.

Shop stewards shall act as represents of THE SPFCG in football clubs.

The shop steward is in the same time a captain of the team, unless players – members of the Trade Union propose another person and it shall be verified by Executive Committee.

The Committee of the Captains shall be consisted of shop stewards

Article 44.

Shop steward shall:

Represent THE SPFCG in a football club;

- Undertake measures and activities in process of preventing violation labor and trade union rights;
- Mediate in disputes;
- Engage THE SPFCG members in trade union actions;
- Perform other duties ordered by Executive Committee;
- Inform Trade Union and players on activities that are important for their interests.

IX PRINCIPLES ON ELECTION AND DECISION MAKING

Article 45

Election of members of THE SPFCG bodies at all levels of organizing shall be carried out by open ballot.

Verification of elected members of the bodies shall be carried out by open ballot. In process of candidature and election of members of the bodies one shall take into account that composition of a body reflects structure of membership.

Members of political parties' bodies and political offices in State bodies cannot be elected for members of executive bodies of THE SPFCG.

Article 46.

The Executive Committee is obliged to adopt electing rules for election of THE SPFCG bodies and officials at least 15 days before the Assembly takes place.

Article 47.

The electing rules shall contain:

Procedure of candidacy of individuals for the SPFCG bodies and respective office holders in the SPFCG;

- Way of election the Executive Committee members, the Statutory Commission, Monitoring Committee and respective office holders in the SPFCG.

Article 48.

Decision shall be made only if simple majority of body members are presented at session. The decision shall be made by simple majority of presented members of the body, except decisions on: general strike, adoption, changes and amends of this Statute and collective bargaining that must be made by two-third majority of total number of the members of bodies.

Decisions of the bodies, except the decision on general strike, shall be made by open ballot. The body can decide that certain decision should be made by secret ballot.

Article 49.

The body can suspend a member before expiration of his mandate, in case that the member does not perform his duties or in case of gross violation of this Statute and the SPFCG program documents by that member.

The body can elect a new member instead of suspended one, on the way stipulated by this Statute, that is, Principles of Election.

On that way, one-third of the body members can be replaced. In case of force majeure (death) or ending of membership in the SPFCG, more than one third of the body members can be replaced.

The body member can resign on his function.

Article 50.

In case of election between more candidates for respective office holders, than should be elected, the candidate who won majority of the votes shall be elected. If in the first circle of voting no one candidate won requested majority, the second circle shall be organized for two candidates with the biggest numbers of votes and a candidate who won majority of the votes shall be elected.

X INFORMING IN THE SPFCG

Article 51.

Work of the SPFCG is public. The members of the SPFCG bodies at all levels shall be obliged to inform membership and public on their activities.

Informative work shall be performed by Report on Work, bulletins, leaflets, newspapers, radio stations, social networks, special publications and Committee of Captains.

XI MEMBERSHIP FEE AND FINANCING

Article 52.

Assets for financing of THE SPFCG work shall be provided by membership fee, donations, and voluntary work of members, presents, entrepreneurship and other resources.

Article 53.

A member shall be obliged to pay membership fee regularly. The membership fee shall be paid once per year in amount stipulated by Executive Committee on beginning of calendar year. The membership fee shall be collected directly from members.

Direct charging shall be carried out by a shop steward who shall pay it on gyro account of the SPFCG.

Article 54.

The membership fee which belongs to the SPFCG shall be used for:
Financing of common activities at the level of trade union;

- Training of members for trade union work;
- International cooperation;
- Legal protection;
- Solidarity aid;
- Collective bargaining;
- Strikes and solidarity actions.

Article 55.

THE SPFCG bodies shall be obliged to make Financial Plan and adopt annual report on revenues and expenditures.

XII TRADE UNION PROPERTY

56. Article.

The SPFCG property is common ownership of all members.

The Executive Committee shall dispose with the property.

The property shall be inseparable in sense that no one member has a right on return of membership fee or other property.

XIII TRANSITIONAL AND FINAL PROVISIONS

Article 57.

The Statute shall be come into effect on the day of its adoption.

Article 57.

Changes and amends of this Statute shall be performed in the same way of its adoption. In case of harmonization of this Statute with Statute of Trade union of Athletes of Montenegro, the Executive committee can make respective changes and amends of this Statute that are additionally subjected to verification of the Assembly.

ASSEMBLY of Trade Union of Professional Football Players of Montenegro

January 2021