

RULES OF THE BRIGHTON, HOVE & DISTRICT FOOTBALL LEAGUE

1 NOMENCLATURE AND CONSTITUTION

- (A) This Competition shall be designated the Brighton, Hove and District Football League and known as the Brighton, Hove and District Football League and shall consist of not more than 60 Clubs who shall be Full Member Clubs.

All such Member Clubs must be affiliated to an affiliated County Football Association and their names and particulars shall be returned annually by the appointed date on the Form "D" to the Sussex County Football Association. The area covered by the Competition Membership shall be Brighton, Hove and surrounding districts.

This Competition shall apply annually for sanction to the Sussex County Football Association and the constituent teams of Member Clubs may be grouped in divisions.

Member Clubs shall not enter any of their teams playing in the Competition in any other Competitions (with the exception of F.A. and County F.A. Competitions) except with the written consent of the Management Committee of the Competition.

- (B) At the Annual General Meeting or a Special General Meeting called for the purpose, a majority of the delegates present shall have power to decide or adjust the compilation of the divisions at their discretion. When necessary this Rule shall take precedence over Rule 12.

2 ENTRY FEE, SUBSCRIPTION, DEPOSIT

- (A) Applications by Clubs for admission to this Competition or the entry of an additional team(s) must be made in writing to the Honorary General Secretary and must be accompanied by an Entry Fee of £15 per team, which shall be returned in the event of non-election.

At the discretion of a majority of the accredited voting members present applications, of which due notice has been given, may be received at the Annual General Meeting or a Special General Meeting. The Entry Fee shall apply.

When Rule 12(B) is applied or a team seeks a transfer or is compulsorily transferred to another division no Entry Fee shall be payable.

- (B) The Annual Subscription shall be £85 for Intermediate Teams and £80 for teams in all other divisions, payable on or before 1st September in each year.

Any Club failing to pay the subscription by 1st September will be fined £ 10.

- (C) A Deposit of £100 shall be held for each Club in the Competition. Each new Club shall on the day of election pay the full deposit. Existing Clubs shall increase their held Deposit to £100 where applicable, over a period not exceeding 3 years under terms agreed with the Honorary General Secretary. The Deposit shall be returnable to Clubs on leaving the Competition provided they have fulfilled their fixtures and complied with all orders of the Management Committee.

- (D) A Club shall not participate in this Competition until the Entry Fee, Annual Subscription and Deposit (full or increased as appropriate) have been paid.

- (E) Clubs must advise annually to the Honorary General Secretary in writing by 15 August of its Sussex County Football Association affiliation number for the forthcoming Season. Failure to notify may result in the Club not being permitted to play until such time as the affiliation number has been advised and the Club will be liable to a fine of £10. Clubs must advise the Honorary General Secretary in writing, or on the prescribed form, of details of its Headquarters, Officers and any other information required by the Competition by 15 May.

- (F) Each team entered shall purchase at least 2 handbooks at a price not exceeding £3 each

- (G) Each new Club and existing Clubs changing a secretary, treasurer, chairman or fixtures secretary shall be required to attend a Competition administration workshop, arrangements for which will be notified to affected clubs. Failure to comply with this requirement without a suitable explanation will render a Club liable to a fine not exceeding £100.

3 OFFICERS

The Officers of the Competition shall be the President, Life Members, a maximum of three Life Vice-Presidents, Vice-Presidents, Chairman, Vice-Chairman, Honorary Treasurer, Honorary General Secretary, Honorary Registration Secretary, Honorary Fixtures Secretary, Honorary Referees Secretary, Honorary Sponsorship Liaison Officer, Honorary Press Secretary, Honorary Development Officer, Honorary Competitions Officer, League Welfare Officer, Representative Team Secretary and Honorary Assistant General Secretary to be elected annually, with the exception of the Life Members and Life Vice-Presidents, at the Annual General Meeting.

4 MANAGEMENT, NOMINATION, ELECTION

- (A) The Competition shall be governed in accordance with the Rules and Regulations of The Football Association by a Management Committee comprised of the Officers and up to 14 members who shall be elected at the Annual General Meeting. Not more than 2 members of any Club shall be eligible for nomination. All participants shall abide by The Football Association Regulations for Safeguarding Children as determined by The Association from time to time.
- (B) Retiring Officers shall be eligible to become candidates for re-election without nomination. All other candidates for election as Officers or Members of the Management Committee shall be nominated to the Honorary General Secretary in writing, signed by the Secretaries of two Member Clubs, not later than 21 days before the Annual General Meeting. Names of the candidates for election shall be circulated with the notice of the Annual General Meeting. In the event of there being no nomination in accordance with the foregoing for any office, nominations may be received at the Annual General Meeting
- (C) The Management Committee shall meet as often as is deemed necessary to deal with business as it arises.

On receiving a requisition signed by two-thirds of the Members of the Management Committee the Honorary General Secretary shall convene a meeting of the Committee.
- (D) Except where otherwise mentioned all communications shall be addressed to the Honorary General Secretary who shall conduct the correspondence of the Competition and keep a record of its proceedings.
- (E) All communications received from Clubs must be conducted through their Club Secretary or deputy.
- (F) Nominations for Life Vice-Presidents can only be made by the Management Committee. Any candidates for election to this office must have served on the Management Committee for at least 20 years.
- (G) The Competition may elect, at the Annual General meeting, any Life Member. Life Members shall be proposed by the Management Committee for their services to the Competition. They shall be entitled to attend all Competition Meetings and have a vote thereat.
- (H) Should any elected member of the Management Committee absent himself/herself from 3 consecutive meetings without a reasonable explanation, his/her position shall be declared vacant.

5 POWERS OF MANAGEMENT

- (A) The Management Committee may appoint sub-committees and delegate such of their powers as they deem necessary. The decisions of all sub-committees shall be reported to the Management Committee for ratification.

Each sub-committee shall elect its own Chairman, Vice Chairman and Secretary

- (B) Subject to the permission of the Sussex County Football Association having been obtained the Management Committee may order a match or matches to be played each season, the proceeds to be devoted to the funds of the Competition and, if necessary, may call upon each Club (including any Club which may have withdrawn during the season) to contribute equally such sums as may be necessary to meet any deficiency at the end of the season. (See Rule 6(e)).

- (C) Each Member of the Management Committee shall have the right to attend and vote at all Management Committee Meetings and have one vote thereat, but no Member shall be allowed to vote on any matters directly appertaining to such Member or to the Club so represented. (This shall apply to the procedure of any sub-committee).

In the event of the voting being equal on any matter, the Chairman shall have a second or casting vote.

- (D) The Management Committee shall have powers to apply, act upon and enforce the Rules of the Competition and shall also have jurisdiction over all matters affecting the Competition, including any not provided for in the Rules. Except where these Rules provide for the imposition of a set penalty any Club, Official or Player alleged to be in breach of a Competition Rule must be formally charged in writing and given the opportunity to present their case before the Management Committee. All breaches of the Laws of the Game, Rules and Regulations of The Football Association shall be dealt with in accordance with F.A. Rules.
- (E) All decisions of the Management Committee shall be binding subject to the right of appeal to the Board of Appeal in accordance with Rule 16.
Decisions of the Management Committee must be notified in writing to those concerned within 14 days
- (F) 8 Members of the Management Committee shall constitute a quorum for the transaction of business of the Management Committee and 5 Members shall constitute a quorum for the transaction of business by any sub-committee of the Competition.
- (G) The Management Committee, as it may deem necessary, shall have power to fill in an acting capacity, any vacancies that may occur amongst their number.
- (H) A Club having failed to comply with an order or instruction of the Management Committee, or failing to satisfactorily attend to the business and/or the correspondence of the Competition shall be liable to be fined or otherwise penalised at the discretion of the Management Committee.
- (I) All fines and charges shall be paid within 14 days of the date of posting of the written notification. Clubs, Officials or individuals committing a breach of this Rule will incur such penalties as the Management Committee may impose.
- (J) A member of the Management Committee appointed by the Competition to attend a meeting or match may have any expenses incurred refunded by the Competition.
- (K) The Management Committee shall have the power to fill any vacancy that may occur in the membership of the Competition between the Annual General or Special General Meeting called to decide the constitution and the commencement of the Competition season.
- (L) No participant under the age of 18 can be fined
- (M) Member Clubs may be requested to attend Management Committee meetings. Clubs will be given a minimum of 14 days notice, together with a reason. Any Club not attending without previously providing a suitable explanation may be fined up to a maximum of £50 and will be REQUIRED to attend the following Management Committee meeting. A Club not attending the second meeting will be fined £100 and suspended from the Competition until they attend a Management Committee meeting

6 ANNUAL GENERAL MEETING

- (A) The Annual General Meeting shall be held not later than 31st July in each year. At this meeting the following business shall be transacted provided that at least 30 Members are present and entitled to vote:-
- (i) To receive and confirm the Minutes of the preceding Annual General Meeting.
 - (ii) To consider any business arising therefrom.
 - (iii) To receive and adopt the Annual Report, Balance Sheet and Statement of Accounts.
 - (iv) Election of Clubs to fill vacancies (as recommended by the Management Committee).
 - (v) Constitution of the Competition for ensuing season.
 - (vi) Election of Officers and Management Committee, Life Members and Vice Presidents (if appropriate).

- (vii) Appointment of Independent Examiner
 - (viii) Alteration to Rules, if any (of which notice has been given).
 - (ix) Fix the date for the commencement and conclusion of playing season.
 - (x) Other business of which due notice shall have been given and accepted as being relevant to an Annual General Meeting.
- (B) A copy of the duly verified Balance Sheet, Statement of Accounts and Agenda shall be forwarded to each Club and the Sussex County Football Association at least fourteen days prior to the meeting.
 - (C) A signed copy of the duly verified Balance Sheet and Statement of Accounts shall be sent to the Sussex County Football Association by 1st August following its adoption by the Annual General Meeting.
 - (D) Each Full Member Club shall be empowered to send two delegates to an Annual General Meeting. Each Club shall be entitled to one vote only. Not less than 14 days' notice shall be given of any Meeting.
 - (E) Clubs who have withdrawn their Membership of the Competition during the season being concluded or who are not continuing Membership shall be entitled to attend but shall vote only on matters relating to the season being concluded. This provision will not apply to Clubs expelled in accordance with Rule 17.
 - (F) All voting shall be conducted by a show of voting cards unless a ballot be demanded by at least 50% of the delegates qualified to vote or the Chairman so decides.
 - (G) No individual shall be entitled to vote on behalf of more than one Full Member Club.
 - (H) Any new or continuing Member Club failing to be represented at the Annual General Meeting without satisfactory reason being given shall be fined a maximum of £50. For the purposes of this Rule, a Club shall be deemed absent if not present at the Roll Call of Member Clubs.
 - (I) Officers and Management Committee members shall be entitled to attend and vote at an Annual General Meeting.

7 AGREEMENT TO BE SIGNED

The Chairman and the Secretary of each Club shall complete and sign the following agreement which shall be deposited with the Competition together with the Application for Membership for the coming season, or upon indicating that the Club intends to compete.

"We, A, _____ of _____ (Chairman) and
B _____ of _____ (Secretary) of the

_____ Football Club have been provided with a copy of the Rules

and Regulations of the Brighton, Hove and District Football League Competition and do hereby

agree for and on behalf of the said Club to, if elected or accepted into Membership, to conform to

those Rules and Regulations and to accept, abide by and implement the decisions of the

Management Committee of the Competition, subject to the right of appeal in accordance with Rule

16".

Any alteration of the Chairman and /or Secretary on the above Agreement must be notified to the Secretary of the County Football Association(s) to which the Club is affiliated and to the Honorary General Secretary of the Competition. See also Rule 25.

(Note: The spaces above are intended for the inclusion of the signatures and addresses of officers and members).

8 QUALIFICATION OF PLAYERS

- (A) Contract players, as defined in Football Association Rules, are not permitted in this Competition.
- (B) A registered playing member of a Club is one who, being in all other respects eligible, has:-
(1) Signed a fully and correctly completed Competition registration form in ink, countersigned by an officer(Chairman, Secretary or Treasurer) of the Club, and who has been registered with the Honorary Registration Secretary at least fourteen (14) days before the first Saturday of the season, or, for subsequent registrations during the season, at least 24 hours before kick-off, and whose completed registration identity card has been received by the Club prior to playing.

The registration form for a player new to a Club must include photographic proof of identity and proof of residence, be examined and countersigned by an appointed Officer of the Competition and incorporate a recognisable current passport photograph(s) of the player seeking registration.

Where a player in the previous season was registered with a Club, and is seeking registration with the same Club, no proof of identity is required, provided the existing identity card has been returned to the Honorary Registration Secretary.

ID Cards will expire 3 years after issue, after which a new individual form and photograph must be submitted. The Management Committee reserves the right to expire cards in less than 3 years if deemed appropriate.

Clubs may apply in writing for replacement of lost ID Card, the application to include a payment of £10.

Clubs with more than one team may apply in writing for additional ID Cards for players, the application to include a payment of £1 per Card.

- (C) A team shall not include more than 4 players who have taken part in any 8 or more matches during the current season collectively for any club in a higher division of the Competition or any senior or comparable league affiliated to the Sussex County Football Association
- (D) A player having taken part in matches for any Club affiliated to any County Football Association shall not be allowed to join, be transferred to, or sign for a Club in the Competition without first proving to the officials of the intended Club that the player has discharged all reasonable financial liabilities to the previous Club or Clubs, and a Club official may not accept such player's signature without first ascertaining whether such claims have been discharged to the satisfaction of the Club, or Clubs, for which the player last played.
- (E) A fee of £3 shall be paid for each player registered.
Registration forms shall be obtained from the Honorary Registration Secretary.
- (F) The Management Committee shall decide all registration disputes.
In the event of a player signing a registration form or having a registration submitted for more than one Club priority of registration shall decide for which Club the player shall be registered. The Honorary Registration Secretary shall notify the Club last applying to register the player of the fact of the previous registration.
- (G) It shall be deemed Breach of Rule for a player to:-
(i) Play for more than one Club in the Competition in the same season without first being transferred.
(ii) Having signed for one Club in the Competition, sign for another Club in the Competition in that season except for the purpose of a transfer.
(iii) Submit a signed registration form for registration that the player had wilfully neglected to accurately or fully complete.
- (H) (i) The Management Committee shall have power to accept the registration of any player.
(ii) The Management Committee shall have the power to refuse, cancel or suspend the registration of any player or may fine any player, except those under the age of 18, up to £50 at their discretion who has been charged and found guilty of registration irregularities. (Subject to Rule 16).
(iii) The Management Committee shall have the power to refuse or cancel the registration of any player charged and found guilty of undesirable conduct (Subject to Rule 16). Undesirable conduct shall mean an incident of repeated misconduct, which may deter a participant from being involved in this competition.

(Note: Action under Clause (iii) shall not be taken against a player for misconduct on the field of play until the matter has been dealt with by the appropriate Association, and then only in cases of the player bringing the Competition into disrepute.)

- (I) Subject to The Football Association Rules dealing with players without a written contract when a player desires a transfer, the Club the player wishes to transfer to shall submit a transfer form to the Honorary Registration Secretary accompanied by a fee of £10. Such transfer shall be referred by the Honorary Registration Secretary to the Club for which the player is registered. Should this Club object to the transfer it should state its objections in writing to the Honorary Registration Secretary and to the player concerned within seven days of receipt of the transfer form. Upon receipt of the Club's consent, or upon its failure to give written objection within seven days, the Honorary Registration Secretary may, on behalf of the Management Committee, transfer the player who shall be deemed eligible to play for the new Club from such date of receipt of such transfer.

In the event of an objection to a transfer the matter shall be referred to the Management Committee for a decision.

- (J) A player may not be registered for a Club after the last day of March nor transferred to another Club in the Competition after the last day of February except by special permission of the Management Committee.

- (K) A Club shall keep a list of the players it registers and a record of the games in which they have played, and shall produce such records upon demand by the Management Committee.

- (L) A register containing the names of all players registered for each Club, with the date of registration, shall be kept by the Honorary Registration Secretary and shall be open to the inspection of any duly appointed Member Club representative at all Management Committee meetings or at other times mutually arranged. Registrations are valid for one season only

- (M) A player shall not be eligible to play for a team in any special championship, promotion or relegation deciding match (as specified in Rule 12(A)) unless the player has played at least 4 games for that team in this Competition in the current season.

- (N) Rule not applicable is this Competition.

- (O) (i) Any team playing an unregistered or otherwise ineligible player or players shall have the points gained in the match deducted from its total and may be fined up to a maximum of £100 and/or otherwise dealt with at the discretion of the Management Committee.

(ii) In addition the team may have up to 3 points deducted from its total at the discretion of the Management Committee and may be dealt with in any further manner which is thought to be fit, subject to the rules of the Competition.

(iii) The Management Committee may, at its discretion, award the points available in the match in question to the opponents, subject to the match not being ordered to be replayed.

(The following clause applies to Competitions involving players in full-time secondary education)

- (P) (i) Priority must be given at all times to school and school organisations activities.
(ii) The availability of children must be cleared with the Head Teachers (except for Sunday Leagues).
(iii) Children under 15 shall not play in a team involving players who are more than 2 years older. To play open age football the player must have achieved the age of 16.

(Note: For players under the age of 18 the provisions contained in Football Association Rules will apply.)

- (Q) (i) Before the commencement of a match, an opposing team official (and/or member of the Management Committee) shall inspect the identity cards of all opposing players, including named substitutes. Failure to undertake this inspection will result in a fine of £10 for any offending Club. To facilitate the inspection, players should line up round the centre circle 5 minutes before kick-off time. Any team not providing identity cards for inspection shall be reported by the other club to the match referee. The match referee will duly inform the Competition of the report on the match return card. The Match will be played. The Management Committee will review such cases and take appropriate action which may include the award of the match under Rule 8(0) and a fine not exceeding £100. Any exceptional circumstances which might have prevailed will be taken into consideration by the

Management Committee. Any individual player without his identity card shall not participate in the match. In the event of a dispute over the identity of a player that cannot be resolved between the two teams prior to the start of the match, an objection should be lodged with the match referee. The match referee will duly inform the Competition of the objection on the match return card. The Club making the objection should refer the matter to the Management Committee in accordance with Rule 15. No protest over the eligibility of individual player(s) will be entertained under Rule 15 if the objection has not been lodged with the referee. Should a player without his identity card play in a match, the terms of Rule 8(O) shall apply

(ii) In the event of a suspension by the Sussex County Football Association, or the Competition, for a period in excess of 7 days (see Rule 17(E)), the player's identity card must be returned to the Honorary Registrations Secretary within 3 days of the commencement of the suspension. Failure to comply with this requirement will render the player/club liable to a fine not exceeding £50. The identity card will be returned to the club secretary upon conclusion of the suspension period.

9 CLUB COLOURS. CLUB NAME

- (A) Every Club must register the colour of its shirts, shorts and socks with the Honorary General Secretary by 15th May who shall decide as to their suitability.

Goalkeepers must wear colours which distinguish them from other players and the referee.

No player, including the goalkeeper, shall be permitted to wear black or very dark shirts.

Any team not being able to play in its normal colours as registered with the Competition shall notify the colours in which they will play to its opponents at least 3 days before the match, having obtained prior consent to the change from the Honorary General Secretary.

If, in the opinion of the referee, two Clubs have the same or similar colours, the away team shall make the change. Any team not having a change of colours or delaying the kick-off by not having a change shall be fined £10.

The General Secretary of the Competition may request shirts to be submitted if complaints are received as to lack of distinguishing colours, and the Management Committee may refuse to permit any shirts or shorts as they think fit.

Shirts must be numbered. The numbers shall be on the back of the shirt and not less than 9 inches in length

- (B) Any Club wishing to change its name and/or colours must obtain seek permission from its affiliated County Association and from the Management Committee. Once permission has been obtained, the Club must notify the Honorary General Secretary, and the secretaries of each club in its division. Failure to notify will result in a fine of £10

10 PLAYING SEASON, CONDITIONS OF PLAY, TIMES OF KICK-OFF, POSTPONEMENTS, SUBSTITUTES

- (A) The Annual General Meeting shall determine the commencing and concluding dates for the ensuing season which shall be in accordance with Football Association Rules. No Club shall be compelled to play after the concluding date. Original fixtures arranged by the Honorary Fixtures Secretary, or at a meeting specially convened for that purpose, to be held no later than 21 days before the respective month, must not be arranged for a date later than seven days preceding the concluding date determined by the Annual General Meeting.

- (B) All matches shall be played in accordance with the Laws of the Game as determined by the International Football Association Board.

Clubs must take all reasonable precautions to keep their grounds in a playable condition. All matches shall be played on pitches deemed suitable by the Management Committee, including any pitch with a 3G artificial surface. If through any fault of the home team a match has to be replayed, the Management Committee shall have power to order the venue to be changed.

The Management Committee shall have power to decide whether a pitch and/or facilities are suitable for matches in the Competition and to order the Club concerned to play its fixtures on another ground.

Teams competing in Intermediate Divisions must play on grounds of reasonable surface and the measurement of the pitch must comply with the rules of the Sussex County Football Association Intermediate Cup. Dressing room accommodation must consist of separate dressing rooms for each team and match officials. These facilities must meet with the approval of the Management Committee. In any circumstances where pitches are unavailable for whatever reason during the playing season, the Honorary Fixtures Secretary shall have the authority to allocate replacement venues.

All matches shall have a duration of 90 minutes unless a shorter time (not less than 60 minutes) is mutually arranged by the two captains in consultation with the referee prior to the commencement of the match, and in any event shall be of equal halves.

The times of kick-off shall be fixed by the A.G.M. or the Management Committee. Any Club failing to commence at the appointed time shall be fined a sum not exceeding £10 for a delay of up to 10 minutes, £20 for a delay of up to 20 minutes or £30 for a delay of up to 30 minutes, or be otherwise dealt with as the Management Committee may determine. Teams being more than 30 minutes late will be deemed to have failed to fulfil a Competition fixture.

(Referees must order matches to commence at the appointed time and must report all late starts to the Competition.

The home team must provide at least two footballs fit for play and the referee shall make a report to the Competition if the footballs are unsuitable. Goal nets must be used.

- (C) Except by permission of the Management Committee all matches must be played on the dates originally fixed but priority shall be given to The Football Association and all relevant County Association Cup Competitions. All other matches must be considered secondary. Clubs may mutually agree to bring forward a match only with the consent of the Honorary Fixtures Secretary, such consent to be given where deemed appropriate only on receipt of a formal request from both Clubs..
- (D) The Secretary of the home Club must give notice in writing of full particulars of the location of, and access to, the ground and time of kick-off to the match officials and the Secretary of the opposing Club at least 3 and not more than 7 clear days prior to the playing of the match. Opposing Club secretaries and match officials shall notify the Competition of any breach of this rule by completing the relevant part of the Match Return Card. Any Club failing to comply with this Rule shall be liable to a fine of £10.
- (E) Every Club shall play its best available qualified team or teams in all matches in the Competition.

(Note: The intention of this Rule is not to interfere with normal team selection by Clubs, but to prevent Clubs deliberately fielding a weakened team in order to unreasonably reserve players for another game or to boost the strength of another or lower team. It is NOT intended that Clubs MUST field higher team players in lower teams when the higher team has no engagement. If, in the opinion of the Management Committee, the substance or spirit of the Rule is obviously being disregarded, the Club or Clubs concerned may be called to account for its/their actions and shall be subject to such decisions as the Management Committee may determine, despite the fact that Rule 8 has not been infringed.)

In the event of a Club playing in any match with less than 11 players they may be fined a maximum of £10 for each missing player. A minimum of 9 players will constitute a team for a Competition match.

- (F) Home and away matches shall be played. In the event of a Club failing to keep its engagement the Management Committee shall have power to inflict a fine not exceeding £100, deduct points from the defaulting Club, award the points to the opponents, order the defaulting Club to pay any expenses incurred by the opponents or otherwise deal with them except the award of goals. Notwithstanding the foregoing home and away provision, the Management Committee shall have power to order a match to be played on a neutral ground or on the opponent's ground if they are satisfied that such action is warranted by the circumstances.

Any Club with more than one team in the Competition shall always fulfil its fixture, within the Competition, in the following order of precedence:- First Team, Reserve Team, A Team. Clubs in breach of this requirement shall be fined a sum not exceeding £100 or otherwise dealt with by the Management Committee.

Any Club unable to fulfil a fixture must, without delay, give notice to the Honorary Fixtures Secretary, the Competition Honorary Referees Secretary, the Secretary of the opposing Club and the match officials. Any Club failing to comply shall be dealt with by the Management Committee who may inflict any penalty it may deem suitable.

A Club involved in an unfulfilled match shall give the reason to the Honorary General Secretary in writing within 5 days. Any club failing to comply shall be liable to a fine of £10

In the event of a match not being played or abandoned owing to causes over which neither Club has control, it shall be played in its entirety on a future date as determined by the Honorary Fixtures Secretary, and approved by the Management Committee.

A Club involved in an abandoned match shall give the reason to the Honorary General Secretary in writing within 5 days. In addition BOTH Clubs must immediately notify the Honorary Fixtures Secretary. Any club failing to comply shall be liable to a fine of £10

The Management Committee shall review all matches abandoned in cases where it is consequent upon the conduct of either or both teams. Where it is to the advantage of the Competition and does no injustice to either Club, the Management Committee shall be empowered to order the score at the time of the abandonment to stand. In all cases where the Management Committee are satisfied that a match was abandoned owing to the conduct of one team or its Club member(s) they shall be empowered to award the points for the match to the opponents and/or take what other action they may deem necessary, including liability to a fine not exceeding £100. In cases where a match is abandoned owing to the conduct of both teams or their Club members, the Management Committee shall take such action as they consider appropriate. Such action is subject to any disciplinary action taken by the appropriate Affiliated Association.

The home Club involved in a postponed or cancelled match, other than a cancellation of a pitch by Brighton and Hove City or Adur Councils, or by a Match Official, shall give the reason to the Honorary General Secretary in writing within 5 days. Any Club failing to comply may be liable to a fine of exceeding £10

- (G) A Club may at its discretion and in accordance with the Laws of the Game use 3 substitute players in any match in this Competition who may be selected from 5 players.

The referee shall be informed of the names of the substitutes in writing not later than 5 minutes before the start of the match.

A player who has been selected, appointed or named as a substitute before the start of the match but does not actually play in the game shall not be considered to have been a player in that game within the meaning of Rule 8 of this Competition.

- (H) The half time interval shall be of 10 minutes duration, but it shall not exceed 15 minutes. The half time interval may only be altered with the consent of the referee.

11 REPORTING RESULTS

- (A) The Honorary Registration Secretary must receive within 3 days of the date played, the result of each Competition match, and Cup match, including external Competitions and any abandonment in the prescribed manner (online Match Return Card). This includes all matches outside the jurisdiction of this Competition. This must include the forename(s) and surname of the team players, including the substitutes used, the Referee markings required by Rule 13 and all other information required by the Competition. Failure to do so will incur a fine of £10 on the day after the required date and a further £2 for each subsequent day until the Match Return Card is received and the Club being dealt with as the Management Committee decide.

Should a Club fail to meet the required date for receipt of the Match Return Card for two consecutive matches, and either or both Match Return Cards remain outstanding for 7 days beyond the required date for return of the second Card, that Club shall be suspended; such suspension will continue until both Cards have been received by the Honorary Registration Secretary

- (B) The Home Club shall telephone the result of each Competition League match to the Honorary Fixtures Secretary by 6.30PM on the day of the match (10.00PM for evening matches)

Clubs involved in ANY Cup-ties must notify the result to the Honorary Fixtures Secretary by 6.30PM on the day of the match (10.00PM for evening matches)

Clubs involved in any Cup competition outside the jurisdiction of the Brighton Hove and District Football League must notify the Honorary Fixtures Secretary of any postponed/abandoned matches not later than 6.30PM on the day (10.00PM for evening matches)

Failure to comply with the notification procedure will render a Club liable to a fine not exceeding £20.

- (C) The match result notification, correctly completed, shall be signed by a responsible member of the Club. The Management Committee shall have power to take such action as they deem suitable against a Club which submits an incomplete form or incorrect information. This will include liability for a fine of £10 for incorrect Match Return Cards, with incremental increases in the fine i.e., £20, £30 etc for any subsequent infringements in the same season and liability for a fine of £100 for deliberate falsification of a Card.

12 DETERMINING CHAMPIONSHIP

- (A) Team rankings within the Competition will be decided by points with 3 points to be awarded for a win and 1 point for a drawn match. The teams gaining the highest number of points in their respective Divisions at the conclusion shall be adjudged the winners. Matches must not be played for double points.

In the event of two or more teams being equal on points team rankings shall be decided in the following order:-

- (i) goal difference
- (ii) goals scored
- (iii) deciding match(es) played under conditions determined by the Management Committee.

- (B) Subject to the provisions of Rule 1(B), automatic promotion shall be applied for the first 2 teams in each Division except the Premier Division as provided for hereunder, and relegation may be applied to the last two teams in each Division other than the lowest Division except as provided for hereunder

- (i) Should one or more teams withdraw from any one Division after the fixtures have commenced an equal number of teams to those withdrawing in that Division may not be relegated.

- (ii) Vacancies occurring after the conclusion of the season may be filled in any of the following ways:
- (a) retention of otherwise relegated team(s)
 - (b) additional promotion of the next ranked team(s) or as the Management Committee deem appropriate
 - (c) election

- (iii) The last 2 teams in the lowest Division shall retire, but be eligible for re-election except as below, and be subject to the conditions of paragraph (B)(i) above.

- (iv) When a senior team is relegated to a lower Division of which its reserve team is a member, or entitled to be a member, such reserve team must accept relegation to, or retain its position in, the next lower Division; and should the senior team be relegated to the lowest Division its reserve team automatically retires from the Competition.

- (v) Should either or both of the leading teams in any of the Divisions have its senior team in the next higher Division, promotion shall fall, at the discretion of the General Meeting, to the next highest team or teams in the Division concerned.

- (vi) In the event of any future re-organisation of the Competition, no newly elected Club shall take precedence over the winners of the respective Divisions, to the detriment of these Clubs. Likewise, only the respective bottom two Clubs, except in the lowest Division, may be relegated

- (C) In the event of a team not completing 75% of its fixtures for the season all points obtained by or recorded against such defaulting team shall be expunged from the Competition table.

In the event of a Club having more than 1 team in the Competition and wishing to withdraw a team during the season, the most junior team will be withdrawn, subject to the discretion of the Management Committee

- (D) Not used
- (E) Any Club which is persistently found guilty of misconduct under FA Rule E, Sussex County Football Association rules, or in breach of Brighton Hove and District Football League rules and thereby bringing the name of the Competition into disrepute may have any promotion withdrawn
- (F) Competition fixtures will be made during the period of any suspension imposed on any team by the Competition or the Sussex County Football Association, and any matches not played during this period shall be awarded to their opponents.

13 REFEREES

- (A) Registered Referees for all matches shall be appointed in a manner approved by the Management Committee and by the sanctioning Association(s).
- (B) In the event of the non-appearance of the appointed Referee, or where the appointed Referee cannot continue through injury or illness, the senior Assistant Referee, shall take charge and a substitute Assistant Referee be appointed by the competing Teams. In cases where there are no officially appointed Assistant Referees, or where the Competition has been unable to appoint a Referee, the Clubs shall agree upon a Referee. A Referee thus agreed upon shall, for that game, have the full powers, status and authority of a registered Referee. Where they are unable to agree, the Home Club shall provide a Referee. Failure to comply will render the offending club liable to action under Rule 10(F) (failure to fulfil/complete fixture)
- (C) The Management Committee may, if they consider it desirable, or upon application by the two competing Clubs, appoint Assistant Referees, if available, to any match. Where Assistant Referees are not appointed each Team shall provide a Club Assistant Referee. Failure to do so may render the Club liable to a fine of £10
- (D) The appointed Referee shall have power to decide as to the fitness of the ground in all matches and the decision shall be final subject to either in the case of a ground of a Local Authority or the owners of a ground, the Representative of that body is the sole arbiter and whose decision must be accepted unless the ground is declared fit for play.
- (E) Match Officials appointed under this Rule shall be entitled to charge standard class public transport expenses or private car expenses of 27p per mile and any other permitted expenses actually incurred together with the following match fees:-

Referee	
Intermediate Divisions	£25
All other Divisions	£22

Registered Referees appointed by the Management Committee as Assistant Referees	
Intermediate Divisions	£22
All other Divisions	£17

The Home Club shall pay the Officials their fees and expenses in their changing room immediately after the match. Failure to comply with the provisions of this rule may render the Club liable to a fine not exceeding £50.

- (F) In the event of a match not being played because of circumstances over which the Clubs have no control, the Match Officials, if present, shall be entitled to expenses only. Where a match is not played owing to one Club being in default, that Club shall be ordered to pay the Match Officials, if they attend the ground, their full fee and expenses.

- (G) A Referee not keeping an engagement, and failing to give a satisfactory explanation as to any non-appearance, may be reported to the Association with which the referee is registered.
- (H) Each Club shall, in a manner prescribed from time to time by The Football Association, award marks to the Referee for each match and the name of the Referee and the marks awarded shall be submitted to the Competition on the prescribed form provided. Where a mark of 50 or less is given, a written explanation of the reason for the marking must be given. Clubs failing to comply with this Rule shall be liable to be fined or dealt with as the Management Committee shall determine.

The Competition shall keep a record of the markings and, on the Form provided by the prescribed date(s) each season, (currently required on a monthly basis) shall submit a summary to The Sussex County Football Association
- (I) The Referee shall submit a report Form, supplied by the Competition, giving the result of the match, the number of players in each team, the time of kick-off, misconduct details and other stipulated information to the Honorary Referees Secretary within three days of the match.
- (J) Referees and Assistant Referees shall be supplied, each Season, with a copy of the Competition Rules free of charge.

14 CONTINUATION OF MEMBERSHIP OR WITHDRAWAL OF A CLUB

- (A) After 31st December in the current Season a Club intending, or having a provisional intention, to withdraw a team from the Competition on completion of its fixtures and fulfilment of all other obligations to the Competition must notify the Honorary General Secretary in writing by 31st March in that Season or be liable to a fine not exceeding £100. This rule shall not apply in the case of a Club being recommended by the competition and accepted for membership by the Sussex County Football League

Existing teams having membership of the Competition must return their membership form to the Honorary General Secretary by 15th May.

Teams being transferred from Division 3 of the Sussex County Football League must return their membership form by 15th May.

- (B) A Club shall not be allowed to withdraw any or all of its teams from the Competition after the Annual General Meeting for the following Season. Any Club infringing this Rule shall be liable to a fine not exceeding £100 per team and shall also be liable for its share of any call which may be made under Rule 5(B).
- (C) Not used
- (D) In the event of a Member Club which is an un-incorporated association withdrawing and/or disbanding it shall be immediately liable to discharge all its financial and other obligations to the Competition.

In the event that any such obligation remains undischarged after a period of twenty-one (21) days then such obligation shall be met by the then current Club Members, excluding those under the statutory school leaving age. Until a Member's pro rata obligation is discharged in full the Member shall not be allowed to participate in the Competition, which may apply to the Club's Parent County Association for a suspension order.

15 PROTESTS AND COMPLAINTS

- (A) (i) All questions of eligibility, qualifications of players or interpretations of the Rules shall be referred to the Management Committee.

(ii) Objections relevant to the dimensions of the pitch, goals, flag posts or other facilities of the venue will not be entertained by the Management Committee unless a protest is lodged with the Referee before the commencement of the match. Any Club lodging such protest and not proceeding with it shall be deemed guilty of a breach of this Rule and shall be dealt with by the Management Committee.

- (B) Except in cases where the Management Committee decide that there are special circumstances, protests and complaints (which must contain full particulars of the grounds upon which they are founded) must be lodged in duplicate with the Honorary General Secretary within 14 days (excluding Sundays) of the match or occurrence to which they refer. A protest or complaint shall not be withdrawn except by permission of the Management Committee. A Member of the Management Committee who is a member of any Club involved shall not be present (except as a witness or representative of his Club) when such protest or complaint is being determined.
- (C) Any dispute occurring between Clubs in the Competition shall be referred for determination by the Management Committee whose decision shall be binding upon all parties subject to Rule 16.
- (D) No protest of whatever kind shall be considered by the Management Committee unless the complaining Club shall have deposited with the Honorary General Secretary a sum of £10. This may be forfeited in whole or in part in the event of the complaining or protesting Club losing its case. The Competition shall have power to order the defaulting Club or the Club making a losing or frivolous protest or complaint to pay the expenses of the enquiry or to order that the costs to be shared by the parties.
- (E) All parties to a protest or complaint must be afforded an opportunity to make a statement when the protest or complaint is being heard and must have received 14 days notice of the hearing, together with a copy of the submission. When dealing with a protest or complaint the Management Committee shall take into consideration the possession by the protesting or complaining Club of any information which, if properly used, might have avoided the protest or complaint.

16 BOARD OF APPEAL

Within 14 days of the posting of written notification of any decision of the Management Committee or the Competition a Club, Official or Player against whom action is taken may appeal against such decision by lodging particulars in duplicate with the Chief Executive of the Sussex County Football Association, including a fee of £35, for adjudication of a Board of Appeal. The grounds of appeal shall be in accordance with FA Rules. The Board of Appeal may order the appeal fee to be forfeited and shall decide by whom the costs of the appeal shall be borne. The decision of the Board of Appeal is final and binding on all parties concerned.

A copy of the particulars of the Appeal shall also be sent to the Honorary General Secretary .

No appeal can be lodged against a decision taken at an Annual General Meeting or Special General Meeting unless this is on the ground of unconstitutional conduct.

Two officers, as determined by the Management Committee, will represent the Competition at the hearing of any appeal under the Rule

17 EXCLUSION OF CLUBS OR TEAMS. MISCONDUCT, CLUBS, OFFICIALS, PLAYERS

- (A) At the Annual General Meeting, or Special General Meeting called for the purpose, Notice of Motion having been duly circulated on the Agenda, the accredited delegates present shall have the power to exclude any Club or Team from further membership which must be supported by (more than) two thirds (2/3) of those present and voting. Voting on this point shall be conducted by ballot.
- (B) At the Annual General Meeting, or at a Special General Meeting called for the purpose, in accordance with the provisions of Rule 19, the accredited delegates present shall have the power to exclude from further participation in the Competition any Club whose conduct has, in their opinion, been undesirable which must be supported by two-thirds of those present and voting. Voting on this point shall be conducted by ballot. A Club whose conduct is the subject of the vote being taken shall be excluded from voting.
- (C) Any official or member of a Club proved guilty of either Breach of Rules, other than field offences, or of inducing or attempting to induce a player or players of another Club in the Competition to join them shall be liable to expulsion or such penalty as a General Meeting or Management Committee may decide, and their Club shall also be liable to expulsion in accordance with the provisions of Clauses (A) and (B) of this Rule.

- (D) Any Club or Team failing to complete 75% of its fixtures in any season shall (unless the conditions are beyond their control, or the accredited delegates present at the Annual General Meeting or a Special General Meeting decide otherwise by a majority of two-thirds of the votes cast) be debarred from membership the following season.
- (E) Any Club which has a player suspended by the Sussex County Football Association, or is itself suspended, must, on receipt of notification of the suspension from the Association, immediately advise the Honorary General Secretary, Honorary Registrations Secretary and Honorary Fixtures Secretary in the event of a Club suspension, and the Honorary General Secretary and Honorary Registrations Secretary in the event of a player suspension. Such notification must include details of the inclusive dates of the suspension. Failure to comply with this notification procedure will render the Club liable to a fine not exceeding £50. In addition, the Club will be reported to the Sussex County Football Association under Sussex County Football Association Rule 17

18 TROPHIES:-
LEGAL OWNERS, CONDITIONS OF TAKING OVER, AGREEMENT TO BE SIGNED. AWARDS.

- (A) If a Competition is discontinued for any reason a Trophy or any other presentation shall be returned to the Donor, if the conditions attached to it so provide, or, if not, dealt with as the sanctioning Association may decide.
- (B) The following agreement shall be signed on behalf of the winners of the Cup or Trophy:-

“We A _____ and B _____, the Chairman and Secretary of _____ FC, members of and representing the Club, having been declared winners of _____ Cup or Trophy, and it having been delivered to us by the Competition, do hereby on behalf of the Club jointly and severally agree to return the Cup or Trophy to the Honorary General Secretary or nominated deputy on or before 15th January _____. If the Cup or Trophy is lost or damaged whilst under our care we agree to refund to the Competition the amount of its current value or the cost of its thorough repair.”
- (C) The Competition shall award 16 mementos to the winners and runners-up of each Division. The Clubs concerned may order up to 4 additional awards at their own expense, providing application in writing is received by the Honorary General Secretary by 15th May each year. The mementos will be presented to eligible players at an End of Season function arranged by the Competition. Clubs are required to purchase a minimum of 6 tickets for the function.
- (D) (i) Any Club holding a Cup or Trophy must return it in good condition and to the satisfaction of the Honorary General Secretary or nominated deputy by 15th January each season or as requested by the Management Committee .Any club failing to comply with this rule shall be liable to a fine of £10 per week or part thereof for late return
(ii) A Club may be liable to a fine of £20 where a Cup or Trophy is returned in dirty condition
- (E) The Competition shall be responsible for engraving all Cups or trophies

19 SPECIAL GENERAL MEETINGS

Upon receiving a requisition signed by two-thirds of the Clubs in membership the Honorary General Secretary shall call a Special General Meeting.

The Management Committee may call a Special General Meeting at any time.

At least 14 days notice shall be given of either meeting under this Rule, together with an agenda of the business to be transacted at such meeting.

Each Full Member Club shall be empowered to send two delegates to all Special General Meetings. Each Club shall be entitled to one vote only.

Any continuing Member Club failing to be represented at a Special General Meeting without satisfactory reason being given shall be fined up to £50. For the purposes of this Rule, a Club shall be deemed absent if not present at the Roll Call of Member Clubs.

Officers and Management Committee members shall be entitled to attend and vote at all Special General Meetings.

20 ALTERATION TO RULES

Alterations shall be made to these Rules only at the Annual General Meeting or at a Special General Meeting specially convened for the purpose called in accordance with Rule 19. Any alteration made during the playing season to the Rule relating to the qualification of players shall not take effect until the following season.

Notice of proposed alterations to be considered at the Annual General Meeting shall be submitted to the Honorary General Secretary by the first day of May in each year. The proposals, together with any proposals by the Management Committee, shall be circulated to the Clubs by 14th May and any amendments thereto shall be submitted to the Honorary General Secretary by 28th May. The proposals and proposed amendments thereto shall be circulated to Clubs with the notice of the Annual General Meeting. A proposal to change a Rule shall be carried if a majority of those present and entitled to vote are in favour.

A copy of the proposed alterations to Rules to be considered at the Annual General Meeting or Special General Meeting shall be submitted to the sanctioning Football Association 21 days prior to the date of the meeting.

Any alterations or additions decided upon at any meeting shall not become operative until the approval of the Association issuing sanction shall have been obtained.

21 RULES BINDING ON CLUBS

Each Member Club shall be deemed to have given its assent to the foregoing Rules and agreed to abide by the decisions of the Management Committee subject to Rule 16. Each Member Club must abide by any issued Football Association Code of Conduct.

22 FINANCE

- (A) The Management Committee shall determine with which bank or other financial institution the funds of the Competition will be lodged.
- (B) All expenditure in excess of £300 shall be approved by the Management Committee. Cheques shall be signed by at least two Officers nominated by the Management Committee.
- (C) The financial year of the Competition will end on 31st May.
- (D) The books, or a certified balance sheet, of the Competition shall be prepared and shall be verified annually by some suitable person(s) who shall be appointed as Independent Examiners at the Annual General Meeting.

23 REPRESENTATIVE MATCHES

All Clubs playing in the Competition shall be bound to place their players at the disposal of the Competition for representative matches, but should more than two players from any one team be claimed for a match, then that team shall not be required to play a Competition fixture on that day. A player selected to play for the Competition, and unable to accept the invitation, will only in exceptional circumstances be allowed to play for his Club on the date of the representative match. Written consent must first be obtained.

Any player selected and failing to attend a representative match without previously notifying the Honorary General Secretary shall be liable to suspension and a fine not exceeding £20 at the discretion of the Management Committee

24 MATCH DAY REQUIREMENTS

- (A) Each home team shall be responsible for providing a set of corner flags, and pegs for securing goal-nets. Failure to do so may render the Club liable to fine of £10 and in the event of a match not being played because of the lack of corner flags or pegs, the home team shall be deemed to have not fulfilled the fixture as stipulated in Rule 10 (F). The match shall be awarded to the opposing team. They will be awarded 3 Points, together with any reasonable expenses claimed, providing such claim is made within 14 days of the match and shall be subject to the approval of the Management Committee.
- (B) Each home Club shall be responsible for providing a pair of recognised fluorescent Assistant Referees flags. Failure to do so shall render the Club liable to a fine of £10.

25 CHANGE OF CLUB SECRETARY

Notice of a change of Club Secretary (or address or telephone number) must be notified, in writing, at once to the Honorary Secretaries and the Honorary Treasurer of the Competition, and the respective Club Secretaries of each Club in its Division(s). Failure to comply with this rule will render a Club liable to a fine of £10 for each offence.

26 PITCH FEES

Each club using pitches controlled by Brighton and Hove City Council shall be liable for payment for a minimum of ten pitches per team, during the current season and shall pay to the Honorary Treasurer on 1st October and the first of each subsequent month until 1st March, both dates inclusive, the sum of £100 per team as a deposit on account of pitch fees for the current season and any outstanding balance as notified by the Honorary Treasurer is to be paid on or before 24th May. Failure to pay these sums by the appropriate dates will render the Club liable to a fine of £10 per week, at the discretion of the Management Committee. Should the fee remain unpaid 7 days after the due date, the Club will be suspended from the Competition.

27 OUTSTANDING MONIES

- (A) All monies due to the Competition at the end of the season must be paid on or before 24th May. Failure to do so will render a Club liable to a fine of £10 per week at the discretion of the Management Committee.
- (B) Any Club failing to pay all monies due to the Competition for the previous season by 31st May, may be suspended, pending expulsion by Member Clubs at an Annual General Meeting or Special General Meeting
- (C) The Management Committee shall have the power to demand payment of all monies due from any Club which is indebted to the Competition in an amount which in the opinion of the Management Committee is excessive. Any Club failing to pay the monies due by the date specified may be suspended, pending expulsion by Member Clubs at the Annual General Meeting or Special General Meeting, after which outstanding debts shall be recovered on a pro-rata basis against the registered players, except those under school leaving age and/or Club officials of that Club
- (D) Should any cheque sent by a Club in payment of Entry Fee, Subscription, Deposit or other chargeable items embraced within the Competition rules, including fines, be returned by the Bank or Building Society, payment shall be regarded as outstanding until such time as proper payment has been made. In such event, where the outstanding period extends beyond the payment required-by date, such action as is appropriate under the respective rule(s) shall be applied at the discretion of the Management Committee i.e., fines, suspension etc.

SAFEGUARDING CHILDREN

1. Any act, statement, conduct or other matter which harms a child or children, or poses or may pose a risk of harm to a child or children, shall constitute behaviour which is improper and brings the game into disrepute.
- 2.(a) In these Regulations the expression "Offence" shall mean any one or more of the offences contained in the Schedules of the Criminal Justice and Court Services Act 2000 and any other criminal offence which reasonably causes The Association to believe that the person accused of the offence poses or may pose a risk of harm to a child or children.

(b) All persons in such positions that The Association deems relevant whose normal duties include caring for, training, supervising or being in sole charge of children are required to obtain an Enhanced Disclosure via The Association's CRB process.
3. Upon receipt by The Association of:
 - 3.1 notification that an individual has been charged with an Offence; or
 - 3.2 notification that an individual is the subject of an investigation by the Police, Social Services or any other authority relating to an Offence; or
 - 3.3 any other information which causes The Association reasonably to believe that a person poses or may pose a risk of harm to a child or children then The Association shall have the power to order that the individual be suspended from all or any specific football activity for such period and on such terms and conditions as it thinks fit.
4. In reaching its determination as to whether an order under Regulation 3 should be made The Association shall give consideration, inter alia, to the following factors:
 - 4.1 whether a child is or children are or may be at risk of harm;
 - 4.2 whether the matters are of a serious nature;
 - 4.3 whether an order is necessary or desirable to allow the conduct of any investigation by The Association or any other authority or body to proceed unimpeded.
5. The period of an order referred to in 3 above shall not be capable of lasting beyond the date upon which any charge under the Rules of The Association or any Offence is decided or brought to an end.
6. Where an order is imposed on an individual under regulation 3 above, The Association shall bring and conclude any proceedings under the Rules of The Association against the person relating to the matters as soon as reasonably practicable.
7. Where a person is convicted, or is made the subject of a caution in respect of an Offence, that shall constitute a breach of the Rules of The Association and The Association shall have the power to order the suspension of the person from all or any specific football activity for such a period (including indefinitely) and on such terms and conditions as it thinks fit.
8. For the purposes of these Regulations, The Association shall act through its Council or any committee or sub-committee thereof, including the Board.
9. Notification in writing of an order referred to above shall be given to the person concerned and/or any club with which he is associated as soon as reasonably practicable.
10. The applicable standard of proof shall be the civil standard, of the balance of probability. The more serious the allegation taking into account the nature of the misconduct alleged and the context of the case the greater the burden of evidence required to find the matter proved. Save that for charges pursuant to The Football Association's Child Protection Policy, where the welfare and protection of children shall be paramount and the test shall be whether more likely than not