



**Cumann Lúthchleas Gael Na Fianna**

**Bunreacht an Chumainn**

# **CLUB CONSTITUTION**

**Amended following the AGM on 18 October 2007**

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### Revision History

<b>Revision</b>	<b>Date</b>	<b>Amendment Summary</b>
	27/10/05 AGM	Rule 3.a.v, 3.b Family membership; Rule 4.a Rights of membership – speaking at General Meetings
	8/11/05 Exec	Rule 10 – Incorporation of Club licensing law amendments
	18/10/07 AGM	Substantial revision following passing of motions proposed by Constitutional Review Sub-Committee

**RULE 1. TITLE AND OBJECTS**

(a) The name of the Club is: Cumann Lúthchleas Gael Na Fianna.

(b) The Objects of the Club are:

To promote and encourage Gaelic games, culture, language, song, dance and industry and in every way to promote the objects of Cumann Lúthchleas Gael at local level.

To protect and promote the interest of the members.

(c) No subject of a political or sectarian nature may be discussed at any meeting of the Club, and in order so as to respect the different political views of all the members, no individual, team or group may officially represent the Club on any occasion which is organised or sponsored by a political party.

(d) No individual, team or group may represent the Club in any game or other function without first having had the authority of the Executive Committee to do so.

**RULE 2. COLOURS**

The colours of the Club shall be yellow and blue and in the event of a clash of colours the alternate shall be blue and yellow.

### **RULE 3. MEMBERSHIP**

(a) (i) Full Members, shall be members who are 18 or over on the 31 December of the year in which the AGM is held.

(ii) Honorary Members, who shall be any persons who are 18 or over on the 31 December of the year in which the AGM is held and who in the opinion of the Executive Committee merit such membership. Such members shall be Full Members, but shall be exempt from paying their Annual subscriptions.

(iii) Youth Members, shall be members who are under 18 on the 31 December of the year in which the AGM is held.

(iv) Social Members, shall be members who are 18 or over on the 31 December of the year in which the AGM is held and who may be granted such of the rights enjoyed by other members as the Executive Committee sees fit in each case, subject to the provisions of the Constitution.

(v) Full Members (including Honorary Members) and Youth Members of the Club will also become Members of the main Association.

(b) The annual subscriptions for respectively, Full Members, Full Members who are full-time students or unwaged, Youth Members and Social Members shall be determined by the Executive Committee and be ratified at the Annual General Meeting.

In addition the Executive Committee will determine the annual subscription for a family which will be ratified at the Annual General Meeting. A family subscription will cover a maximum of two Full Members and any children in the family who are under 18 on the 31 December of the year in which the AGM is held and are therefore Youth Members.

In any instance where the subscription that should be paid in respect of a member is unclear the Executive Committee will have the power to decide.

- (c) The Annual Subscription for each member shall become due on the first day after the Annual General Meeting and shall be paid on or before the 1st March of the following year. Any members whose Annual Subscription has not been paid by the date specified shall remain as members but will lose their Rights of Membership.
  
- (d) All persons who are 18 or over on the 31 December of the year in which the AGM is held and who are desirous of joining the Club, must be proposed and seconded by two existing Full Members, written notice of which must be given to the Secretary on the relevant application form . The name and address of any such person proposed for membership shall be displayed in a conspicuous place in the Club premises for two weeks and an interval of not less than two weeks shall elapse between nomination and election of members. Any Full Member who wishes to object to the candidate's election may do so by giving written notice of such objection to the Secretary. The Executive Committee shall then decide on the application. When a candidate has been elected to membership, the secretary shall notify him/her forthwith and shall request him/her to pay his/her subscription in order to obtain his/her rights of membership.

Club Policies and Procedures shall outline the process to be followed in relation to applications for membership by all persons who are under 18 on the 31 December of the year in which the AGM is held

- (e) The Executive Committee shall notify the applicant through the Secretary within four weeks of the date on which his/her application was received whether or not he/she is accepted for membership of the Club.
  
- (f) The Executive Committee shall have discretionary power to reinstate Rights of Membership, under such terms as they think fit, to any person who has lost them.

- (g) All playing members are required to give priority to Na Fianna over any other sporting interests, unless excused from doing so by the Executive Committee, and any playing member who, having been notified for a match, fails to turn up without giving advance notice to the selectors, should stand suspended for one month or until he/she submits a satisfactory explanation to the Executive Committee. If a playing member repeats the offence during the same playing season, his/her rights of membership shall be terminated forthwith. A player may appeal to the Executive Committee within fourteen days and the committee may re-instate him/her under any conditions they think fit.
  
- (h) Any member may only cease to be a member of the Club by:
  - (i) notifying the Club Chairman or Secretary in writing of his/her resignation from the Club;
  - (ii) transferring to another Club;
  - (iii) being expelled from the Club by the Executive Committee in accordance with the provisions of this Constitution.

#### **RULE 4. RIGHTS OF MEMBERSHIP**

- (a) With the exception of 4 (k) below, the rights of any member of the Club shall be conditional upon the member complying with the provisions of this Constitution, the Official Guide and the Club Policies and Procedures including the timely payment of any annual subscriptions and levies.

Such rights may be lost in accordance with Rule 3 (c) above or be withheld, restricted or suspended by a decision of the Executive Committee.

- (b) Every member other than Social Members shall have the right to seek membership of any committee of the Club with the exception that members of the Executive Committee must be Full Members.
- (c) Full members shall have the right to nominate or second persons to become members of the club or to nominate other Full Members for election to positions on the Executive Committee or as Club President.
- (d) Full members shall have the right to be notified of any General Meeting of the club. Full Members also have the right to act as part of a group comprising not less than ten per cent of Full members in requesting the Secretary to convene a Special General Meeting.
- (e) Every member, other than Social Members shall have the right to enter and use the premises and facilities for the purpose for which they have been designed, but will be bound by Club Policies and Procedures.
- (f) Social members shall have the right to enter and use the premises and facilities for social purposes only and will be bound by Club Policies and Procedures.
- (g) Full Members will have the right to propose or second Motions, to speak at and/or vote at an Annual or Special General Meeting.

- (h) Persons who have been Full Members of the Club for at least three years will have the right to be nominated for the positions of Chairman, Vice-Chairman, Secretary and Treasurer.
- (i) Social members shall **not** have the right to take part in the following:
- (i) the playing of games.
  - (ii) to attend or vote at the AGM.
  - (iii) the right to act on any Club committee.
- (j) All members, including Social Members, shall have the right to be admitted to all games at Mobhi Rd., on production of their membership card, free of charge.
- (k) Rights of Youth Members (Under 18)  
All Youth Members have the right to be protected from any kind of abuse, i.e. sexual, physical and verbal. The Executive Committee shall adopt the code of conduct for the protection of youth members as introduced by the Central Council of the G.A.A. and shall ensure that this code is updated from time to time as necessary to ensure that it is always in accordance with the code of conduct in force at any given time within the G.A.A.
- (l) Any Full or Youth Member who has been expelled, suspended, warned or fined by the Executive Committee or whose rights of membership have been withheld, restricted or suspended by a decision of the Executive Committee, shall have the right to appeal to the relevant Committee of the County Board, within seven days of being notified of such decision.

## **RULE 5. GENERAL MEETINGS**

- (a) The supreme authority of the Club shall be the Annual General Meeting (AGM) and the Executive Committee elected thereat, shall conduct the affairs of the Club in conformity with the policies determined at the Annual General Meeting. The outgoing Executive Committee shall conduct the Annual General Meeting and the incoming Executive Committee shall hold office until the conclusion of the following Annual General Meeting.
  
- (b) The Annual General Meeting shall be held in the month of September each year, although the Executive Committee shall have power to defer the date of the AGM not later than 31st October each year.
  
- (c) The Secretary shall give at least twenty eight days notice of the AGM to each Full Member at the same time inviting Nominations for election to the Executive Committee for the following year and Motions for consideration at the Annual General Meeting, and specifying that such Nominations and Motions shall be received by him/her by a date not less than fourteen days prior to the date fixed for the meeting.
  
- (d) The Secretary shall then, on or after the date specified for return to him/her of such Nominations and Motions, but so as to give the members ten days clear notice before the meeting, circulate to the Full Members the following documentation:-
  - (1) Copy of the Agenda for the meeting.
  - (2) Copy of the Annual Report of the Secretary.
  - (3) Copy of the Financial Statements, including the Report of the Accountant(s) or Auditor(s)
  - (4) Details of the Nominations for election to the Executive Committee.
  - (5) Copies of any Motions for consideration at the meeting.

- (e) The business to be transacted at the AGM shall be as follows:
- (1) Adoption of Standing Orders and appointment of Tellers.
  - (2) The President's Address.
  - (3) Minutes of previous Annual General Meeting.
  - (4) The Chairman's Address.
  - (5) To discuss the secretary's report
  - (6) To discuss the set of accounts presented by the treasurer and audited by the auditor's.
  - (7) To elect by ballot the president, whose term of office shall not be more than three years, and the officers and members of the Executive Committee as set out in Rule 6(a) of the Constitution.
  - (8) The appointment of auditors.
  - (9) To discuss and vote on the various Motions proposed.
  - (10) To discuss Any Other Business
- (f) No business shall be transacted at any General Meeting unless a quorum of members is present at the time when the meeting proceeds to business. Save as herein otherwise provided, ten per cent of Full Members eligible to vote shall be a quorum at a General Meeting.
- (g) If within half an hour after the time appointed for a General Meeting, a quorum of members is not present, the meeting if convened on the requisition of members shall be dissolved; in any other case it shall stand adjourned to the same day in the following week, at the same time and place; and if at the reconvened meeting a quorum of members is not present within half an hour after the time appointed for the meeting, the members then present shall be a quorum.
- (h) The Secretary shall convene a Special General Meeting within fourteen days in the circumstances shown below and ten clear days notice, in writing, shall be given to Full Members :
- (1) if directed to do so by the Executive Committee;
  - (2) if requested to do so in writing by not less than ten per cent of Full members entitled to vote. This request must set out the reason for calling the meeting; A fee of €50.00 shall accompany the requisition by the members calling such Special General Meeting, which fee shall be forfeited to the

funds of the Club if the matter shall be considered frivolous by the majority of those present and entitled to vote.

- (3) if requested to do so in writing by the Trustees. This request must set out the reason for calling the meeting (see Rule 7(e)).
- (i) If the Special General Meeting is not called for a date within the fourteen days stipulated, then the Requisitioners may themselves convene a Special General Meeting, if necessary using newspaper advertisements to notify the members of such meeting.
- (j) No other business shall be discussed at a Special General Meeting beyond that set out in the notice convening the meeting.
- (k) Failure to comply strictly with the time limits set out in this Constitution or the non receipt of Notice of a Meeting by any persons entitled to receive notice shall not invalidate the proceedings at that meeting, but shall entitle the majority of members present to seek and be granted an adjournment of the meeting to such date by which they would be given an adequate time to be furnished with and consider the contents of any relevant documentation.
- (l) Except where otherwise provided in this Constitution, all decisions at General Meetings and Committee Meetings shall be taken by a simple majority of those present entitled to vote and voting, and in the event of a tie, the presiding Chairman shall have a second or casting vote. Any decision taken at a duly convened meeting of any Committee, shall not be rescinded at a subsequent meeting, unless due notice of intention to propose rescindment has been previously conveyed to each member, and the consent of two thirds of those present entitled to vote and voting is obtained.

**RULE 6. THE EXECUTIVE COMMITTEE**

- (a) The Executive Committee shall consist of the Chairman, Vice Chairman, Secretary, Assistant-Secretary (Registrar), Treasurer, Assistant-Treasurer, Chairman Adult Games, Chairman Juvenile Games, Public Relations Officer plus two other members without specific roles of office. The maximum period of office for any specific role shall be five consecutive years.
- (b) The Executive Committee shall meet at least twelve times a year and six members shall constitute a quorum.
- (c) Any member of the Executive Committee being absent from three consecutive meetings shall, in the absence of a satisfactory explanation, be considered to have resigned from office.
- (d) The Executive Committee shall have the power to co-opt a member to fill any vacancy arising on the Committee in between the Annual General Meetings.
- (e) The Executive Committee shall have power from time to time to make, alter and repeal all such Club Policies and Procedures as they deem necessary, expedient or convenient for the proper conduct and management of the Club and shall make members aware of any decisions taken in relation to Club Policies and Procedures.

All such Club Policies and Procedures so long as they shall be in force, shall be binding upon all members of the Club, provided nevertheless that no Club Policies and Procedures shall be inconsistent with or shall affect or repeal anything contained in this Constitution or the Official Guide, and that any Club Policies and Procedures may be set aside by a special resolution of a General Meeting of the Club.

- (f)
  - (i) The Executive Committee shall have complete control of all property, funds, affairs and management of the Club. However, capital, or development expenditure in excess of €5,000 shall require the approval of a Special General Meeting of the members called for this purpose.
  - (ii) The Executive Committee shall have the power to operate an overdraft facility, to an upper level of €100,000.
- (g) The Executive Committee shall appoint such personnel as are required to efficiently manage the affairs of the club. It shall also appoint such committees as set out in Rule 6(n) as well as any other Sub-Committees it considers necessary from time to time. It shall instruct each Sub-Committee to keep minutes of all meetings held by it and keep records of all Club funds expended. The findings of each Sub-Committee shall be subject to ratification by the Executive Committee.
- (h) A special meeting of the Executive Committee may be called, as the occasion demands, by the Secretary.
- (i) The Secretary shall convene a special meeting of the Executive Committee within three days of the receipt by him/her of a requisition duly signed by not less than four members of the Executive Committee or by at least two Trustees. This requisition must set out the purpose for which the special meeting is required.

The Committee shall not discuss any business or listen to any complaints not set out in the notice requesting the special meeting.

- (j) The Executive Committee shall have the power to investigate any matter, and to expel, suspend, warn or fine Members for breach of the Official Guide this Constitution or Club Policies and Procedures or for conduct considered to have discredited or harmed the Club or the Association.

Unless the offence is brought to the notice of the relevant Committee of the County Board by the Club, and that body, having considered the merits of the case and having regard to the rights of the player or member, confirms the penalty imposed, the member continues to be a legal member of the Association and is suspended from Club activities only.

- (k) The Chairman shall preside over all meetings of the Executive Committee and in his/her absence the Vice-Chairman shall preside. If both the Chairman and the Vice-Chairman are absent the Committee may elect one member present to preside at the meeting.
- (l) The Chairman, Vice-Chairman and Secretary shall be ex-officio member of all sub-committees.
- (m) The Executive Committee shall, at its discretion, ratify the management teams nominated by the respective Games Committees.
- (n) The Executive Committee shall appoint the following sub-committees and any other sub-committees which it deems necessary for the efficient running of the Club:
  - (i) An Adult Games Committee, which shall have responsibility for the day to day running of all Adult games, consisting of the Committee Chairman, secretary and have one representative from each Adult team including those not actually competing in organised competitions and the delegates that represent the Club at Adult County Board meetings.

- (ii) A Juvenile Games Committee, which shall have responsibility for the day to day running of all Juvenile games, consisting of the Committee Chairman, secretary and a bursar who shall have responsibility for the administration of Juvenile expenses and have one representative from each Juvenile team including those not actually competing in organised competitions and the delegates that represent the Club at Juvenile and Adult County Board meetings.
- (iii) A Finance Committee which shall have responsibility for the financial affairs of the Club, consisting of the Treasurer as Chairperson and at least four other members.
- (iv) A Conduct Committee as defined in the Club's Complaints Procedure. Its function is to investigate matters referred to it by the Executive Committee and to make recommendations to the Executive Committee as to how these should be dealt with.
- (v) A Standing Orders Committee consisting of the Club Chairman and President and at least three other members which shall have responsibility for drafting the proposed standing orders for General Meetings. The proposed standing orders should specify any Motions that have been ruled out of order by the Committee. Before finalising a report the committee may put a motion in order where there is a failure to quote the numbers of the rules affected, or where there are minor clerical errors. In the case of Motions submitted being not in order, the proposer shall be advised in writing of the reason for a motion being not in order, and subject to a time limit determined by the Committee, shall be afforded an opportunity to resubmit an appropriately corrected motion for re-consideration. The Club Chairman shall have the authority at a General Meeting to rule a motion out of order.

## **RULE 7. TRUSTEES**

- (a) The Executive Committee shall select three persons, who shall then be appointed by the Chairman for the time being as Trustees, and the Chairman for the time being of the Provincial Council of the G.A.A. and the Chairman for the time being of the County Committee of the G.A.A. shall each, as required, appoint one other Trustee.
- (b) By way of acceptance of their appointment the Trustees shall sign a Declaration of Trust, as approved by Central Council, which shall contain the provisions for appointment, removal and replacement of Trustees, as well as regulating the conduct of the Trustees in performing their duties and exercising their powers under the Trust.
- (c) The only function of the Trustees shall be to hold the Club property for the benefit and sole use of the Club members in accordance with the aims and objects of the Club and/or as directed by the Club members in a General Meeting.
- (d) The Trustees in particular shall maintain the lease of the ground at Mobhi Road with the Commissioners of the Board of Works.
- (e) The Trustees shall have the right to call a special meeting of the Executive Committee and a special general meeting of the Club members, as provided under rule 6 (i) and 5 (h) (3) respectively, but this right shall only be available to them when the matter to be discussed, involves Club property or the use of such property.
- (f) The Trustees shall be indemnified by the Club and or the members in respect of any expenses incurred by them in their capacity as Trustees and particularly in respect of any liability whatsoever and howsoever incurred arising out of their trust.
- (g) Notwithstanding anything stated herein, the Trustees shall have the right to call on the Executive Committee to insure
  - (i) the Club property against fire and other insurable perils for amounts which, in the opinion of the Trustees are adequate;

- (ii) any liability which the Trustees and or the Club might have to Club members, employees or members of the public, arising out of use of Club property.
- (h) A resolution to wind up a Club shall be passed only at a General Meeting, specially summoned for the purpose of such resolution, if supported by not less than three-fourths of those present and entitled to vote. Any decision to Wind Up a Club shall be subject to the approval of the County Committee. If upon such winding up, there remains, after the satisfaction of all its debts and liabilities, any property whatever, the same shall not be paid or distributed amongst the members, officers or employees of the Club, but the Trustees shall continue to hold same in trust for the appropriate County Committee of the Association, to be disposed of as such County Committee shall direct, but shall in no instance pay or distribute the property amongst the members, officers or employees.

**RULE 8. FINANCE**

- (a) All monies shall be held in the name of *Cumann Lúthchleas Gael Na Fianna* and shall be controlled by the Executive Committee (for the time being appointed) who shall keep correct accounts and books showing the financial affairs, receipts and disbursements of the Club.
- (b) The Executive Committee shall open accounts in Ulster Bank, Dorset Street, or any other accredited bank as required. These accounts shall be known as *Cumann Lúthchleas Gael Na Fianna* accounts.
- (c) The cheque signatories shall be two of the following: Chairman, Secretary and Treasurer and such other signatory as the Executive Committee may from time to time determine.
- (d) The annual accounts shall be made up to the 30<sup>th</sup> of June in each year.
- (e) These accounts shall be certified by the auditors appointed from time to time by the members at the Annual General Meeting.
- (f) All items for payment which are not part of normal regular expenses and which exceed €2,000 in value shall be presented to the Executive Committee for approval before payment.

## **RULE 9. RULES FOR THE BAR**

The provisions of the Licensing Acts 1833 - 2004 and the Registration of Clubs Acts 1904 - 2004, section 4, 5, 12-15 of the Intoxicating Liquor Act 2003, and section 1 of the Intoxicating Liquor Act 2004, as they affect that part of the Club premises that are licensed to sell intoxicating liquor are incorporated into this Constitution but for the benefit of members the more important provisions including Section 7 of the Intoxicating Liquor Act 2000 are set out below:

- (a) No member of the Executive Committee or of the Club or servant or manager employed in the Club shall have any personal interest in the sale of excisable liquors therein or in the profits arising from such sale.
- (b) A visitor shall not be supplied with excisable liquor in the Club premises unless on the invitation and in the company of a member and the member shall upon the admission of such visitor to the Club premises or immediately upon his being supplied with liquor, enter his own name and the name and address of the visitor in a book which shall be kept for the purpose, and which shall show the date of each visit.
- (c)(i) Where members of a group are visiting a registered Club for the purpose of:
  - (a) taking part in any pastime, sport, game or recreation there; or
  - (b) organising or taking part in the organisation of, or making arrangements for, any such activity;intoxicating liquor may be supplied to them at the request of and in the presence of an official of the registered Club on the occasion of such visit.
- (ii) An official of the registered Club being visited shall enter the name of the group concerned and the number of persons in it, in the book required to be kept by paragraph (g) of Section 4 of the Act of 1904.
- (iii) This section shall have effect notwithstanding anything in the said paragraph (g) or any rule required to be made by a registered Club under it.

(iv) In this sub-section, 'group' means a Club (whether registered or unregistered), society or organisation.

(d) No excisable liquors shall be sold or supplied for consumption outside the premises of the Club except to members of the Club, between the hours of eight o'clock in the morning and ten o'clock at night.

(e) No excisable liquors shall be sold or supplied on the Club premises to any person under the age of eighteen years.

(f) No person under the age of eighteen years shall be admitted as a member of the Club except for the purposes of taking part in the games promoted by the Club.

(g) (i) Subject to the exceptions specified in sub-paragraphs (b) and (c) of this rule, no excisable liquor shall be supplied for consumption on the Club premises to any person (other than a member of the Club lodging in the premises) or be consumed on the Club premises by any person (other than a Club member lodging in the Club premises):

(a) on any Monday, Tuesday or Wednesday, before the hour of half- past ten o'clock in the morning, or - after half past eleven o'clock in the evening;

(b) on any Thursday, Friday or Saturday, before the hour of half past ten o'clock in the morning or after half past twelve the following morning;

(c) on any Sunday, before the hour of half-past twelve o'clock in the afternoon or after the hour of eleven o'clock in the evening;

(d) on St. Patrick's Day, before the hour of half past twelve o'clock in the afternoon or after the hour of half past twelve o'clock the following morning;

(e) at any time on Christmas Day or Good Friday.

(ii) Nothing contained in the Registration of the Clubs' Acts 1904 to 2004, or contained by virtue only of the operation of sub paragraph (i) of this rule shall operate to prohibit the supplying for consumption on the Club premises of excisable liquor to any person or the consumption of excisable liquor on those premises by any person, if in each case the excisable liquor is:

(a) ordered by or on behalf of that person at the same time as

a substantial meal is so ordered, and  
(b) consumed by that person during the meal or after the meal has ended, and  
(c) supplied and consumed in the portion of the Club premises usually set apart for the supply of meals, and  
(d) paid for at the same time as the meal is paid for.

- (h) It shall be an offence to supply intoxicating liquor to a drunken person or for any person to purchase intoxicating liquor for supply to a drunken person
- (i) No entertainment shall be allowed during drinking up time.
- (j) It shall be an offence to allow any young person under the age of 18 to be in a bar area after 9.00pm, unless the bar shutters are down and securely locked. A person over the age of 18 and under the age of 21 must carry on his/her person documentary proof of age.
- (k) All members must comply strictly with the provisions of the intoxicating liquor acts. Failure to do so will mean either suspension or dismissal from the Club. This to be determined by the Executive Committee.
- (l) The Executive Committee shall have power to alter or amend this rule, but only for the purpose of complying with any existing or future statute.

**RULE 10. CONSTITUTION OF THE CLUB**

- (a) This Constitution shall be read in conjunction with and be subject to the Official Guide.
- (b) An up to date copy of the Constitution shall be made available to members.
- (c) Alterations or additions to the Constitution may be made at the Annual General Meeting or at a Special General Meeting called for the purpose, provided that the resolutions proposing same are carried by a vote of two thirds of the members present and entitled to vote.
- (d) New and amended rules shall become operative one month from date of the General Meeting at which they were passed.
- (e) Members desiring to propose alterations or additions to this constitution must send notice of their intentions to propose such motions in writing to the Secretary not later than fourteen days before the date of the General meeting at which they are to be discussed.
- (f) The Executive Committee shall have the power of deciding all questions not provided for in the Constitution subject to ratification at the next Annual General Meeting.
- (g) The foregoing Rules shall be the laws of the Club and their acceptance a fundamental condition of membership.