

CONSTITUTION of FETHARD BOAT CLUB

NAMES AND OBJECTS

1. The Club shall be called 'The Fethard Boat Club' hereinafter referred to as 'The Club'.
2. The objects of the Club shall be the encouragement of all forms of marine activity in the area of Fethard-on-Sea and the promotion of suitable facilities for such activities.

MANAGEMENT

3. The affairs of the Club shall be managed by a Committee elected annually by the members.
4. The Committee shall consist of the honorary Officers and Four Ordinary Members, if possible representing the differing club interests.
5. The Club shall have as Honorary Officers: the Chairman, Vice-Chairman, Honorary Secretary and Honorary Treasurer.

MEMBERSHIP

6. The membership of the Club shall consist of:
 - (a) Ordinary Members.
 - (b) Family Members: Husband and wife, each ranking as an Ordinary Member, together with their children who are under 19 years of age on January 1 of the current year.
 - (c) Visiting Members: Any person who is a member of a recognised boat club and who is taking part in an event organised by The Club or is using facilities organised by The Club shall be deemed a visiting member of The Club for a period of one month and must abide by the rules of The Club.
 - (d) Temporary Members: Temporary Members may be elected by Resolution of two members of the Committee for a period of not more than one month in any calendar year.
 - (e) Honorary Life Members: Persons who have rendered special service to the Club.
7. An applicant for membership shall submit his or her name to the committee for approval.
8. On election of a member, notice to that effect shall be sent to him by the Honorary Secretary, together with a copy of the Constitution of the Club and of the club rules, bye-laws and regulations.
9. On receiving notification of election each member agrees to abide by the rules, bye-laws and regulations of the Club.

10. Honorary Life Membership may be conferred on a Person at a General Meeting, on the passing of a resolution to that effect presented by the Committee, subject to the notice of motion being presented to the Secretary prior to the meeting and signed by four members.

11. The amounts of the subscriptions shall be such sums as may from time to time be adopted by resolution passed at a General Meeting of the Club and a bare majority of the members eligible to vote and present at such meeting shall be sufficient for the adoption of such resolution.

13. Subscriptions are payable in advance and are due on January 1st each year. A member, whose subscription is in arrears on February 1st, shall be notified that (s)he will cease to be a member of the Club on March 1st unless the subscription is paid. On re-application, (s)he shall be eligible for re-election at the Committee's discretion, on payment of any arrears of subscriptions. The Committee shall have power to suspend this rule regarding cessation of membership due to non-payment of subscription upon delay in payment being accounted for to the satisfaction of the Committee.

TERMINATION / SUSPENSION OF MEMBERSHIP

14. A member may resign his membership by giving the Honorary Secretary notice in writing to that effect. Every such notice shall, unless otherwise expressed, be deemed to take effect 30 (thirty) days after the receipt thereof.

15. Should circumstances arise which, for the well-being of the Club, would require the suspension or expulsion of any member, power to that effect shall be vested in the Committee. This power may only be exercised at a Special Committee Meeting called for the purpose of considering the matter. The member complained of shall be afforded the opportunity of a hearing at the Special Committee Meeting. The passing of a Resolution to suspend or expel a member requires the support of three quarters of the Committee members present at the meeting.

16. Any member expelled in accordance with the rules or otherwise ceasing to be a member of the club shall forfeit all such rights to or claims upon the Club or its property or funds as he would have had by reason of membership apart from any monies advanced to the Club funds in excess of his normal subscription and fees.

GENERAL MEETINGS

17. The Annual General Meeting of the Club shall be held each year in the month of March at such time and venue as the Committee shall appoint and shall specify the meeting as such in the notices calling it.

18. All General Meetings other than the Annual General Meeting shall be called Extraordinary General Meetings. An Extraordinary General Meeting shall be called by the Secretary on the instruction of the Committee whenever they think fit. An Extraordinary General Meeting shall also be called by the Secretary on receipt of a requisition to that effect, signed by at least ten

Ordinary members. The requisition must state the object for which the meeting is to be called.

19. Notices convening General Meetings shall be posted or given to members at least 14 days in advance. The accidental omission to give notice of a Meeting to or the non-receipt of notice of a Meeting by any person entitled to receive notice, shall not invalidate the proceedings at that meeting.

PPOCEEDINGS AT GENERAL MEETINGS

20. At all General Meetings of the Club the Chair shall be taken by the Chairman, or Vice-Chairman or in their absence by an Ordinary Member selected by the Ordinary Members present by means of a simple majority.

21. No business shall be transacted at any General Meeting unless a quorum of voting members is present at the time when the Meeting proceeds to business. Ten Ordinary Members or one third of the ordinary membership (which ever is less) present in person shall be a quorum.

MEMBERS VOTING ENTITLEMENT AT GENERAL MEETINGS

22. Each Ordinary Member shall have one vote at General Meetings. Each Family Membership shall have two votes. All votes must be given in person.

23. Where there is an equality of votes, the Chairman of the meeting shall be entitled to a second or casting vote.

24. No member with voting rights shall be entitled to vote at any General Meeting unless all monies immediately payable by him to the Club have been paid.

25. No objection shall be raised to the qualification of any voter except at the meeting at which the vote objected to is given or tendered and every vote not disallowed at such meeting shall be valid for all purposes.

VOTING ON RESOLUTIONS AT GENERAL MEETINGS

26. No resolution or proposal at General Meetings shall be deemed to be carried unless a majority of those present and entitled to vote, support it, except as otherwise provided for in these Rules.

27. At any General Meeting a resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or after the result of the show of hands) demanded:

- (a) by the Chairman, or
- (b) by at least two members.

Unless a poll is so demanded, a declaration by the Chairman that a resolution has on a show of hands been carried or carried unanimously or by a particular majority or lost and an entry to that effect made in the book containing the minutes of proceedings of the Club shall be conclusive evidence of the fact

without proof of the number or proportion of the votes recorded in favour of or against such resolution. The demand for a poll may be withdrawn.

28. Except as provided in Rule 33, if a poll is duly demanded it shall be taken by secret ballot of members present and eligible to vote and the result of the poll shall be deemed to be a resolution of the meeting at which the poll was demanded.

SELECTION OF COMMITTEE

29. The honorary officers and committee then in office shall retire at each Annual General Meeting. Members of the outgoing committee are eligible for re-election if nominated as here and after provided for, except that a member cannot hold the office of Chairman for more than three years consecutively. Nominations for positions as honorary officers, or to the committee, shall be proposed and seconded by two Ordinary Members at the Annual General Meeting. Election to all positions on the committee shall be by secret ballot of the ordinary members present and entitled to vote at the Annual General Meeting. Election to the positions of honorary officers shall be by simple majority. Election to the other positions on the committee shall be by means of a single ballot in which the candidates receiving the highest number of votes will be elected.

30. Membership of the Committee shall be vacated if the member resigns his office by notice in writing to the Honorary Secretary.

31. Without prejudice to the powers of the Ordinary Members under Rule 38 the Committee shall have power to appoint an Ordinary Member to fill a vacancy on the Committee. Any member so appointed shall hold office only until the next Annual General Meeting.

PROCEEDINGS OF THE COMMITTEE

32. The Chairman or in his/her absence the Vice-Chairman, shall chair at all meetings of the Committee. In the event of their absence, the Committee members present shall elect one of their number to chair that meeting by a simple majority.

33. The Committee shall meet together for the dispatch of business, adjourn, or otherwise regulate their meetings as they think fit. Questions arising at any meetings shall be decided by a majority of votes. Where there is an equality of votes, the Chairman shall have a second or casting vote. The Honorary Secretary shall, on receipt of a requisition signed by at least two Committee members, summon a meeting of the Committee to be held within two weeks. All Committee members shall be notified by the Honorary Secretary of Committee meetings at least seven days in advance of the proposed date. The Committee shall meet at least four times every year.

34. The quorum necessary for the transaction of the business of the Committee shall be four.

35. The continuing members of the Committee may act notwithstanding any vacancy in their number but if and so long as their number is reduced below the number fixed by, or pursued to, these Rules as a necessary quorum of the Committee, the continuing Committee members or Committee member, may act for the purpose of increasing the number of Committee members to that number or summoning a General Meeting of the Club but for no other purpose.

POWERS AND DUTIES OF THE COMMITTEE

36. The Committee shall have authority to pay all expenses incurred in promoting and registering the Club.

37. All cheques, promissory notes, drafts, bills of exchange, and other negotiable instruments and all receipts for monies paid to the Club shall be signed, drawn, accepted, endorsed or otherwise executed, as the case may be, by such person or persons and in such manner as the Committee shall, by Resolution, determine.

38. The Committee may, pursuant to a special resolution passed in accordance with Rule 30, exercise all the powers of the Club to borrow money subject to limits set by General Meetings from time to time, and to mortgage or charge its undertakings and property or any part thereof and to issue debenture, debenture stock, or other securities, whether outright or as security, for any debt, liability or obligation of the Club.

39. The Committee shall have power to make, amend and repeal such bye-laws and regulations as they may deem necessary.

40. The Committee shall bring to the notice of the members all bye-laws and regulations and all amendments and repeals to these as they become effective.

41. The Committee formed in accordance with these Rules shall cause minutes to be made in the books provided for the purpose:

(a) of names of members of the Committee present at such meetings of the Committee.

(b) of all resolutions and proceedings at all such meetings.

42. The committee may delegate any of their powers to sub-committees consisting of such member or members of the Committee or Club as they think fit. Any sub-committee so formed shall, in the exercise of the power so delegated, conform to any regulations that may be imposed on it by the Committee or by the direction of the Annual General Meeting.

43. The committee shall appoint a Chairman of each sub-committee. If the Chairman of a Sub-Committee is not present at a sub-committee meeting, the members of the sub-committee present at such meeting shall elect a chairman from their number by simple majority.

44. A sub-committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present and when there is an equality of votes the Chairman shall have the second or casting vote. The quorum necessary for the transaction of the business of each sub-committee is to be fixed by the Committee.

45. The committee may co-opt additional members as it sees fit until the next Annual General Meeting.

ACCOUNTS

46. The Committee shall cause proper books of accounts to be kept relating to:

(a) all sums of money received and expended by the Club, and the matters in respect of which the receipt and expenditure takes place.

(b) all sales and purchases of goods by the Club, and

(c) all assets and liabilities of the Club.

47. Proper books shall be deemed to be kept if there are kept such books or accounts as are necessary to give a true and fair account of the state of the Club's affairs and to explain its transactions.

48. The Books of Accounts shall be kept by the Honorary Treasurer at such place as the Committee thinks fit and shall at all reasonable times be open to the inspection of the Committee Members.

49. Authorisation to inspect all or part of the Accounts and books of the Club shall be at the discretion of the Committee or of the Club in General Meeting.

50. Committee shall cause to be prepared annually and to be laid before the Annual General Meeting of the Club, Income and Expenditure Accounts, Balance Sheets and Reports for financial year - i.e. year just completed.

51. This Constitution shall not be amended except at a General Meeting.

52. Notice of any proposed amendment to this Constitution must be given in writing not later than twenty eight days in advance of a General Meeting, to the Honorary Secretary, who shall then send due notice of same to each member with a notice convening the General Meeting. A majority of two-thirds of voting members present at any such General Meeting shall be necessary to carry any Resolution to amend this Constitution. Proposals to amend this Constitution must be proposed and seconded respectively by Ordinary Members of the Club.

53. Any provisions contained in this constitution, which are not in conformity with the Registration of Clubs Act 1904-1995, shall be deemed null and void.