

Constitution of Sunday's Well Rugby Football Club, 2010

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Legislation and Codes Applicable

- Intoxicating Liquor Act 1927, No.15 of 1927
- Intoxicating Liquor Act 1943, No. 7 of 1943
- Intoxicating Liquor Act 1960, No. 18 of 1960
- Intoxicating Liquor Act 1962, No. 21 of 1962
- Intoxicating Liquor Act 1988, No 16 of 1988
- Intoxicating Liquor Act 1995, No. 33 of 1995
- Intoxicating Liquor Act 1999, No. 32 of 1999
- Intoxicating Liquor Act 2000, No. 17 of 2000
- Intoxicating Liquor Act 2003, No. 31 of 2003
- Intoxicating Liquor Act 2004, No. 34 of 2004
- Intoxicating Liquor Act 1988 (Age Card) Regulations 2007, S.I. No. 159 of 2007
- Intoxicating Liquor Act 2008, No. 17 of 2008

Registration of Club Acts 1904 to 2004

Code of Ethics 2002, Irish Rugby Football Union : Age Grade Rugby
 Irish Rugby Football Union, Declaration of Intent, Child Welfare Policy Document

Applicable Sections of Safety, Health and Welfare at Work Act 2005 and Associated Regulations

Title and Commencement

- 1 -This document shall be known as the " Sunday's Well Rugby Football Club, Constitution, 2010 "
- 2- This Copy shall come into operation at the Extraordinary General Meeting 2010

General Principles

Name and objectives

The Club shall be called "SUNDAY'S WELL RUGBY FOOTBALL CLUB and shall be composed of rugby players and other persons desirous of encouraging and promoting rugby football. The Club shall be affiliated to the Munster Branch and the Irish Rugby Football Union.

The Club Colours shall be Red, White and Green,

The requirements of The Irish Rugby Football Union's Mandatory Code relating to its Child Welfare Policy shall be fully implemented. The Irish Rugby Football Union's (IRFU's) directions contained in the Document - Age Grade Rugby – Code of Ethics 2002 ,shall be adopted as a matter of priority.

INTERPRETATION

Age Grade Rugby : Club Members ,Officers and those involved in Coaching shall familiarize themselves with the requirements of the Code of Ethics 2002 ,and a copy of " Declaration of Intent " therein shall be signed off as required, be updated as changes to personnel occur and be kept available for inspection with the Club records.

Age of Majority; Members entitled to vote at either an AGM or EGM shall have reached the age of majority applicable to State Sponsored Elections at the time that such meetings are held.

Annual General Meeting ; The Annual General Meeting shall be held not later than the 30th May in any given year for the election of Officers and consideration of reports.

(1)Business to be discussed at the AGM shall be indicated with the notice convening such Meeting which shall be posted in the Club House and on the " Club " Website.

(2)At least 21 days notice shall be given to the Membership of such AGM.

(3)The President and Honorary Secretary shall submit their Annual Report for the season completed. The Team Captains shall read their Playing Seasons Report to the Members present. The Honorary Treasurer shall submit the Seasons Audited Report outlining expenditure and the current state of the Club Finances.

Assistants ; The appointment of willing candidates from retired or former players shall be selected by the Executive Officers or nominated by the Honorary Elected Officers serving the Club and be approved by the Executive Committee to assist and gain experience in the operation of the affairs of the Club, with a view to serving the Club as Elected Officers at some future time.

Auditor : An Honorary Auditor shall be elected at the Annual General Meeting and shall hold no other office in the Club.

Bar Steward; The position of Bar Steward shall be appointed and approved by the Executive Committee.

Bullying: Such behaviour shall not be acceptable from any member or other person within confines of Club property or associated with any training exercise or game played . The Legislation and IRFU Codes of practice and reference in the Safety Statement shall apply at all times.

Chairman: A Chairman shall be appointed by election at the AGM, his functions include the operation of the first strand (Strand 1) of the Structured Plan and acting Chairman of the Executive Meetings in the absence of, or at the behest of, the President.

Child Welfare Officer; This Member of the "Club" shall be selected by the Executive Committee in accordance with the conditions laid down in the IRFU Child Welfare Policy Document .

- (1) A copy of the Child Welfare Policy Document shall be received by all age grade volunteers (coaches/ managers/ referees and any team assistants) and after reading the Document shall sign the "Declaration of Intent' form' as required and hand it over to the appointed Child Welfare Officer for keeping with the Club Records.

"Club": shall also mean its Players and Membership (including Ordinary, Corporate, Pavilion, Youth and Honorary Members).

Communication's Officer ; An Honorary Communications Officer with the necessary skills shall be appointed by the Executive Committee and shall have responsibility for management of the Club's Information Technology (IT) System.

Corporate Member : A Corporate Membership shall be entitled to one vote only, at any meeting relating to Club matters requiring resolution by means a voting system.

Democracy: All decisions made at Club Meetings shall be made by majority vote of the Membership or the Executive Committee, as the case may be.

Director of Rugby : A Director of Rugby shall be elected at the Annual General Meeting (AGM), or appointed by the Executive Committee if a suitable candidate is not proposed at this Meeting. The functions of this position shall be to direct , manage and encourage Teams and Players to achieve their goals and those of the Club to their maximum potential. He shall Manage Strand 2 of the Structure plan (Appendix 1). He shall be a member of the Executive Committee

Discrimination Unacceptable; The "Club" shall be non – political and non – sectarian in its Principles.

Dual Role : It shall be possible for one Elected Officer to undertake a Dual Role, subject to the approval of the Executive Committee.

Executive Committee : The business of the Club shall be managed by the Executive Committee consisting of the following Officers ; The President ;Senior Vice - President; Junior Vice – President ; Honorary Secretary ; Honorary Treasurer ; One Trustee; Branch Representative ; Membership Manager ; Honorary Financial Consultant; House Officer ; Chairman ; Chairman Underage Committee ; Ex Officio President ; Former President’s Representative ; Director of Rugby.

- (1) The Executive shall decide how many of the above nominated officers are necessary to attend any particular meeting, it is not envisaged that the full complement would attend all meetings.
- (2) Executive Meetings shall take place as is necessary to the successful operation of the Clubs affairs, Five (5) Members shall form a quorum.
- (3) Resolution of topics discussed shall be by majority vote of the Executive Members present at that meeting.

Extraordinary General Meetings (EGM’s) : shall be convened when a majority of the full complement of the Executive Committee deem it necessary and where serious matters arise that may impinge on the successful operation or survival of the Club, or where an Officer or member of the Club has created a situation which may bring the values and standards of the Club into disrepute, or such meeting may also be called should a two – third majority of the membership so require. Fourteen (14) days notice shall be necessary to alert the Membership prior to the date selected for Extraordinary General Meetings (EGM’s).

Financial Consultant : An Honorary Financial Consultant with the necessary professional qualifications and experience shall be appointed to the Executive Committee of the Club to advise on the allowable day to day expenditure within the Club budget and the projections for future financial management and advancement.

Fixture Secretary : An Honorary Fixture’s Secretary shall be appointed by the Executive Committee to represent the club at South Munster Branch Fixture’s Meetings. Such person shall report directly to the Executive Committee.

Fire Control Strategy: A Fire Control Strategy shall be organized in agreement and under the direction of The Fire Authority (Chief Fire Officer - Fire Brigade)

Fixture Secretary (Underage) : A Fixture’s Underage Secretary shall be appointed by The Underage Committee and be noted by the Executive Committee.

Fundraising Manager ; A Fundraising Manager with proven skills shall be appointed by the Executive Committee to raise and source revenue to support the Clubs playing aspirations and ambitions.

Grounds Officer ; A “Ground’s Man” shall be appointed by the Executive Committee to prepare the Playing Pitches to the required standard for home games.

Honorary House Officer :The Honorary House Officer shall be voted into office at the Annual General Meeting and have the responsibility for all issues of maintenance of the Club property, appliances and for compliance with the requirements of applicable legislation (e. g. Safety Statement, Fire Regulations, First – Aid Apparatus and General Safety Matters affecting the Club Property, Fittings, Membership, Visitors or Guests.

Honorary Life Members ; Honorary Life Members shall have the same voting rights as Ordinary Members at all General Meetings of the Club.

Honorary Secretary : The Honorary Secretary shall be voted into office by the Membership at the Annual General Meeting (AGM) and shall be the Officer within the “Club” who has the responsibility to deal with all official correspondence, the recording of the minutes of meetings, the keeping of “Club” records and the preparation of a report of the seasons business to be presented at the AGM. This office will also have the responsibility to notify the Membership of the impending date of the forthcoming(AGM) or Extraordinary General Meeting (EGM).

Honorary Treasurer :The Honorary Treasurer shall be voted into office by the membership at the Annual General Meeting(AGM) and shall have sole responsibility for the day to day financial affairs of the “Club” he shall be the elected officer with the authority to sign cheques in payment on behalf of the “Club”, all such cheques shall be countersigned by at least one nominated Executive Committee Member.

Intoxicating Liquor Acts : The Club shall at all times conform with the statutory requirements pertaining to Clubs as contained in the Registration of Clubs Acts, 1904 to 2004 and to the Intoxicating Liquor Acct 2000 and as further amended by Section 10 of the Intoxicating Liquor Act, 2003. The Club shall conform with the Intoxicating Liquor Acts as previously set out and all additions and amendments thereto.

- (1) It shall be the responsibility of the Executive Committee to ensure that these statutory requirements as outlined above are complied with at all times. Copies of the Relevant Acts referred to shall be available from the “Club ‘ on written request’ (contact Honorary Secretary).

Junior Vice - President : The Junior Vice – President shall be elected at the Annual General Meeting. He shall assist the President and Senior Vice - President during his term of office. He shall also share duties in welcoming visiting teams to home games and cater to the needs of the referee when using Club facilities on such occasions and ensure that he familiarizes himself with the operation of both strands of the Club Structure (see Appendix 1).

List of Members : The list of members entitled to vote at any Annual or Extraordinary General Meeting (AGM) or (EGM) shall be updated and posted on the Club website and in the Clubhouse prior to the Meeting.

Membership : Membership shall consist of Ordinary ; Playing ; Youth ; Pavilion ; Corporate ; Honorary and any other categories determined by the Executive Committee in office at the time .All categories of membership shall be entitled to vote at General Meetings with the exception of Pavilion Members and those who have not reached the age of majority at that time, provided they have paid their subscription for the Season ended prior to those immediate General Meetings.

Membership Manager : A Membership Manager shall be elected at the Annual General Meeting who shall co – ordinate the collection of the annual membership Subscriptions and be responsible for setting up an electronically recorded data base containing a list of all membership names.

Misconduct of Members : If the conduct of any “Club “Member be such as to bring discredit on the Club or its Members, the Executive Committee shall have the authority to investigate the offence and shall firstly notify the offending Member of the time and place at which the Committee intend to investigate the matter in question. Every reasonable facility shall be afforded the accused to refute the charge. The Executive Committee shall after due consideration take action which may involve suspension from the “Club “ for a period of time and in extreme cases may mean termination of Membership of the “Club” .Any such decision made shall be final and binding, with leave to appeal to the Executive Committee by the offender

Munster Branch Representative : A Munster Branch Representative shall be appointed by the Executive Committee in Office following the Annual General Meeting(AGM). The Representative shall act in the Club’s best interests, formally at Munster Branch Meetings and at any informal gatherings designed to promote the game of rugby. He shall report the consequences of such meetings to the Executive Committee at the earliest opportunity. An Assistant to the Branch Representative shall be appointed at the same time by the Executive Committee.

Nominations in Writing : Nominations in Writing proposed and seconded for all positions to be elected , at the Annual General Meeting (AGM), shall be submitted in writing to the Honorary Secretary Fourteen Days (14) in advance of the Annual General Meeting (AGM).

Notification of General Meetings: Notification of pending Annual General Meetings and Extraordinary General Meetings to Members shall be by the following methods;

(1) Notice posted on Notice Board in Clubhouse,

(2) Entered in Sunday's Well Website,

(3) By personal post to members who are unfamiliar with the Information Technology System and request such arrangement.

Obstruction of Administration : Any Member who by word, deed or omission shall obstruct the administration of the "Club" by its Executive Committee or attempts to cause dissatisfaction amongst its members shall be censured by a specially convened disciplinary panel.

(1) No member shall be entitled to commit any act or sign any document on behalf of the Club without the express permission and written approval of the Executive Committee.

(2) No Member, Manager, Employee or Official of the "Club" shall have an interest directly or indirectly in any transaction that will involve the use or affect the finances of the Club.

Pavilion Membership : Pavilion Membership shall convey a status of social Membership only of the Club and not that of an Ordinary Member.

President : The President of the Club shall take Office at the Annual General Meeting (AGM) following approval by the membership attending this meeting and may hold the Office of President, if proposed for a second consecutive term, if that be the wish of the majority of the membership present at the General Meeting. The Presidents role shall be that of leadership and Inspiration, a unifying force to obtain the maximum effort from the Club membership and players at all levels. He shall represent the Club at Official Occasions and delegate responsibility with equanimity. He shall have the casting vote in any tied vote on any matter relating to Club business and in his absence the casting vote shall be the prerogative of the Chairman for the meeting.

Public Relations Officer (PRO) : A Public Relations Officer (PRO) shall be elected to Office at the Annual General Meeting (AGM) and shall undertake to promote the "Club" at every given opportunity both inside and outside the confines of same. He shall also be responsible for press releases regarding "Club" matters to the media. This elected Officer shall be invited to attend any Executive Committee Meeting at which his role would be discussed and direction given as necessary.

Qualification: To qualify for election of President , Senior Vice – President, Junior Vice – President both President and Vice President nominees shall have seven (7) clear years of consecutive Membership of the Club. To qualify for election of Honorary Secretary, Honorary Treasurer and Executive Committee a Member shall have three (3) clear and consecutive years of Membership.

Records: The Executive Committee shall oversee all Financial Affairs of the Club, Minutes of Meetings and all Resolutions and Proceedings. Minutes of Meetings shall be recorded in proper books designated for this purpose and be signed off by the Chairman and be kept in the charge of the Honorary Secretary.

Repealed: Documents titled “Proposed New Rules of the Sunday’s Well Rugby Football Club” as approved at the Annual General Meeting (AGM) of 24th May 1996 and any derivatives thereof are revoked as of the Extraordinary General Meeting (EGM) -----2010

Senior Vice – President : The Senior Vice – President shall be elected to office at the Annual General Meeting (AGM), he shall assist the President in his duties and represent him in his absence. He shall work in close harmony with the Junior Vice – President sharing duties with him. He shall familiarize himself with the operation of both Strands of the “Club Structure ”.

Structure : the Club Structure shall be attached to this Document in APPENDIX 1 and shall consist of two (2) distinct Strands ; Strand 1 dealing with Administration and Strand 2 with Rugby matters as outlined in the Appendix. Each Strand may have minor additions or subtractions made by the Executive Committee should the need appear necessary, within the season, between Annual General Meetings (AGM’s).

Subscription : The Annual Subscription for each Category of Member (excluding Honorary) shall be discussed by the Executive Committee prior to the Annual General Meeting (AGM) taking place at which venue it will be defined, determined and accepted by the membership present.

(1)The Executive Committee shall have the Authority to waive an annual subscription of any Member.

(2)Payment of subscription for Members aged sixty - five years (65) or over, who have been members for at least ten(10) consecutive years, shall be optional and such Members shall have full Membership Status/ Rights.

(4) Subscriptions shall be due for payment before November 30th each Season. If the Membership Subscription remains unpaid on the date of the following Annual General Meeting (AGM) their membership shall be deemed to have lapsed.

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(5) The Executive Committee shall have the authority to waive an Annual Subscription in the case of a member who is temporarily absent abroad or for any other valid reason acceptable to this Committee.

Substance Abuse : Statutorily banned Substances and /or Proscribed Drugs shall not be brought into the club or its environs for distribution or use therein by any Player, Member or other person for their own or others use . A breach of the applicable Laws will invoke serious censure as outlined in the procedure under Misconduct of Membership.

Team Captains : Senior and Junior Team Captains shall be elected at the Annual General Meeting (AGM) for the forthcoming Season. The outgoing Captains shall read a report of their teams' achievements for their Seasons matches played to the Membership present.

Team Coach: A Team Coach shall be elected to each of the Club XV's at the Annual General Meeting (AGM) and where this procedure fails to appoint a suitable candidate then the Executive Committee in office following this AGM shall appoint such candidate for the season or part thereof.

Team Selections: The designated Coach appointed to each of the Club XV's shall be solely responsible for the team selected for any match to be played representing Sunday's Well Rugby Football Club.

Temporary Membership : Players and officials of a team playing at Club Grounds against any Club XV or of Teams using the "Club" grounds with the permission of the Executive Committee and all referees and officials in such matches are hereby constituted Temporary Honorary Members of the Club for the day on which the match is played.

(1)All personal belongings of Members, Visitors and Others, brought to or kept at, or left on the premises of the Club [either in the Clubhouse or grounds] shall be at the sole risk of the owners and the Club or its Officers and Employees shall not be responsible for any loss or damage hereto, however arising ; but this statement shall not prejudice any claims by the Club or the owners against Insurance Companies in case of fire or when otherwise covered by insurance.

Term of Office : Duration of term of Office shall be for a maximum of three years unless specifically stated otherwise in this Constitution. The following are exceptions to this intention:

- (1) Child Welfare Officer: In keeping with the recommendations contained in the Child Welfare Code of Practice published by the Irish Rugby Football Union (IRFU), this Office shall be held for a period not exceeding five (5) years.
- (2) Munster Branch Representative: This position by its very nature requires an experienced Officer with the accumulated knowledge of the Munster Branch structure and operation. The Club Member appointed shall have the competence and disposition necessary to fulfill this role to obtain the maximum benefit to Sundays Well Rugby Football Club. The period of time associated with this office shall not be forecast but may be determined by the Executive Committee in Office.
- (3) Lack of Volunteers: Where it transpires that a designated office does not attract a candidate or candidates to volunteer to go forward for election to such office, then the Officer who last held the office may be prevailed upon to continue in office, even though he has completed a three (3) year term, until such time as a new candidate may be chosen by the Executive Committee.
- (4) Interval : On completion of holding Office for three (3) years, following an interval of one (1) year out of Office, a Member may allow his/her name to go forward again for office following this interval.

Tickets : A percentage (subject to discussion with the Executive Committee) of International and Provincial match Tickets allocated to the Club shall be distributed to the Membership through a Lottery scheme with a view to a modest monetary gain to the to the "Club" (e. g handling charge).

(1) The remainder of the Tickets allocated to the Club shall be administered by a group agreed by the Executive Committee of the Club.

Training in Specialized Equipment : The Executive Committee shall ensure that an adequate number of the relevant Membership are familiar in the use of Fire Extinguishers, First – Aid and Resuscitation Equipment.

Transport Officer : A Transport Officer shall be appointed by the Executive Committee who shall make the necessary arrangements to organize transport for Teams, Members and other supporters to away games.

Trustees (1) The number of Trustees of the Club shall be not less than Three [3] in number. The Trustees shall be appointed at an Annual General Meeting (AGM) and their appointment shall be approved annually at the Annual General Meeting(AGM). The Trustees so appointed shall hold office until resignation.

(2)The Trustees so appointed shall be long standing and active Members (10 years minimum) of the Club.

(3)Any vacancy in the number of Trustees howsoever arising shall be filled by way of further appointment(s) at the next Annual General Meeting (AGM) or at an Extraordinary General Meeting (EGM), should such vacancy arise within six (6) months following the previous Annual General Meeting (AGM).

(4)The property of the Club shall Vest in the Trustees and they shall deal with the property of the Club as directed by decision of the Executive Committee. Any such decision of the Executive Committee shall be recorded in the Minutes of the Meeting at which the decision was made and this recording in the Minutes shall be accepted as conclusive evidence of the contents contained therein.

(5)The Trustees shall be indemnified against any personal risk and expense by the Club funds.

(6)Disposal or Acquisition of Club Property, Fixed Assets and Leases require prior approval at an Extraordinary General Meeting (EGM) of the Club.

(7)The Trustees shall appoint a Financial Controller / Director to the Club to look after their interests and those of the overall Membership of the Club. The Trustees shall also be entitled to act on the advices of such Financial Controller provided such advices are in the best interests of the Club and the overall Membership of the Club. .

Underage Chairman : An Underage Chairman shall be appointed at the Underage Annual General Meeting (UAGM) of the Underage Section and he shall be a Member of the Executive Committee of the Club and shall have responsibility for the successful operation of the Underage Section of the Club. The appointed Underage Chairman shall prepare a report and present it to the assembled Membership present at the Club Annual General Meeting (CAGM) outlining the progress made by the Underage Section for the previous season with suggestions for future development.

Under age Fixtures Secretary : An Underage fixtures Secretary Shall be appointed by the Underage Section and such appointment shall be noted by the Executive Committee.

Underage Secretary : An Underage Secretary shall be appointed by the by the Underage Section and such appointment shall be noted by the Executive Committee.

Underage Treasurer : An Underage Treasurer shall be appointed by the Underage Section and such appointment shall be noted by the Executive Committee.

Underage Annual General Meeting (UAGM) : The Underage Annual General Meeting (UAGM) shall be held at a suitable date prior to the Club Annual General Meeting (AGM).

Vacancies at Committee Level: The Executive shall have the Authority to fill any vacancy that may arise throughout the Season at Committee Level or other Office.

Vice - Captains : Vice – Captains to the Senior and Junior XV's shall be elected at the Annual General Meeting (AGM) or be appointed by the Captain or Coach.

Voting at Meetings : shall be by show of hands by the Members present entitled to vote or by secret ballot should that be deemed the necessary procedure.

Voting Rights: Only Members who are obliged to and who have paid their Annual Subscriptions by due date shall be entitled to Voting Rights at any Annual General Meeting (AGM) or Extraordinary General Meeting (EGM).

Written Request: All copies of Legislation held by the Honorary Secretary on behalf of the Club may be requested for perusal by any full member. The request shall be in written form giving sufficient notice, the time factor involved in fulfilling such request shall be the prerogative of the Honorary Secretary.

Year – on - Year changes to the Constitution : Any Member wishing to propose any alteration , addition , amendment or revision of the approved Constitution of the Club must give NOTICE in writing to the Honorary Secretary fourteen (14) days before the Annual or Extraordinary General Meeting (AGM) or (EGM)at which the proposal shall be debated. Such change following proposal and having attracted a Member to second it shall be subjected to a Division thereon. *No section shall be altered, added to, amended, revised or revoked unless determined by a majority of Two to One (2to1) of the numbers casting a vote.*

- (a) Any alterations, additions, amendments or revisions so passed shall become operative forthwith.
- (b) All proposals to make changes to the Constitution shall be the first item of the Agenda at any Annual or Extraordinary General Meeting (AGM) or (EGM) of the Club.

This Constitution shall come into operation following approval at the Extraordinary General Meeting (EGM) of

Signed :- Club President:

Club Chairman:

Addendum

William Egoff
William Alwell