

Westmeath Minotaurs Constitution

Amendments:

1. At the 22 August, 2018 Annual General Meeting, in accordance with Clause 14, this constitution was amended as a result of a majority of members voting in favor of a change to Rule 9, section b, Election to Officers to the Management Committee. This document reflects that amendment.
2. At the 17 February, 2019 Extraordinary General Meeting, in accordance with Clause 14, this constitution was amended as a result of a majority of members voting in favor of a change to Clause 2, Objectives and Clause 12, Finance. This document reflects that amendment.
3. At the September 9th, 2022 Annual General Meeting, in accordance with Clause 14, this constitution was amended as a result of a majority of members voting in favor of a change to Rule 10, section a, Members of the Management Committee, and to Rule 12, section f, Loaned Equipment. This document reflects that amendment.
4. On August 14th, 2023, after an EGM, in accordance with Clause 14, this constitution was amended as a result of a majority of members voting in favour of a change to Rule 10, adding an additional two OCM members to the management committee. This document reflects that amendment.
5. On August 14th, 2023, after an EGM, in accordance with Clause 14, this constitution was amended as a result of a majority of members voting in favour of a change to Rule 8, section g). removing the Athlone Minotaurs (now defunct) as having votes at an AGM or EGM. The subsequent sections in Rule 8 reflect the removal of this section e.g. i) is now h). This document reflects that amendment.

1) Name

The name of the organisation shall be “ Westmeath Minotaurs American Football Club” hereinafter referred to as the “Club”.

2) Objectives

- a. **Main Object.** The main object of the club is to promote American football.

b. **Subsidiary Objects.** In furtherance exclusively of the foregoing main object the Club shall have the following subsidiary objects.

- 1) Participation in the sport of American Football and Flag Football
- 2) The organisation, management and development of the sport for all members of the Club.
- 3) Membership of appropriate leagues for the purpose of establishing regular competitive play for the club's representative teams.
- 4) The provision of training and playing facilities for its members.
- 5) Promoting and maintaining the highest standards of technical competence and safety in the sport.
- 6) Upholding the rules of the sport.
- 7) Providing equal opportunities for successful participation by all section of the community.

Amendment 2 Part 1

The club is established to pursue the following objectives

- A. Participation in the sport of American Football and Flag Football
- B. The organisation, management and development of the sport for all members of the Club.
- C. Membership of appropriate leagues for the purpose of establishing regular competitive play for the club's representative teams.
- D. The provision of training and playing facilities for its members.
- E. Promoting and maintaining the highest standards of technical competence and safety in the sport.
- F. Upholding the rules of the sport.
- G. Providing equal opportunities for successful participation by all sections of the community.
- H. The promotion of the sport.

3) Affiliation

The Club shall be affiliated to the Irish American Football Association (IAFA). Any change to this affiliation must be subject to club vote at an EGM as stated in rule 7 B.

4) Membership

All members are subject to the Constitution of the Club and the regulations of the IAFL.

- a) Membership of the club is subject to approval by the board and provided the individuals comply with the club's Constitution.
- b) No person shall be refused membership on the grounds of race, colour, creed, religion, sex, sexual preference, impairment or disability.

- c) All applications for membership shall be accompanied by the appropriate annual membership fee, which shall thereafter be payable on demand.
- d) Fully paid up members may be elected and serve on the Management Committee.
- e) All members will receive a copy of the relevant Code of Conduct, a copy of the Club's Child Protection Policy and a copy of the Constitution.
- f) Members shall be enrolled on one of the following categories:
 - i) Playing/ Competing Member
 - ii) Non Playing/ Associate Member (non competing)
 - iii) Coach (qualified)
 - iv) Flag Only
 - v) Volunteer/ Helper

5) Suspension, Refusal or Termination of Membership

- a) The management committee shall be entitled to:
 - i) Refuse any application for membership on the grounds that such membership would be prejudicial to the objectives of the club as set out in Rule 2 of this constitution.
 - ii) For good and sufficient reason to refuse renewal of any existing membership or terminate or suspend any membership provided that the member concerned shall have the right to be heard by the full management committee before a final decision is made.
- b) The member may apply for reinstatement at the next general meeting.
- c) Any member who fails to pay their fees by the date required shall forfeit their right to representation on the management committee and at general meetings, and shall be suspended from taking part in any event under the control of the club until such fees are paid.
- d) Any member under suspension shall be barred from taking part in any match or event under the control of the club.
- e) The management committee shall inform the member in writing of any decision to terminate their membership.
- f) Notification of the termination of a membership will be forwarded to the Governing Body.

6) Discipline and Appeals

- a) All members of the Club are expected to behave in a fitting manner whilst acting as ambassadors for the club in all related club activities, including games, formal functions, IAFL meetings, and Club social events.
- b) All members shall be free to enjoy the benefits of membership without being subjected to harassment of any nature, be it verbal or physical, or physical or intimidating behaviour from other members.
- c) All concerns, allegations or reports of poor practice/abuse relating to the welfare of children and young people will be recorded and responded to swiftly and appropriately in accordance with the child protection policy and procedures. The Child Protection Officer is the lead contact for all members in the event of any child protection concerns.
- d) All complaints regarding the behaviour of members should be presented and submitted in writing to the Secretary.
- e) The Management Committee will meet to hear complaints within 21 days of a complaint being lodged. The committee has the power to take appropriate disciplinary action including the termination of membership.
- f) The outcome of a disciplinary hearing should be notified in writing to the person who lodged the complaint and the member against whom the complaint was made within 14 days of the hearing.
- g) There will be the right of appeal to the Management Committee following disciplinary action being announced. The committee should consider the appeal within 14 days of the Secretary receiving the appeal.

7) General Meetings

- a) Annual General Meeting (AGM) The AGM shall be held each year at such time and place as determined by the management committee, at approximately twelve monthly intervals, but no more than fourteen months after the date of the previous AGM. At each AGM the following business shall be conducted:
 - i) Receive and confirm the minutes of the previous AGM.
 - ii) Presentation of the clubs financial accounts for the year.
 - iii) Presentation of clubs projected financial situation for the forthcoming year, and the setting of all fees
 - iv) Presentation of Chairpersons report.
 - vi) Election of officers to the management committee.
 - vii) Any other business brought before the meeting which has been submitted in writing to the secretary not less than seven days prior to the AGM, and any other business deemed relevant by the chairperson
- b) Extraordinary General Meeting (EGM) An EGM may be called upon the written demand of:
 - i) 33% of the membership.
 - ii) The Chairperson.

- iii) 2/3 majority of the management committee. Notice for an EGM shall be of a minimum of fourteen days notice, and stating the business to be discussed. Any proposed change of club identity (team name, logo, team colours etc), club placement (home ground, resident city or town etc) or association or division (IAFL, tier 1 or tier 2 etc) must be debated at an AGM or EGM and put to a team vote.

8) Rules For General Meetings

- a) A minimum of twenty one days notice in writing shall be given to all members, except in the event of an EGM where the notice shall be a minimum of fourteen days.
 - b) The Chairperson, or in his/her absence a member selected by the meeting, will take the Chair.
 - c) All members shall register with the Secretary prior to the start of the meeting.
 - d) The following members are entitled to vote in an AGM or EGM. Voting for physically present members is by paper ballot. Not physically present members may vote using video conferencing or similar technology.
 - I. Fully paid up Members (Players)
 - II. A non playing member who has completed a year of participation in a coaching, committee or sub committee, or club support role and fully intends to continue in that position or assume a similarly responsible role.
 - III. A non playing member who is an ex-player who will continue to be involved in the club in a coaching, committee or subcommittee, or club support role
 - e) Each member of 18 years or over shall have one vote.
 - f) All youth members (under the age of 18) collectively will have 3 votes of which a representative of their choosing shall cast.
 - g) Members of the Athlone Flag Team will collectively have 3 votes of which a representative of their choosing shall cast.
- *Amendment 5: The above (g) has been removed from the Constitution.**
- g) All votes shall be determined by a simple majority. In the event of a tied vote, the Chair may exercise a casting vote.
 - h) The quorum shall be one quarter of those eligible to vote, or 10 such members, whichever is the smaller.
 - i) The Secretary shall keep the minutes of the meetings and record all proceedings and resolutions.

9) Election Of Officers To The Management Committee

- a) The members of the management committee shall be drawn from the membership, as defined in clause 4 of this constitution.
- b) Candidates shall be elected by paper ballot (physically present members) or video conferencing capabilities (not physically present members) at the AGM, and shall be members of the management committee from the conclusion of the AGM until the conclusion of the following AGM.

Amendment 1:

- b) Candidates shall be elected by paper ballot at the AGM, and shall be members of the management committee from the conclusion of that AGM until the conclusion of the following AGM.
- c) All nominations of candidates for election shall: have the consent of the nominee; be in writing; be seconded; be received by the secretary not less than fourteen days before the AGM.
- d) Uncontested posts may be filled by nomination(s) and election at the AGM.
- e) The Secretary shall send all members a list of all nominations not less than seven days prior to the AGM.

10) Members of the management committee

- a) The Management Committee shall consist of the following Officers:
 - i) Chairperson
 - ii) Secretary
 - iii) Treasurer
 - iv) Public Relations Officer(with responsibility for all club social media platforms)
 - v) Ordinary Committee Member
 - vi) Ordinary Committee Member

Amendment 3b + 4

- a) The Management Committee shall consist of the following Officers:

- I. Chairperson**
- II. Secretary**
- III. Treasurer**
- IV. Ordinary Committee Member**
- V. Ordinary Committee Member**
- VI. Ordinary Committee Member**
- VII. Ordinary Committee Member**

- b) All the above shall be entitled to one vote each at General Meetings, except the Chair.
- c) The committee may co-opt any member to any unfilled post until the conclusion of the following AGM, providing that the number of co-optees shall not exceed one third of the total number of persons serving on the committee at that time.
- d) The management committee may appoint any sub-committees it may deem necessary to deal with the matters of the club, until the conclusion of the following AGM. The proceedings of all such committees shall report to the management committee by a representative elected by that subcommittee.

11) Rules for the management committee

- a) The Chairperson shall chair the meeting, or in his/her absence one of either the Vice Chairperson or Secretary or a nominee from the committee in the event of all those mentioned being absent.
- b) Fourteen days notice of any meeting of the management committee shall be given by the Secretary, except when:
 - i) The date of the meeting had been agreed at the previous management meeting, in which case seven days notice shall be given.
 - ii) In an emergency the Chairperson may call a meeting at four days notice.
- c) The quorum shall be four of those Officers entitled to vote, as listed at Rule 9. a)
- d) All members of the management committee as listed at Rule 8. a) shall be entitled to vote.
- e) All votes shall be determined by a simple majority. In the event of a tied vote, the Chair may exercise a casting vote.

12) Finance

- a) The income and property of the club, however derived, shall be applied solely towards the objectives of the club as set out in Rule 2, of this constitution.
- b) The club shall have the power to raise money by means of yearly affiliation fees and match fees as determined by the Management Committee at the Annual General Meeting. c) All monies shall be lodged in a bank account in the name of the club.
- d) The Chairperson, Treasurer and Secretary shall be authorised signatories to sign cheques on behalf of the club, of which two signatories shall be needed.
- e) The financial year of the club shall run from 1st January to 31st December.

Amendment 2b

A. .Additions, alterations or amendments

No addition, alteration or amendment shall be made to the provisions of the object(s) clause, the income and property clause, the winding up clause, the keeping of accounts clause or this clause of the Constitution for the time being in force unless the same shall have been previously approved in writing by the Revenue Commissioners.

b. Income and Property

The income and property of the Club shall be applied solely towards the promotion of the object(s) as set forth in this Constitution. No portion of the Club's income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to members of the Club. No officer shall be appointed to any office of the Club paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the Club. However, nothing shall prevent any payment in good faith by the Club of:

- a) reasonable and proper remuneration to any member or servant of the Club (not being an officer) for any services rendered to the Club;
- b) interest at a rate not exceeding 1% above the Euro Interbank Offered Rate (Euribor) per annum on money lent by an officer or other members of the Club to the Club;
- c) reasonable and proper rent for premises demised and let by any member of the Club (including any officer) to the Club;
- d) reasonable and proper out-of-pocket expenses incurred by any officer in connection with their attendance to any matter affecting the Club;
- e) fees, remuneration or other benefit in money or money's worth to any Company of which an officer may be a member holding not more than one hundredth part of the issued capital of such Company;

c. Winding-up

If upon the winding up or dissolution of the Club there remains, after satisfaction of all debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the Club. Instead, such property shall be given or transferred to some other institution or institutions having objects similar to the objects of the Club. The institution or institutions to which the property is to be given or transferred shall prohibit the distribution of their income and property among their members to an extent at least as great as is imposed on the Club under or by virtue of the Income and Property clause. hereof. Members of the Club shall select the relevant institution or institutions at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object. Final accounts will be prepared and submitted that will include a section that identifies and values any assets transferred along with the details of the recipients and the terms of the transfer.

d. Keeping of Accounts

Annual accounts shall be kept and made available to Revenue on request. Where the gross annual income exceeds €250,000 the accounts will be audited.

E. Financial Administration

- 1) The club shall have the power to raise money by means of yearly affiliation fees and match fees as determined by the Management Committee at the Annual General Meeting. c) All monies shall be lodged in a bank account in the name of the club.
- 2) The Chairperson, Treasurer and Secretary shall be authorised signatories to sign cheques on behalf of the club, of which two signatories shall be needed.
- 3) The financial year of the club shall run from 1st January to 31st December.

Amendment 3b

F. Loaned Equipment

The club has in its possession shoulder pads, helmets, padded pants etc. that it will loan to its players. This equipment is finite and it will be loaned at the discretion of the management committee. Each year equipment will first be loaned to rookie players (in their 1st year with the club). After their first year, it is the responsibility of players to purchase their own equipment. If members choose not to buy their own equipment following their first year, their equipment may be reassigned as new players join the club.

13) Amendments to the Constitution

This Constitution may only be amended by a proposal passed by a majority of members present and entitled to vote at an Annual or Extraordinary General Meeting.

14) The Dissolution Of The Club.

- a) Any resolution to dissolve the club may be passed at any General Meeting provided that:
 - i) The terms of the proposed resolution are received by the Secretary at least forty two days before the meeting at which the resolution is to be brought forward, and that
 - ii) At least twenty eight days of the proposed resolution shall be given in writing by the secretary to all members, and that
 - iii) Such a resolution shall receive the assent of two thirds of those present and entitled to vote.
- b) Upon dissolution of the club, after all club and Trustee liabilities have been cleared, all remaining financial and material assets shall be given or transferred in accordance with Rule 12B of this Constitution.

15) Declaration

It is hereby certified that this document represents a true and most up to date version of the Constitution of the Westmeath Minotaurs American Football Club.

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