

# CONSTITUTION OF LUSK UNITED A.F.C.

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1. The name of the Club is '**Lusk United A.F.C**'. Hereinafter called the 'Club'

(a) The Club colours are red and white and black.

2. **Main Object:**

The Main Object of the Club shall be to promote, foster and develop the game of Association Football among its members and to promote the aims of the Football Association of Ireland as outlined in its charter.

3. **Membership:**

Membership of the club shall be for a period of not less than one year, such classes shall consist of the following:

**Full Membership:**

Shall be for a period of not less than one year and shall be open to all persons eighteen years of age and older who subscribe to undertake to further the aims and object of Lusk United A.F.C. Full members shall have entitlement to speak and vote at all General Meetings and shall be entitled to notice of General Meetings in accordance with this constitution. Full members shall be registered with the Club.

**Honorary Membership:**

Shall be open to all persons who have rendered exceptional service to the Club. They may be elected for life, or for any defined period, but unless otherwise stated in the minutes made on the occasion of their election, their membership shall terminate at close of our rent year, but may be renewed by executive committee from year to year. Honorary Members shall have all privileges of Full members, except in the management or control of the Club and they shall not be obliged to pay subscriptions as for rule 8 below.

**Youth Membership:**

Shall be open to all persons under 18 years of age and be registered as players of Lusk United A.F.C. They shall not be entitled to vote and may not engage in the management or control of the Club. All youth members must sign a registration form and be fully paid up by 1<sup>st</sup> of August every year. The registration fee will be set yearly by the executive committee.

Parents/guardians of youth members shall be entitled to written notice and to vote at General meetings. Two votes per family shall be allowed.

**Social Membership:**

Which shall entitle the holder only to enter the Clubhouse and avail of the facilities the club has to offer. A social member is not entitled to written notice or to vote at General Meetings.

**Family Membership:****(a) Full Family Membership:**

Will cover two adults and their children (under 18 years) entering the Club and availing of the facilities the Club as to offer. Children of family members are not entitled to be on the premises unless accompanied by at least one parent or guardian and all persons under the age of 18 years must vacate the premises as per the necessary licensing laws. Family members are entitled to written notice and to vote at General Meetings, one vote per adult shall be allowed.

**(b) Social Family Membership:**

Will cover two adults and their children (under 18 years) entering the Club and availing of the facilities the Club as to offer. Children of family members are not entitled to be on the premises unless accompanied by at least one parent or guardian and all persons under the age of 18 years must vacate the premises as per the necessary licensing laws. Family members are not entitled to written notice or to vote at General Meetings.

**4. Application for Membership:**

Any person seeking admission as a Member of the Club to any class of membership, other than honorary membership, shall complete and sign a prescribed application form which must be returned to the Club Secretary. The applicant must be proposed and seconded by two paid up Full Members. The names and addresses of proposed members must be displayed on a conspicuous place in the Club premises for at least one week before their election and an interval of not less than two weeks shall elapse between nomination and election of Full Members.

**All fully paid up registered players over the age of 18 years shall be classed as Full Members.**

5. The executive shall inform the applicant of its decision. A new member shall on payment of membership subscription, be given a membership card.
6. At the discretion of the executive committee, the foregoing procedure (Rules 4 & 5 above) need not apply in cases other than the election of Full Members.
7.
  - (a) The executive committee shall have the power to expel or suspend from the Club any member of the Club whose actions are, in the opinion of the executive committee prejudicial to the interests of the Club.
  - (b) Such Members have the right to appeal to a special general meeting as provided in the Club rules.
  - (c) Executive Committee Member / Sub-Committee Member:  
You should treat all information obtained through your role as confidential. You must comply with relevant legislation, including Data Protection legislation.  
Confidential information must not be used for personal gain for self or others. All acts and / or omission's must be with the sole aim of furthering and enhancing Lusk United Football Club and it's aims / activities as outlined in the constitution.
  - (d) Anti-Bribery and Anti-Corruption:  
Bribery is defined as the conferring of a financial payment or other advantage, with the intent or expectation that a function will be improperly performed in order to give a party a commercial advantage. As an Executive Committee Member / Sub-committee member of Lusk United Football Club you must never offer or accept a bribe and must not participate or facilitate corrupt or illegal activities.
    - (i). Active bribery: promising or giving a financial or other advantage
    - (ii). Passive bribery: agreeing to receive or accepting a financial or other advantage
    - (iii). No facilitation payments
  - (e) Executive Committee Member / Sub Committee Member:  
You must disclose any actual or potential conflict of interest that may arise in the course of your Role / Position / Activity with Lusk United Football Club. If this situation arises you should refrain from any further involvement in the discussion / analysis / decision making relevant to the conflict of interest. You must abstain from being present when any such actions are being undertaken relevant to the conflict of interest. You must not accept any gifts that could be, or could be, perceived as a bribe, kickback or bartering from any supplier. If you are offered such an inducement you should immediately bring it to the attention of the Executive Committee.  
In all cases, details of all gifts or entertainment must be provided to the executive Committee."

**8. Subscriptions:**

The annual subscription of members, other than Honorary Member shall be decided yearly by the Executive Committee and approved at the A.G.M. Subscriptions are payable in advance on June 1<sup>st</sup> each year.

9. Any member, other than Honorary Member, whose annual subscription is not paid prior to July 1<sup>st</sup> each year, shall cease to be a member on that date and shall not participate in the games of any section of the Club or partake in any of the privileges attached to members.

**10. Executive Committee:**

The business and affairs of the Club shall be under the management of an executive committee and it shall be the controlling body of the Club.

11. The executive committee shall be elected by full registered members who are entitled to vote and are present at A.G.M. Nominations to be elected to the executive committee must be signed by two Full Members.

12. The executive committee shall hold office for a period of one year or until the following Annual General Meeting, whichever is the sooner.

13. The executive committee shall be comprised of a Chairman, Vice Chairman, Treasurer, Secretary, Registrar, Child Welfare Officer, Football Development Officer and at least four registered Full Members. To hold the position of Chairman a member must have held the position of Chairman, Vice Chairman, Hon Secretary, Child Welfare Officer, Registrar or Football Development Officer in the previous year unless there is no other nominee for Chairman.

14. (a) The executive committee shall have the sole right to appoint sub committees as required. It shall define the duties and retain control in all matters concerning the sub committees, including any funds in the hands of such sub committees.

(b) The executive committee shall re-appoint each year the subcommittee known as the 'schoolboy/girl committee' which shall comprise of the managers of each schoolboy/girl team. The committee shall comprise of: Chairman, Hon Secretary and Hon Treasurer who will be elected at a properly convened annual general meeting.

At the discretion of the executive committee the management of both senior the schoolboy/girl committee can be managed as one single committee.

- (c) The **schoolboy/girl committee** shall hold each year an annual general meeting where the following business shall be transacted:

- (1) Minutes of the previous A.G.M.
- (2) Secretaries Report
- (3) Treasurers Report
- (4) Election of Officers – Chairman, Secretary, Treasurer
- (5) Any other business.

Parents of children registered and fully paid up along with full members of the club shall be entitled to speak and vote at A.G.M. Two votes per family will be allowed. Any member of the club or any parent with a child registered and fully paid up shall be entitled to stand for office provided they receive a nomination and are seconded at the A.G.M. The A.G.M. shall take place each year between the months of May and September

- (d) No less than five days' notice of the A.G.M. or special meetings shall be given by the Secretary to all full members of the Club and all parents of children who are registered and full paid up.
- (e) The schoolboy or girl committee should meet at least once a month at a time and venue to be decided by the committee.

The executive committee shall have the power to nominate the Chairman of such sub committees.

The Club Chairman, Vice chairman, Hon Secretary and the Hon Treasurer of the executive committee shall be ex-officio members of all sub committees.

15. The executive committee may prefer bylaws for the proper control and management of the Club, which shall be submitted for ratification to the annual or special general meeting of the Club.

The executive committee shall meet at least once a month at a time and venue decided by the committee. Seven members of the executive committee shall constitute a quorum at a meeting of the executive committee.

16. The executive committee shall administer the business affairs of the Club and the property under its control in accordance with the aims and objects to the constitution shall have all such administrative power as may be necessary for properly carrying out the aims and objects of the Club.
17. Each member shall have the right to be heard by the executive committee. Any complaints or representations should be sent in writing to the Hon. Secretary.
18. A special meeting of the executive committee may be called by:
  - (a) The Hon Secretary or

- (b) The Hon Secretary within three days of the receipt by him/her of a requisition duly signed by four members of the executive committee. Such notice shall set out the purpose for which the special meeting is required
19. The Chairman shall preside over all meetings of the executive committee, in his/her absence, the Vice Chairman shall preside. If both Chairman and Vice Chairman are absent, the committee may elect a member present to preside at the meeting.
20. Any member of the executive committee who shall have absented himself/herself from three consecutive meetings without reasonable explanation shall be deemed to have resigned from the executive committee.
21. Should any member of the executive committee resign or his/her position otherwise lapse, the remainder members of the executive committee shall have the power to fill the vacancy by co-opting from the body of the registered full members.
22. A Chairman of a general meeting, executive committee or any subcommittee shall in the event of a tie, have a casting vote in addition to his/her vote.
23. All registered full members who are over the age of 18 years on the first day of July, preceding the annual general meeting and whose subscriptions at the prescribed date are not in arrears shall be eligible to vote at the next general meeting and voting shall be by show of hands or by secret ballot at the discretion of such registered full members.
24. **General Meetings:**
- No less than 5 days final notice of all General, Annual or Special meetings shall be given by Hon Secretary to all registered full members of the Club.
25. The Annual General Meeting of the Club shall be held on or before 1<sup>st</sup> August as arranged by the executive committee.
26. In the case of Annual General Meeting, all motions must be in the hands of the Hon Secretary not less than 14 days before the date of the Annual General Meeting.
27. The following business shall be transacted at the Annual General Meeting (A.G.M)
- (a) Minutes of previous A.G.M
  - (b) Annual Report submitted by Hon Secretary
  - (c) Financial Statement submitted by Hon Treasurer
  - (d) Election of Officers and Members of Executive Committee
  - (e) Notice of Motion
  - (f) General Business
28. A special general meeting of the Club shall be called by Hon Secretary within 14 days if directed by the executive committee or demanded in writing by no less than 12 registered full

members who in their requisition shall state the object of such meeting. No other business shall be transacted at that special general meeting. A minimum fee of 75 euros shall accompany the requisition by members calling for such meeting. This fee shall be forfeited to the funds of the Club if the majority of those present and voting consider the matter frivolous.

Twelve registered full members entitled to vote shall constitute a quorum at a special or general meeting of the Club.

**29.**

- (a)** The Club shall have power to acquire, hold and to sell, lease mortgage or change real and personal property. Real property cannot be transferred, sold, leased, conveyed, mortgaged or otherwise changed or dealt with, without the consent of a special or annual general meeting as set out in the declaration of trust.
- (b)** The real property of the Club shall be vested in three or more members of Lusk United A.F.C. as Trustees who shall hold same in accordance with the constitution and rules thereof and subject to the covenants and conditions contained in the declaration of trust and who shall sell, lease, mortgage or change the said property when directed to do so and with the consent of a special general meeting. The executive committee shall select the club trustees who shall then be appointed by the Club Chairman.
- (c)** The trustees have the power to borrow on behalf of the Club such monies as deemed necessary by the executive committee.
- (d)** The personal property of the club shall rest in the Chairman, Treasurer and Secretary for the time being of the Club who shall hold same in trust for the Club. The said trustees shall invest the funds of the Club in accordance with the directions of the executive committee of which an entry in the Minutes Book of the club shall be conclusive evidence.
- (e)** The executive committee shall open the necessary bank accounts on behalf of the Club and all cheques drawn on the said accounts shall be signed by the Treasurer and by the Chairman or Hon Secretary.
- (f)** Correct accounts and books shall be kept showing the financial affairs and receipts and disbursements of the Club.
- (g)** The said trustees of the real property and of the personal property for the time being shall be set out in the schedules to these Club rules.
- (h)** The Club shall indemnify a trustee in respect to any loss or out of pocket expenses bona fide incurred by in or about the executive of his trust of powers.

**30: Income and Property:**

The income and property of the Club shall be applied solely towards the promotion of its main object(s) as set forth in this constitution. No portion of the Clubs income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to the 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 monies 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 of the Club (not being an officer) for any services rendered to the Club.
- (b) Interest at a rate not exceeding 5% per annum on money lent by officers 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 expenses incurred by any officer in connection with their attendance to any matter affecting the Club.
- (e) Fees, remuneration or other benefits in money or monies worth to any company of which an officer may be a member holding no more than 100<sup>th</sup> part of the issued share capital of such company.

**31. Alterations of Rules:**

Alterations and additions to these club rules may be made at any A.G.M. or at a special general meeting called for the purpose, providing that the resolution proposing same is carried by a vote of two thirds of the members present and voting.

Members wishing to propose alterations or additions to these club rules must send notice of the proposed alterations or additions in writing to the Hon Secretary not later than 14 days before an A.G.M. or may do so by calling a special general meeting as provided for in the rules.

Notwithstanding the general rules, contained herein in rule 31 concerning alterations or additions to these club rules, the executive committee may at any time amend or alter or add to these rules but only in so far as such amendment, alteration or addition is properly required by reason of any amendments of the registration of club acts that require amendment being made to these rules so that these club rules could continue at all times to comply with any current statutory provisions governing the rules of clubs to the registration of clubs act.



**32. Interpretation of Club Rules:**

The executive committee shall be the sole authority for the interpretation of these club rules and of any bylaws and regulations made there under and the decision of the executive committee upon any question of interpretation or upon any matter effecting the club and not provided for by these rules or by the bylaws and regulations made there under shall be final and binding on the members subject to appeal to general meeting.

**33. Sale of Intoxicating Liquor:**

No member of the executive and no manager or servant employed in the club shall have any personal interest in the sale of excisable liquors therein, or in the profits arising from any such sales.

A visitor shall not be supplied with excisable liquor in the club premises unless on the invitation and in the company of a member of the club and that such member, shall upon the admission of such visitor to the club premises or immediately upon his or her being supplied with such liquor, enter his own name and the name and address of the visitor in a book kept for that purpose and which shall show the date of each visit.

No excisable liquors shall be sold or supplied by the Club to any person under the age of 18 years.

No person under the age of 18 years will be allowed into licensed area of the Club after 9.00pm however,

A child who is accompanied by his/her parent or guardian may be allowed into the licensed area between the hours of 10.00am and (12.30pm on Sunday) and 9.00pm. A child who is aged at least 15 years but under the age of 18years and who is accompanied by his/her parent or guardian may be allowed into the licensed area of the club on the occasion of a private function at which a substantial meal is served to persons attending the function.

No excisable liquor shall be sold for consumption outside the premises of the club except to members of the club

Between the hours of 8.00am and 10.00pm

Subject to the exception mentioned in Sub-Section 2 and 3 of section 56 of the Intoxicating Liquor Act 1927 as amended by Section 6 of the Intoxicating Liquor Act 1962, 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 member of the club lodging in the club premises) or

On any week day before the hour of 1030am or on Monday, Tuesday, Wednesday, Thursday after the hour of 11.30pm or

On any Friday or Saturday after the hour of 12.30am on the following day or

On any Sunday (except St. Patrick's Day which falls on a Sunday) before the hour of 12.30pm or after the hour of 11.30pm or

On St. Patrick's Day before the hour of 12.30pm or after the hour of 12.30am on the following day or on Christmas Eve and the Eve of Good Friday before the hour of 10.30am and after 11.30pm or at any time on Christmas Day or Good Friday.

- 34.** No member of the management committee, manager or servant employed in the club shall have any personal interest in the sale of excisable liquors therein or in the profits arising from such sale.

- 35.** Nothing contained in the registration of Clubs Act 1904 to 1999 or imposed only by virtue of the operation rule 15 of this Constitution shall operate to prohibit the supplying for consumption excisable liquor to any person for the consumption of excisable liquor on those premises by any person:

On Christmas Day between 12 o'clock midday and 10 o'clock in the evening or

On any other day for one hour after the expiration of any period in respect of that day during which it is lawful for the club by virtue of Rule 15 of this constitution to supply any excisable liquor for consumption on the club premises, if in each case the excisable liquor is:

Ordered by that person at the same time as a substantial meal is ordered by him/her.  
Consumed at the same time and with the meal.

Supplied and consumed in the portion of the club's premises usually set aside for the supply of meals.

Paid for at the same time as the meal is paid for.

The sale, supply and consumption of excisable liquor in the building or grounds of the club permitted under the Intoxicating Liquor Acts or any amendments thereto shall be lawful and not a breach of the rules of the club.

The management committee may alter or add to such Rule or Rules dealing with the supply and consumption of excisable liquor for the purpose of complying with the Licensing laws for the time being in force, or the purpose of satisfying the requirements of the members in accordance with such Laws.

In addition to the foregoing rules and clauses thereof, the clauses and regulations embodied in the Registration of Club Acts and the Acts extending and amending the same shall be deemed rules of the Club.

**35. Audit:**

Auditor or auditors shall be appointed and their duties regulated in accordance with the act or any statutory modification thereof for the time being in force. No member of the club shall be appointed auditor.

**36. Winding Up:**

If upon the winding up or dissolution of the club there remains, after the satisfaction of all its 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 charitable institution or institutions having main objects similar to the main objects of the club. The institution(s) to which the property is to be given or transferred shall inhibit the distribution of it's or their income and property among it's or their members to an extent at least as great as is imposed on the club under or by virtue of clause 30 hereof. Members of the club shall select the relevant institution(s) at or before the time of dissolution and if and so far as effect cannot be given to such provisions, the property shall be given or transferred to some charitable object.

**37. Additions, Alterations or Amendments:**

No additions, alterations or amendments shall be made to or in the provision of the constitution for the time being in force unless the same shall have been previously approved in writing by the revenue commissioners.

**38. Keeping of Accounts:**

Annual audited accounts shall be kept and made available to the revenue commissioners on request.

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