

# **HIGHFIELD**

Rugby Football Club

Club Constitution

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Philip Newton (Hon. Sec)

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# **Constitution of Highfield Rugby Football Club**

## **1. The Club**

The club shall be called Highfield Rugby Football Club.

1.1 The Club colours shall be black red and green. All teams representing Highfield RFC both adult and age grade in any I.R.F.U. or Munster Branch competitions will wear the original design of Black Red & Green hooped coloured jersey with the exception if required by competition organisers to change jersey due to a clash of colours.

1.2 The Club shall primarily sponsor Rugby Football and any other form of sport, to which it wishes to affiliate.

1.3 All other sporting sections and social functions of the Club must be subject to the Rugby Club.

## **2. Membership**

The annual subscription of the Rugby Club shall be payable in advance and shall be set by the AGM. The management committee may at its discretion impose a surcharge on any member who fails to fulfil his/her obligations before October 31<sup>st</sup> in any one year.

There shall be five classes of membership of the club:-

- a. Full Member.
- b. Family Member
- c. Associate Member. Associate members shall not have a vote at club meetings.
- d. Life Member.
- e. Hon. Member and Hon. Life Member.

2.1 The names and addresses of persons proposed as full members of the Club shall be displayed in a prominent place in the club premises for a minimum period of two weeks before their election and an interval of not less than two weeks must pass between nomination and election of full members. The subscription of newly elected members shall be payable immediately on admission. Any full member may object to a new applicant for any class of membership, However, the decision shall be that of the Management Committee.

2.2 All new members shall be proposed and seconded by a Rugby Club member and be elected by the Management Committee. The members name shall be inscribed on the official membership roll.

2.3 All members shall give their names and addresses to the Hon. Secretary and shall Similarly notify him of any change of address. Any member who fails to pay the Club

subscription for any one season, on or before Dec 31<sup>st</sup> immediately following the start of the current season, automatically loses membership and will only be re-elected a member again as in rule 2.2.

- 2.4 Life Membership. That Life Membership may be offered to persons who have been paid up members for five years at ten times the annual subscription.
- 2.5 Hon. Membership/Hon. Life Membership: Hon. Membership shall be awarded in accordance with 3.5(a)
- 2.6 Any persons playing and/or training for or with any club teams shall be considered de facto a member of the club for that season. Such membership can, however, be cancelled, by a decision of the management committee. Persons under 18 years of age shall not be eligible to vote at the General meetings.

### **3. Administration**

- 3.1 The business and affairs of the Club will be administered by a Management Committee consisting of Club President, Vice President, Chairman, Hon. Secretary, Hon. Treasurer, the immediate Past President, Chairman of the Rugby Committee/Director of Rugby, Chairman of the Youth Committee, Club Media Officer and three elected members of the Club (12 members in total). The Management Committee shall present themselves for election on an Annual basis at the AGM. The appointment of the Management Committee shall be made from those Members who have been three years fully paid up members of the Club. The Chairman of the Youth Committee must be a member of the Club, in the event there being no such Chairman of the Youth Committee then the Management Committee shall appoint a Chairman. Voting at the Management Committee meetings shall be by simple majority and in the event of a tie the Chairman shall have the casting vote. The Management Committee shall have the right in the event of a vacancy occurring to co-opt a replacement.
- 3.2 The Rugby affairs of the Club shall be administered by a Rugby Committee Comprising a Chairman of Rugby/Director of Rugby and up to six members, one of whom represents the Youth Section. This committee to be ratified by the management Committee.
- 3.3 A member of the Management Committee can only be removed by an EGM of the Club with a minimum of 2/3 of those Club members present voting in favour.
- 3.4 Nominations for the Management Committee together with the names of the Proposer and seconder, who must be fully paid up members of 3 years standing of the Club and the acceptance of the nominee must be sent in writing to the Hon. Secretary fourteen days prior to the Annual General Meeting of the Club. In the event of any position not being filled in accordance with this rule then the matter may be decided by the AGM.

3.5 The Management Committee shall have the power to deal with all matters concerning the proper management of the Club including appointment of Munster Branch and South Munster Branch representatives.

- a. They shall also have full power to propose an Hon. Member/ Hon. Life Member of the Club or its subsections, such persons as the Committee shall recommend for election on the grounds of special service to the Club or distinction in the game of Rugby Football to the first general meeting held thereafter. The AGM shall have the right to confirm such membership. Such list of Hon. Members to be subject to revision at each AGM of the Club.
- b. To make all Awards, Honours, Caps, Presentations
- c. To suspend for any period, they shall decide, from the Club any member(s) who by word, deed, or omission tend to obstruct the proper management of the Club or to bring the Club into disrepute or do or fail to do any matter or thing which in the opinion of the Management Committee merits suspension. A member so suspended may within 10 days appeal in writing the decision To the Club Trustees and the suspension shall be effective pending determination of such appeal. The Trustees shall have the right to over-rule the suspension or to impose such other penalty as they deem fit.

3.6

- a. Five members of the Management Committee shall be sufficient to form a quorum at Management Committee meetings.
- b. The Management Committee shall meet at least once in three weeks to conduct the business of the Club save in exceptional circumstances. A minimum of three days' notice in writing with a copy of the agenda must be given to each of its members.

## **4. Annual General Meeting**

4.1 The AGM of the Club shall be held each year by the 30<sup>th</sup> June and shall elect;

- Club President
- Senior Vice President
- Chairman
- Hon. Secretary
- Hon. Treasurer
- Senior team Captain
- And three members of the Club as members of the Management Committee.

4.2 The voting at general meetings shall be by ballot or a show of hands at the discretion of the presiding Chairman. Only members of the Club shall be entitled to vote. Each family membership will have one vote only

4.3 25 members of the Club shall be sufficient to form a quorum at general Meetings.

- 4.4 30 days' notice of the AGM/EGM should be given to members
- 4.5 Notice of any proposed motions, amendments or alterations to the Club Constitution together with the name of the proposer and seconder should be sent in writing to the Hon. Secretary on or before 21 days prior to the AGM.  
Members will be notified of the above.
- 4.6 Any submitted motions will be displayed on Club notice board and Club Website 14 days prior to AGM.
- 4.7 These rules are final and binding and cannot be altered, added to or rescinded unless determined by a majority of two to one of those voting at a General Meeting, except that any alteration which may be required to comply with a statute shall be made by the Committee and shall be confirmed at any following General Meeting of the Club.

## **5. Selection Committees**

Selection committees shall be elected at the AGM, or otherwise by the Management Committee on the recommendation of the Rugby Committee.

## **6. Finances**

- 6.1 The finances of the Club shall be lodged in a financial institution (appointed by the Management Committee) in the name of Highfield Rugby Football Club.(Trustees) Ltd. All payments shall be paid by cheque/EFT in accordance to the bank mandate then in force, one of the signatories must be that of the Club Treasurer. Treasurer shall keep a correct record of the Clubs income and expenditure and shall make all payments with the sanction of the Management Committee and shall present to the AGM an audited balance sheet for the previous year.
- a. One Hon. Auditor shall be appointed at the AGM and shall hold no other office in the Club.
- b. The Management Committee may, subject to the prior permission of The Directors and members of HRFC(Trustees Ltd), who will henceforth be referred to as "Trustees" raise or borrow money for the purpose of the Club up to €500,000 to total indebtedness, and may secure the repayment of same, together with any interest or premium thereon by mortgage or charge upon the whole or any part of the assets and property of the Club (present or future).The Management may increase this figure on a short term basis but only with the prior permission of the Trustees. The Trustees shall either deal with the property in such manner as directed by the Management Committee or may refer the matter to an AGM/EGM for a final decision which shall be complied with by the Trustees.

- c. The property and assets of the Club shall be invested in Highfield Rugby Football Club (Trustees) Ltd. who shall act as trustees of the Club and the members and be appointed in accordance with the Memorandum and Articles of the said Company.
  - d. The management Committee shall present to the AGM of the Club a full financial report.
  - e. The Club shall apply its income for the sole purpose of promoting rugby and any other sport to which it wishes to be affiliated.
- 6.2 No excisable liquor shall be sold or supplied for consumption on the Club premises other than in accordance with all statutory requirements of the intoxicating Liquor Acts 1833 to 2008 and the registration of Clubs Act 1904 to 2004 and sections 14 and 16 of the Intoxicating Liquor Act 2008 in so far as they amend and extend the registration of Clubs Acts may be cited together as the Registration of Clubs Act 1904 to 2008 and shall be construed together as one
- 6.3 No person shall be allowed to become Honorary or Temporary members of the Club or be relieved of the payment of the regular subscription except:-
- 1. Hon. Members referred to in Rule 2(e)
  - 2. All members of visiting teams who are not already members of the Club, playing Rugby Football, Tennis, Squash, Bowls and Bridge, or any other game or sport provided by the Club at the Club premises on the day on which the visit occurs.
- 6.4 Persons under the age of 18 years may be admitted to membership of the Club but no excisable liquors shall however be sold or supplied to any person under 18 years of age.

## **7. Extra Ordinary General Meetings**

The Management Committee shall have the power to call such meetings should the occasion arise. Any 15 members can call an Extraordinary General Meeting by instructing the Hon. Secretary in writing, with all 15 signatures attached.

## **8. Proceedings against Club**

Any member of the Club, who should meet with accident, injury or any loss, cannot take proceedings or hold the Club responsible for same.

## **9. Income & Property**

The income & 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 club's income and property shall be paid or transferred directly by way of dividend, bonus or otherwise howsoever by way of profit, to the members of the association. 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 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 association 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;

## **10. Indemnity**

Every Officer and Trustee of the Club for the time being and his Executors, Administrators, and Assigns shall be entitled to be indemnified out of the assets of the Club from and against all actions, claims, demands, costs, losses, damages and expenses which he shall or may incur or sustain by reason or on account of any obligation undertaken by him on behalf of the Club in his capacity as such Officer or Trustee, provided always in the case of a liability incurred in his capacity of Officer or Trustee that such liability was not incurred through his wilful default.

## **11. Vice Presidents and Trustees**

- 11.1) that a list of Vice-Presidents and Trustees be adopted and reviewed annually at the AGM.
- 11.2) The trustees of Highfield RFC are Highfield Rugby Football Club (Trustees) Ltd.



## 12. Legal

### **DISTRIBUTION OF INTOXICATING LIQUOR**

- 12.1 No Member, Officer, Committee Member, Manager or Employee of the Club shall have any personal interest in the sale of excisable liquors therein, or in the profits arising from such sale.
- 12.2 Except in the case of a group visiting the Club, as provided for by Section 30 of the Intoxicating Liquor Act 2000, 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 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.
- 12.3 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 8 o'clock in the morning and 10 o'clock at night.
- 12.4 No excisable liquors shall be sold or supplied on the Club Premises to any person under eighteen years of age.
- 12.5 Subject to the exceptions specified in paragraph (12.6) 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 Club Premises) or be consumed on the club premises by any person (other than a member of the Club lodging in the Club Premises) -
- (a) At any time on Christmas Day or Good Friday;
  - (b) On any other day, as specified hereunder, outside the times so specified in respect of it-
    - (i) Saint Patrick's Day: between 12.30 p.m. and 12.30 a.m. on the following day;
    - (ii) The 23rd December: if it falls on a Sunday, between 10.30 a.m. and 11.30p.m.;
    - (iii) Christmas Eve and the eve of Good Friday: between 10.30 a.m. and 11.30 p.m.;
    - (iv) The eve of any public holiday (other than Christmas Eve):
      - (i) if the eve falls on a weekday, between 10.30 a.m. and 12.30 a.m. on the following day, or;
      - (ii) If it falls on a Sunday, between 12.30 p.m. and 12.30 a.m. on the following day;
    - (v) Any other Sunday (except a Saint Patrick's Day which falls on a Sunday): between 12.30 p.m. and 11 p.m.;
    - (vi) Any other Monday, Tuesday, Wednesday or Thursday: between 10.30 a.m. and 11.30p.m.; and
    - (vii) Any other Friday or Saturday: between 10.30 a.m. and 12.30 a.m. on the following day.

1A The hours specified in paragraph (b) of subsection (1) in respect of any day specified in that paragraph are in addition to the period between midnight and 12.30 a.m. on that day, where that period is included in the hours so specified in respect of the eve of that day.

1B In subsection (1), 'public holiday' has the meaning given to it by the Organisation of Working time Act, 1997.

12.6. Nothing contained in the Registration of Clubs Acts, 1904 to 2003 or contained, by virtue only of the operation of paragraph (12.5) 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 the Club premises by any person:

(b) On Christmas Day/and or Good Friday between 12.00 midday and 10.00 p.m. or

(c) 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 subsection (12.5) (b), to supply any excisable liquor for consumption on the Club premises.

If in each case the excisable liquor is-

(i) ordered by or on behalf of that person at the same time as a Substantial meal is ordered, and

(ii) Consumed by that person during the meal or after the meal has ended.

12.7 Any sale, supply and consumption of excisable liquors 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 this Club.

Signed;

Chairman: \_\_\_\_\_

Treasurer: \_\_\_\_\_

Hon. Secretary \_\_\_\_\_

Committee Members:

\_\_\_\_\_