

## **RULES OF OLD BELVEDERE RUGBY FOOTBALL CLUB**

### **1. NAME AND OBJECTIVES**

- 1.1. The name of the Club shall be "Old Belvedere Rugby Football Club".
- 1.2. The Club shall be affiliated to the Leinster Branch of the Irish Rugby Football Union.
- 1.3. The main object of the Club is to promote the game of rugby.

#### **Address**

- 1.4. The registered address of the Club shall be at 28A, Anglesea Road, Dublin 4.

#### **Uniform**

- 1.5. The uniform of the Club shall be black and white hooped jerseys, black shorts and black stockings with white tops, unless otherwise decided by the General Committee.

### **2. TRUSTEES AND PROPERTY OF THE CLUB**

- 2.1 The Trustees of the club shall be Old Belvedere Rugby Football Club Trustees Limited (the Trustee Company), a private limited company created exclusively for such purpose, which shall retain Trustee status unless the members of the club in general meeting by 75% majority shall decide otherwise.
- 2.2 The assets and property of the club shall be vested in or under the legal control of the Trustee Company and the Directors of that company shall deal with all assets and property of the club as directed by a formal minuted resolution of the General Committee conveyed in writing and in accordance with the rules of the Club. The Trustee Company shall have the power to buy, sell, lease, mortgage or pledge any club property subject to Rule 2.5.
- 2.3 The Trustee Company and its Directors shall be entitled to be indemnified in respect of all transactions carried out by direction of the General Committee of the club.
- 2.4 The Directors of the Trustee Company shall be elected by a two third

majority of the members present and voting at a general meeting. The number of such Directors shall be not more than five or less than three. Only persons who have been ordinary members for not less than twenty-five consecutive years shall be eligible for election as Director. On a vacancy occurring a new Director shall be elected in the same way. A Director shall hold office until the age of 80 years or earlier upon death or resignation unless removed by resolution of a general meeting passed by a two-thirds majority. Any Director who shall cease to be a member of the club shall be deemed to have resigned his directorship.

- 2.5. There shall be no acquisition or disposal, including by way of mortgage, of lands or buildings without the prior approval of the ordinary members given by way of resolution at a general meeting called for that purpose at which not less than 75% of those present and voting pass such resolution
- 2.6 The members of the Trustee Company at any time shall consist of the President, his/her four immediate predecessor Presidents, the Honorary Secretary and one Director of the Trustee Company. Any such members shall resign as soon as he/she ceases to fall within any of these categories.

### **3. INCOME AND PROPERTY**

The income and property of Old Belvedere Rugby Football Club shall be applied solely towards the promotion of the object(s) as set forth in these Rules.

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 share capital of such Company;

#### **4. ADMINISTRATION**

The business and affairs of the Club should be managed by two Committees to be known as (a) The General Committee (b) The Management Committee.

#### **5 GENERAL COMMITTEE**

5.1 The General Committee is the Body elected by the Ordinary Members convened in General Meeting. It is charged with responsibility for the interpretation and implementation of the Objects of the Club and of its Policy.

5.2 Membership of the General Committee shall consist of:-

1. The President.
2. The Honorary Secretary.
3. The Honorary Treasurer,
4. The Chairperson of the Management Committee.
5. The Head of Senior Rugby
6. The Head of Womens Rugby
7. The Head of Junior Rugby
8. The Head of Youths Rugby
9. The Head of Mini Rugby
10. The Senior President Elect.
11. The Junior President Elect.
12. The Immediate Past President
13. The Trustee Company's Representative.
14. The Captain of the Club/Men or his nominee.
15. The Captain of the Club/Women or her nominee
16. The Club Representative on the Leinster Branch of the IRFU.
17. Six Ordinary Members at least, two of whom must be Members under thirty-five (35) years of age.

At the election of the six Ordinary Members of the General Committee, all paid up Ordinary Members of the Club present at the Annual General Meeting shall have the right to vote by secret ballot. Voting papers containing a lesser or greater number of names than there are vacancies shall be invalid.

5.3. Nominations for ordinary membership of the General Committee must contain the name of the proposer and seconder, must be forwarded to the Honorary Secretary at least fourteen clear days before the Annual General Meeting at which voting is to take place and must be displayed on the Club notice board in accordance with the provisions of Rule 16.1.

5.5 Officers of the Club shall consist of the President, the Senior President Elect, the Junior President Elect, the Honorary Secretary, Honorary Treasurer, the Captain of the Club/Men & Women and the Chairperson of the Management Committee.

- 5.6. The Captain of the Club/Men & Women shall be elected each year in accordance with procedures decided upon by the Heads of Senior Rugby / Womens Rugby.
- 5.7 Any Officer may vacate the office by resigning or by ceasing to be a member of the Club or may be removed by a Resolution passed by a two-thirds majority of those present and entitled to vote at a General Meeting of the Club. The General Committee shall, however, fill any such vacancy as soon as possible. The person appointed shall hold office until the next Annual General Meeting. Should a member of the General Committee resign during his/her period of office, the Committee may operate notwithstanding that there be such a vacancy or vacancies.

## **6 MEETINGS OF THE GENERAL COMMITTEE**

- 6.1 The General Committee shall meet at least quarterly or within one week at the request of at least five members of the General Committee to review the affairs of the Club and to give such directions as it sees fit with regard to the conduct of the affairs of the Club. It shall have full power to make all arrangements necessary in connection with its own meetings. Ten members shall form a quorum.
- 6.2 The President or, in his/her absence, the Senior President Elect, or in his/her absence, the Junior President Elect (in the absence of all three the Meeting shall elect its Chairperson from those present) shall preside at all General Meetings and at all General Committee Meetings. The Chairperson at all General Meetings and General Committee Meetings shall have a deliberative as well as a casting vote.

## **7. RIGHTS AND DUTIES OF THE GENERAL COMMITTEE**

- 7.1. The General Committee shall:
- a) appoint the Chairperson and approve other members of the management committee as shall be considered necessary for the proper running of the Club;
  - b) monitor long-term policies and objectives as presented by the Management Committee;
  - c) approve budgets on an annual basis;
  - d) approve the employment and remuneration of club employees;
  - e) be the sole authority for the interpretation of these Rules and of any regulations made thereunder;
  - f) approve Banking arrangements;
  - g) have power by resolution of the Committee to borrow money for the purposes of the Club, but not in excess of €250,000 without approval of the Trustee Company. If, however, the General Committee decides that the said approval is being unreasonably withheld, the Club in General Meeting can approve the borrowing

- of money in excess of €250,000;
- h) appoint the Club Representative on the Leinster Branch of the Irish Rugby Football Union;
- i) Appoint one of the six ordinary members of the General committee as a member of the Management Committee.

7.2 The General Committee may exercise any of its powers and perform any of its' functions and duties conferred or imposed on it by these Rules through or by any person or committees or sub-committees authorised by the General Committee in that behalf. For the purpose of carrying out any of its powers and duties the General Committee may make regulations not inconsistent with these Rules governing the business and procedure (including quorums) and dates and times of meetings of itself or other Committees or Sub-Committees and also from time to time make such regulations, not inconsistent with these Rules, as may be necessary for the proper conduct of the Club.

7.3 If at any time the General Committee shall pass a resolution in accordance with Rule 7.1(g) or a General Meeting shall pass a resolution, passed by a two thirds majority, authorising the Club to borrow money in excess of €250,000 in any year, the General Committee shall thereupon be empowered to borrow in the name of the Trustee Company for the purpose of and on behalf of the Club up to such amount of money either at one time or from time to time and at such rate of interest and in such form and manner and upon such security as it shall think fit and thereupon the Trustee Company shall at the direction of the General Committee make all such dispositions of the Club property or any part thereof and enter into such agreements in relation thereto as the General Committee deems proper for giving security for such loans and interests. Ordinary Members of the Club, whether voting on such resolutions or not, and all persons becoming Ordinary Members of the Club after the passing of such resolution shall be deemed to have assented to the resolution, as if they had voted in favour of such resolution. A certified copy of any such resolution, signed by the Chairperson of the meeting at which such a resolution was passed, shall be conclusive evidence of the passing of such resolution.

## **8. MANAGEMENT COMMITTEE**

8.1 The Management Committee shall manage the conduct of the day-to- day affairs of the Club and the management of its finances and shall be responsible to the General Committee for all such aspects of the Club's activities.

8.2 The Management Committee shall include the Club President, Honorary Treasurer and Honorary Secretary. The Chairperson of the Management Committee may appoint such other members of the Management Committee or sub-committees thereof as considered necessary.8.3 The Chairperson of the Management Committee shall appoint the Heads of Senior Rugby, Womens Rugby, Junior Rugby, Mini Rugby and Youths Rugby.

## **9. HONORARY SECRETARY**

9.1. The Honorary Secretary shall be selected and appointed each year by the incoming General Committee.

The Honorary Secretary shall be responsible for: -

- a) convening all General Meetings, General Committee Meetings, Management Committee Meetings and keeping records of such meetings in the Minute Books of the Club;
- b) conducting the correspondence of the Club;
- c) submitting an annual report to the members each year;
- d) keeping a list of names and addresses of members (noting the date of election);
- e) furnishing each member on his/her election and at his/her request with a copy of the Club Rules;
- f) carrying out all administrative and social functions as the General Committee may from time to time lay down;
- g) supervising the Administration Manager, who shall report direct to him/ her;
- h) supervising the running of the Squash section which shall report direct to him/her.

The Honorary Secretary shall have authority to form such Sub-Committees and appoint such Officials as he/she considers necessary, subject to the approval of the Management Committee.

## **10 MEMBERSHIP**

10.1 The following shall constitute the membership of the Club:-

- (a) Playing Members.
- (b) Pavilion Members as of 1<sup>st</sup> June, 2006 or members who convert from playing membership thereafter who have been Playing Members for at least three seasons. Any issues regarding eligibility shall be decided by an 80 (eighty) % majority of the General Committee.
- (c) Life Members as of 1<sup>st</sup> June, 2006.
- (d) Honorary Life Members. Honorary Life Members shall be persons who have given exceptional service to the Club or whose status or positions in the State would, in the opinion of the General Committee, merit election as Honorary Life Members.

Each of the above four categories of members shall be considered as Ordinary Members. Only Ordinary Members shall have the right to attend and vote at General Meetings of the Club. A new Ordinary Member will only be entitled to vote after a period of 5 years has elapsed from the time of his/her first subscription being paid.

For the avoidance of doubt and subject to Rule 20, only Ordinary Members shall have an interest in the assets and property of the Club.

- (e) Clubhouse Members. Clubhouse Members shall be entitled to apply for Pavilion Membership after five years. If an 80 (eighty) % majority of the General Committee considers such a member to have given exceptional service to the Club they may deem him/her eligible for Pavilion Membership.
- (f) Temporary Honorary Members: Members of a visiting club or school playing a match on the Club grounds or using the Club facilities and match officials of any match played on the Club grounds shall be Temporary Honorary Members only for the day of such match or visit.
- (g) Temporary Members shall be players who are playing a match on the grounds or using the facilities of the Club, having applied for membership but prior to approval of the General Committee.
- (h) Mini Rugby Members shall be members under thirteen years of age or as defined by the Metropolitan Youth Committee.
- (i) Youth Members shall be persons between the ages of thirteen and eighteen and in full time secondary or primary education or as defined by the Metropolitan Youth Committee.
- (j) Social Members shall be persons who are attending a social function organised by the Club on payment of admission charges to such function. They shall only be entitled to attend that part of the Club premises where the function is being held.
- (k) Squash Section Members.
- (l) Honorary members shall be from the Community (past and present) and the present teaching staff of Belvedere College.
- (m) The general Committee is empowered to create such additional non-voting membership categories, including corporate membership, as may from time to time be deemed necessary.

10.2 A member shall cease to be a member:-

- (a) If he or she gives written notice to the Secretary, or
- (b) If his/her subscription is not paid by the date of the Annual General Meeting;
- (c) Or if expelled pursuant to paragraph 10.3.

10.3 If any member shall, in the opinion of the General Committee, be guilty of conduct likely to endanger the welfare or good order of the Club, the General Committee, after giving such member an opportunity of being heard, may, by a two-thirds majority of those present and voting, suspend

such member for such period as the General Committee may think fit, or expel such member, whereupon he/she shall immediately cease to be a member of the Club and shall forfeit all rights to or claim upon the Club, or its property, but shall be entitled to have his/her subscription for the current year refunded.

## **11 ANNUAL SUBSCRIPTIONS**

- 11.1 A rate of annual subscription in respect of all categories of members shall be determined by the General Committee.
- 11.2 Subscriptions are payable each year in advance and become due on June 1<sup>st</sup>. In the case of new members, subscriptions are due immediately on election.

## **12. ADMISSION OF MEMBERS**

- 12.1. (a) Candidates for Honorary Life Membership shall be elected by a unanimous vote of the Members of the General Committee present at a meeting for which at least seven days notice has been given of the intention to propose such candidates for election.
- (b) A candidate for other membership categories (other than Temporary Honorary Members and Social Members) shall be proposed by an Ordinary Member and seconded by another. The proposer and seconder must be current Ordinary Members of at least 5 continuous years standing.
- (c) A candidate must be elected to membership by the General Committee, a minority vote of one in five to exclude.

## **13. WAIVER OF LEGAL RIGHTS.**

Pursuant to the provisions of Section 34 (1) (b) of the Civil Liability Act 1961, members waive their legal entitlement to claim against a fellow member, officer or committee member for compensation for personal injury, loss or damage howsoever caused.

## **14. FINANCE**

- 14.1 The financial affairs of the Club shall be the responsibility of the Management Committee in general and the Honorary Treasurer in particular. The Honorary Treasurer shall be selected and appointed annually by the Chairperson person of the Management Committee and shall take office immediately after the Annual General Meeting.
- 14.2 The Honorary Treasurer shall report directly to the Management Committee and shall be responsible for the proper management of the Club's finances including inter alia: -

- a) the supervision of all Club income and expenditure;
- b) submitting financial statements and reports as are required by Officers and Committees;
- c) submitting annual accounts duly audited.  
The Honorary Treasurer shall present a report to the Annual General Meeting.

14.3 The Honorary Treasurer shall have authority to: -

- (i) undertake expenditure on individual items up to a maximum of €75,000 subject to the approval of the Management Committee;
- (ii) appoint such Sub-Committees and Officials as he considers necessary subject to the approval of the Management Committee.

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

## 15. **PERIODS OF OFFICE**

- 15.1 All Officers of the Club and Members of the General and Management Committee shall hold office for a period of one term commencing at the Annual General Meeting in any year and ending at the annual General Meeting of the following year.
- 15.2 No officer of the Club shall continue in office for more than seven consecutive years.

## 16. **RULES**

16.1 All members of the Club shall be bound by the Rules of the Club and by all Bye-laws laid down or any Regulation made from time to time by the General Committee. No member shall be absolved from the effect of the Rules, Bye-laws or Regulations of the Club on the grounds that he/she were not supplied with a copy or had no notice of same.

16.2 No amendment, alteration or addition shall be made to these Rules save as stated in Rule 2.1 unless it shall be passed at a General Meeting by a majority of not less than two thirds of such members present and voting. By way of exception, no amendment shall be made to Rule 2.5, Rule 10.1 or Rule 19.1 unless passed by a majority of 75% of those members present and voting at a General Meeting.

16.3 The notice of a General Meeting shall contain the terms of the amendment, alteration or addition sought to be made. At least four weeks notice of such amendment, alteration or addition shall be given in writing to the Honorary Secretary. All questions as to the interpretation of the Rules shall be referred to the General Committee whose decision shall be final.

16.4 No addition, alteration or amendment shall be made to the provisions of the objects 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.

## **17. GENERAL MEETINGS**

- 17.1 The Annual General Meeting shall be held in May or June each year. The President, Senior President Elect, Junior President Elect, Directors (if necessary), six Ordinary members of the General Committee, Honorary Vice Presidents and an honorary Auditor for the following season shall be elected.

Nominees for *all* elected positions must be proposed and seconded and their names, together with the names of their proposers and seconders, must be displayed on the Club Notice Board at least ten days' before the Annual General Meeting at which the elections are scheduled to take place. In addition to foregoing, the business at the Annual General Meeting shall include consideration of matters submitted by an Ordinary Member, of which ten days' notice in writing shall have been given to the Honorary Secretary, save as provided in Rule 14.2, and any other business that may properly arise.

- 17.2 A Financial General Meeting shall be held in September or October each year. The report of the Financial Controller together with audited accounts for the previous season shall be submitted.
- 17.3 A special General Meeting shall be held whenever the General Committee deem such a meeting expedient, or whenever a request, in writing, be delivered to the Honorary Secretary, signed by at least twelve Ordinary members, accompanied by a statement of the reason for which such meeting is required, such meeting to be held within one month of the receipt of such request.
- 17.4 Notice of a General meeting shall be posted or e-mailed to each ordinary member at least fourteen days prior to the meeting. The quorum at a General meeting shall be twenty Ordinary Members.
- 17.5 Where there is any dispute as to voting procedure to be adopted at an Annual General Meeting of the Club or at any General or Sub-Committee Meeting, the Chair person shall be the sole arbiter.
- 17.6 Any Ordinary Member whose subscription is in arrears shall not have a right to initiate, vote or take part in a General Meeting.

## **18. INTOXICATING LIQUOR**

- 18.1 The Club shall, at all times, be bound by the provisions of the Registration of Club's Acts (1904-2004) and any amendments thereto:
- (1) Subject to the exception specified in sub paragraph (2) of this Clause, 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 those premises by any person (other than such a member)

- (a) At any time on Christmas Day or,
  - (b) On any other day, outside the following hours:
    - (i) St. Patrick's Day: between 12.30p.m. and 12.30a.m. on the following day;
    - (ii) The 23<sup>rd</sup> December: if it falls on a Sunday, between 10.30a.m. and 11.30p.m.
    - (iii) Christmas Eve: between 10.30a.m. and 11.30p.m.
    - (iv) The Eve of any Public Holiday (other than Christmas Eve)
      - If the Eve falls on a weekday, between 10.30a.m. and 12.30a.m. on the following day, or
      - If it falls on a Sunday, between 12.30p.m. to 12.30a.m on the following day;
    - (v) Any other Sunday (except a St. Patrick's Day which falls on a Sunday): between 12.30p.m. and 11.00p.m.
    - (vi) Any other Monday, Tuesday, Wednesday or Thursday between 10.30a.m. and 11.30p.m. and;
    - (vii) Any other Friday or Saturday: between 10.30a.m. and 12.30a.m. on the following day.
- (2) Nothing in the Registration of Clubs Acts 1904-2004 or contained, by virtue only of the operation of Clause 18.1 above, 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 those premises by any person-
- (a) on Christmas Day, between 12.00 midday and 10.00p.m. or
  - (b) 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 Clause 18.1(b) above, 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 so ordered and,
- (ii) Consumed by that person during the meal or after the meal has ended.

The hours specified in paragraph 18.1(1)(b) above in respect of any days specified in that paragraph are in addition to the period between midnight and 12.30a.m. on that day, where that period is included in the hours so specified in respect of the eve of that day.

In paragraph 18.1(1) "Public Holiday" has the meaning given to it by the Organisation of Working Time Act 1997.

- 18.2. No excisable liquor shall be sold or supplied to any person under the age of eighteen years.
- 18.3 No Member of the General Committee or Management Committee and no employee of the Club shall have any personal interest in the sale of excisable liquors therein or in the profits arising from such sales.

- 18.4 Except as permitted 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 and that member shall, upon the admission of such visitor to the Club premises, or immediately upon his/her being supplied with such liquor, enter his/her own name and the name and address of the visitor in a book which shall be kept for the purpose and which shall show the date of each visit.
- 18.5 No person under the age of 18 years shall be allowed in the licensed area of the Club after 9.00p.m. However, a child who is accompanied by his/her parent or guardian may be allowed in to the licensed area of the Club between the hours of 10.30a.m. (12.30p.m. on Sunday) and 9.00p.m.
- 18.6 A child who is aged at least 15 years but under the age of 18 years 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.
- 18.7 No excisable liquor shall be sold for consumption outside the premises of the Club, except to Club members, between the hours of 8 o'clock in the morning and 10 o'clock at night.
- 18.8 The Management Committee may alter or add to these Rules for the purpose of complying with the Registration of Clubs Acts (1904-2004) and any amendments thereto, or for the purpose of satisfying the requirements of the members in accordance with such laws.
- 18.9 In addition to the foregoing Rules, the Rules and Regulations embodied in the Registration of Clubs Acts (1904-2004) and the Acts extending and amending the same shall be deemed Rules of the Club.

## **19 WINDING UP**

- 19.1 The Club may be dissolved by Resolution passed at a Special General Meeting specifically called for that purpose and carried by a 75% majority of the ordinary members present and entitled to vote.
- 19.2 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 institution or institutions having main 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 its or their income and property among its or 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.

- 19.3 The General Committee shall be responsible for the winding up of the assets and liabilities of the Club.

**20. DATA PROTECTION**

- 20.1 Pursuant to the provisions of the Data Protection Acts 1988 to 2018, members consent to the Club obtaining, recording, holding and retaining their personal data (including sensitive personal data) solely for Club purposes, either on its computer or in its manual filing system, and consent to the use of all such data including its disclosure to third parties, for the proper and effective management of the Club.