

# **Limerick Triathlon Club**



## **Club Constitution 2012**

**1. Name**

The name of the association shall be Limerick Triathlon Club, herein after referred to as LTC or the Club.

**2. Registration**

LTC will be registered with Triathlon Ireland, the governing body of triathlon in Ireland.

**3. Contact Address**

The address, for correspondence of LTC shall be that of the standing Chairperson and Secretary.

**4. Limerick Triathlon Club Objectives**

- a) To promote, organise, develop, manage and administer the sport of Triathlon, Duathlon and Aquathon in the Limerick and the Mid-West.
- b) To encourage and foster all levels of triathlete within the club from novice to elite athletes.
- c) To encourage new members into the club and to assist those new members in the sport of Triathlon, Duathlon and Aquathon.
- d) Prescribe, maintain and uphold the rules and regulations, including the Triathlon Ireland Manual of Guidance, Code of Ethics and any other rules/regulations as set by Triathlon Ireland.
- e) Affiliate with Triathlon Ireland and any other organisations, as may be determined from time to time by the committee.
- f) Support Triathlon Ireland in its aims.
- g) To be involved in the organisation of Triathlon, Duathlon and Aquathlon races each year, which must be approved by Triathlon Ireland.
- h) To act on behalf of and in the interests of the members of the club in matters relating to Triathlon, Duathlon or Aquathon.
- i) To conduct the affairs in an equitable, honourable, honest and sporting manner at all times.
- j) To comply with all laws and regulations that relate to the operation of a club and to the sport of triathlon.

**5. Policy**

- a) LTC fully supports Triathlon Ireland in its efforts to improve all aspects of Triathlon and its related disciplines.
- b) LTC is committed to safeguarding the interest, welfare and well-being of all those associated and directly and indirectly associated with its activities.
- c) The interests of the Club as a whole shall always take precedence over the interests of any one individual member(s).
- d) LTC supports TI and the Sports Council in a Zero tolerance attitude to use of banned substances in sports and as such, Any member following due process, ultimately found guilty of using any banned substances in contravention of TI and any relevant governing body rules will be subject to

a further disciplinary hearing within the club. The disciplinary committee can impose any sanctions it deems necessary up to and including the revocation of LTC membership for life .All disciplinary committee findings / sanctions can be appealed to the executive committee of Limerick Triathlon Club .

## **6. Equality**

LTC shall carry out all functions in a manner that promotes equality of opportunity between:

- Persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- Men and women generally;
- Persons with a disability and persons without;
- Persons with dependants and persons without.

## **7. Children's Rights**

The Club aims to promote the participation of children by:

- a) Creating a culture of safety and fun;
- b) Fully subscribing to the following international standards: "Children have the right to be protected from all forms of violence; they must be kept safe from harm, and they must be given proper care by those looking after them" (Article 19; UN Convention on the Rights of the Child);
- c) Asserting the right of Children to be safe, club officials must ensure that this fundamental principle takes precedence over all other considerations.
- d) Fully subscribing at all times and without variation to Triathlon Ireland's Code of Ethics for Children.

## **8. Membership**

- a) Membership of LTC shall be open to any member of the public subject to the following conditions:
  - i. The individual acknowledges that the activities of the club carry a risk of personal injury or even death, and agrees to exempt the club of any liability in the event of such instances occurring.
  - ii. Payment of the annual subscription fee of the club, unless otherwise instructed by the committee, as in the case of Honorary Life Members.
  - iii. Members must complete and sign the current Club Membership form for the year in question.
  - iv. The individual agrees to respect the rights, safety and welfare of all other members and to conduct themselves in a way that reflects the principles of the club.
  - v. LTC shall only accept a minor as a member of the club, or as an entrant to club organised races on the condition that there is an adult member of the club designated with responsibility for children's welfare, namely the Youth Welfare Officer, for each year.
  - vi. All members under the age of 18 but over the age of 15 must have a guardian sign their application to for all LTC organised races.

- vii. All applications for applicants under the age of 16 must be reviewed by the committee at the next committee meeting.
  - viii. All applicants under the age of 16 years, must abide by Code of Ethics & Good Practice For Sport for Young People In Limerick Triathlon Club.
  - ix. Any minors must be accompanied by an appointed Guardian at each training session.
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- b) The term 'member' shall refer to any individual that has fully complied with the conditions set out above.
  - c) The Executive Committee has the authority to exempt individuals from payment of the annual fee under special circumstances as determined by the Executive Committee.
  - d) The Executive Committee has the authority to refuse, or to withdraw, membership from any individual who has, in the opinion of the Executive Committee, shown blatant disregard for the rights, safety or welfare of other members of the club or other triathletes, or who has behaved in a manner contrary to the spirit of the club.
  - e) Membership shall terminate on the 31<sup>st</sup> December each year, at which time members shall be requested to renew their membership of the club.
  - f) As of the 1<sup>st</sup> February 2006 all club members will be required to join Triathlon Ireland at the same time as joining LTC. Those members who do not wish to take out a full racing licence with TI may opt for the reduced rate of "Associate membership" with TI.
  - g) Honorary Life Membership: Where any person has rendered special service to LTC or to the sport of triathlon in Ireland, they may, on the nomination of the committee, be elected a life member of LTC at a General Meeting.

***All applications shall be considered by the committee which may, at its discretion, accept or refuse any such application (successful applicants shall hereinafter be referred to as "members"). A register of all members shall be maintained.***

## **9. Cessation of Membership**

Any member shall cease to be a member of LTC:

- a) By tendering his/her cessation to the committee in writing, but shall remain liable to LTC for all money owing and unpaid at the date of cessation.
- b) Where the committee resolves it is satisfied that the member is unable to comply with the committee's or Annual General Meeting's requirements and notifies the member of that resolution.
- c) Where it has been found that a member has committed a serious breach of the rules as set out in this document.
- d) On the 31<sup>st</sup> December of each year all memberships will cease and members will be required to re-join in the following year.

### **Appeal Procedures:**

Except for breaches of the LTC sports drugs policy (5(d) above) where the decision of the committee shall be final, there shall be a right of appeal against the decisions of the committee. Such appeal shall be made in writing within 28 days of the decision. All appeals shall be heard by a referee or tribunal, who shall be agreed between the parties concerned. In the event of the parties concerned not being able to agree on a referee or tribunal, within 10 days of the lodging of an appeal, such referee or tribunal shall be appointed by the LTC Chairman or LTC Treasurer or by the LTC Secretary in that order.

## 10. General Meeting

- a) The Annual General Meeting shall be held at such place and at such time as may be determined by the committee, but shall be held prior to the 31<sup>st</sup> December in any given year.
- b) Prior to the date, and not later than 2 week before the Annual General Meeting, every member, shall be notified of the time, date and place of the meeting.
- c) It is acceptable that a posting on the LTC website and a distributed email is acceptable for any notification.
- d) Exceptional General Meeting shall be convened, at the request of the committee or within 60 days of the receipt of written requisition from not less than 25% of members. Such requisition shall set forth the purpose of such meeting. In the event of the committee not convening such meeting the requisitioners' shall be entitled to convene the meeting themselves.
- e) Not later than 30 days before the date of the Exceptional General Meeting, every, member, life member, and management committee member shall be notified by the Secretary of the time, date, place and purpose of the meeting.
- f) Only committee and sub-committee members, members and life members shall be entitled to be heard and vote at General Meetings or Exceptional Meetings.
- g) The committee will meet at least once every 3 months
- h) Copies of meeting minutes will be made available on request.

### Business of the Annual General Meeting

- a) The business of the Annual General Meeting shall include:
  - i. Receipt and adoption of the Annual Report.
  - ii. Receipt and adoption of the Balance Sheet and Income and Expenditure accounts.
  - iii. Election of Officers and Management Committee
  - iv. Appointment of an auditor (if deemed applicable)
  - v. Election of Honorary life members (if any).
  - vi. Consideration of resolutions of which notice has been given.
  - vii. Transaction of any general business.
- b) Members shall give notice in writing of any business to be discussed or resolutions to be considered at the Annual General Meeting no later than 1 week before the date of such meeting.
- c) Not later than 14 days before the date of the Annual General meeting, member, committee member and life members shall be sent:
  - Copy of the Annual Report, Balance Sheet and Income and Expenditure Accounts for the previous year.
  - A schedule of Business in accordance with (a) and (b) above.

### Quorum

At any General Meeting of LTC, delegates present and representing not less than 20% of the members shall constitute a quorum.

### Chairperson

At all General Meetings the chairperson of the committee shall be entitled to take the chair. If the committee chairperson is absent, then another member of the committee shall take the chair. Any member disobeying the ruling of the Chair may be suspended for the period of the meeting by ordinary resolution of the meeting.

## 11. Voting

- a) Except for that provided for in the Alteration to Rules section the business of LTC shall be decided by a simple majority of votes cast.
- b) Each committee member shall have one vote.
- c) Each individual member athlete affiliated under the rules of membership outlined in the Membership section shall have one vote.
- d) Each life member shall have one vote. Provided that if any person is both a committee member and/or a life member and/or a member, they shall be entitled to only one vote.
- e) A resolution put to the vote shall be decided on a show of hands unless a poll is demanded, before or on the declaration of the result.
- f) Any poll called for shall be carried out as the chairperson shall direct.
- g) The chairperson shall have a casting vote in addition to a deliberative vote.
- h) Except where alternative arrangements for payment have been agreed to by the committee no member shall be entitled to vote at any general meeting unless all sums presently payable by that member in respect of subscriptions, fees, and other amounts due to LTC have been paid.

## 12. Officers

The following Officers of the Club shall be elected at the Annual General Meeting:

Chairperson  
Treasurer  
Secretary  
Public Relations Officer (PRO)  
Merchandising Officer  
Training Officer  
Youth Officer (Youth Welfare Officer)  
Information Officer (Website Page Officer)  
Female Athletes Officer  
New members Officer

The committee shall have power to fill vacancies arising during the year and to reinvent the list of required positions to be filled.

## 13. Committee

- a) The committee shall consist of a maximum of eight members on the main Committee and 8 Members on the Sub/Support Committee.
- b) Fifty (50) percent (rounded down to whole numbers) of committee members shall form a quorum at meetings of the committee.
- c) The Chairperson shall have a casting vote in addition to a deliberative vote.
- d) Any committee member who fails to attend two (2) consecutive meetings of the committee without leave of absence shall forfeit their seat on the committee, if enforced by the Committee.
- e) To impose any penalty upon any Member, which are found guilty of breaching any of the rules, by-laws, regulations of LTC or of refusing to give effect to any resolution passed by any General meeting or by the committee, or by actions that bring the club into disrepute, as per the current LTC Disciplinary guidelines.

A meeting of the committee may be held either:

- a) Physical Meeting: by a number of the committee members who constitute a quorum being assembled together at the place, date and time appointed for the meeting; or
- b) Other means: by means of audio, or audio and visual, communication by which all committee members participating and constituting a quorum can simultaneously hear each other throughout the meeting.

#### **Functions and Powers of the Committee**

The committee shall be responsible for carrying out the aims and objectives of LTC, and shall have the following functions and powers in addition to those provided for elsewhere in these rules:

- a) To formulate, adopt and monitor a strategic plan, which shall be presented at each Annual General Meeting.
- b) To adopt and monitor an annual plan and financial budget.
- c) To enter into an employment contract on such terms and conditions as the committee shall think fit and to adopt clearly defined delegations of authority from the committee.
- d) To appoint any sub-committees and to delegate such powers and responsibilities as the committee deems appropriate to such sub-committees.
- e) To impose any penalty upon any Member, which are found guilty of breaching any of the rules, by-laws, regulations of LTC or of refusing to give effect to any resolution passed by any General meeting or by the committee, or by actions that bring the club into disrepute.
- f) To determine the process to apply in respect of the appointment of:
  - a. Selectors
  - b. Managers, Coaches and Captains of Teams
  - c. Other positions as required.
- g) To determine the fees payable by members each year.
- h) To enter into contracts of insurance, sponsorship and other types of contracts as deemed appropriate to carry out the objectives of LTC.
- i) Such other powers as may be necessary or desirable to further the objectives of LTC.

#### **14. Finance and Annual Report**

- a) The financial year of LTC shall close on the last day of November in each year.
- b) All monies received shall be paid to the credit of LTC at a bank as determined by the committee.
- c) All accounts shall be paid by cheque signed by any two (out of a possible three) of the persons authorised to do so by the committee.
- d) The Annual Accounts shall be audited by an auditor, appointed at the Annual General Meeting, and who shall not hold any other office in LTC, if so required by the a member majority.
- e) A report of the year's activities together with the audited Balance Sheet and Income and Expenditure Account shall be prepared by the committee for presentation at the Annual General Meeting.

#### **15. Alteration of the Rules**

- a) These rules may be amended, repealed, or replaced by a resolution passed by a majority of not less than 60 percent of the votes cast at a General Meeting. Notice of the proposed alteration shall be given to the committee at least 28 days prior to the date of the General Meeting at which

it is intended to propose the alteration. Notice shall be given of the proposed resolution in accordance with rules for General Meetings.

- b) No addition to or alteration of the Payments to Members clause or the Winding - Up clause shall be approved without the approval of Inland Revenue.

#### **16. Indemnity**

Every committee member of LTC who does any act in pursuance or intended pursuance of any provision of these rules or any rules or regulations made thereunder in general meeting or of the committee shall be indemnified by LTC against all losses and expenses incurred by them in connection with the discharge of their duties, unless the act was done in bad faith or without reasonable care.

#### **17. Payments to Members**

No member or person associated with LTC shall derive any income, benefit or advantage from LTC where they can materially influence the payment of the income, benefit or advantage, except where that income, benefit or advantage is derived from:

- a) Professional services to LTC rendered in the course of business, charged at no greater rate than current market rates; or
- b) Interest on money lent at no greater rate than the current market rates.

#### **18. Winding Up**

- a) LTC may be liquidated by a resolution carried by a simple majority (half plus 1) of the votes cast at a General Meeting held in accordance with these rules.
- b) If upon the liquidation of LTC there remains surplus funds after the satisfaction of all its debts and liabilities whatsoever, the same shall not be paid to or distributed among the members of LTC but shall be given or transferred to some other charitable organisation or body having purposes similar to the objectives of LTC, or for some charitable purpose, within Ireland.

#### **19. Interpretation**

In the event of any dispute over the interpretation of these rules or any question arising in connection with the administration of the club not provided for in these rules, that question shall be decided by the committee.

Any such decision shall be recorded in the minutes of the committee and shall remain in force until it is amended or revoked by the committee or by a resolution passed at a General Meeting.

**DATE RATIFIED:** November 19<sup>th</sup> 2011

**SIGNED:**

**Chairman**

**Secretary**