

## St. Malachy's College Old Boys' Association

# Rules

### 1. Interpretation

- 1.1 The "Association" means St. Malachy's College Old Boys' Association – a registered club for the purposes of the Registration of Clubs (Northern Ireland) Order 1996 (as amended) (the "Order").
- 1.2 The "Council" is the committee of the Association.
- 1.3 The "College" means St. Malachy's College, Belfast.
- 1.4 The "Premises" means the premises of the Association at Vicinage, 442 Antrim Road, Belfast BT15 5GB and/or such other premises as may be occupied by the Association from time to time.
- 1.5 An "Ordinary member" means any Member elected under Rule 3.2. A "Council member" is an Ordinary member elected to serve on the Council under Rule 22.
- 1.6 An "Associate member" means a Member elected under Rule 3.3.
- 1.7 "Membership" means the Members of the Association and "Member" means any Ordinary member or any Associate member.
- 1.8 An "Officer" means a Council member elected to serve under Rule 20.1.
- 1.9 A "Past Pupil" means a past pupil of the College.
- 1.10 The "Retiring President" means the President of the Association who held office last before the incumbent President of the Association.
- 1.11 These "Rules" comprise 41 rules numbered consecutively 1–41 and constitute the sole rules of the Association. The headings to these Rules are for ease of reference only and shall not be taken into account in interpreting the rules.
- 1.12 The Council shall be the sole authority for the interpretation of these Rules and of the regulations made from time to time by the Council and the decision of the Council upon any question of interpretation or upon any matter affecting the Association and not provided for by these rules or by regulations shall be final and binding on the Members.

## 2. Objects

The Objects of the Association shall be:

- 2.1 to promote the educational and sporting activities of the College;
- 2.2 to provide the Membership with suitable social and recreational facilities.

## 3. Membership

- 3.1 Membership shall be restricted to persons aged 18 years of age and over who meet the criteria specified in either Rule 3.2 or Rule 3.3 below.
- 3.2 Ordinary members:
  - 3.2.1 Past Pupils of the College
  - 3.2.2 established members of the College teaching staff
- 3.3 Associate members:

Individuals, not otherwise entitled to Membership, who, if so elected, would make a positive contribution to the Objects of the Association.
- 3.4 A Register of Members shall be retained at the Premises and shall comprise an alphabetical list of all Members, their names and addresses.

## 4. Admission to Membership

Admission to Membership shall be by the Council. A candidate for Membership who receives the votes of the majority of the Council members present at the election shall be declared elected.

## 5. Proposal of Candidates

- 5.1 Every candidate for admission to Membership shall be proposed by one Ordinary member ("Proposer") and seconded by another Ordinary member ("Secunder"), both of whom shall vouch from their personal knowledge for the suitability of the candidate for Membership. The candidate shall be proposed by completing an Application for Membership with details of his full name, residence, date of birth and stating:
  - 5.1.1 In the case of a candidate under Rule 3.2.1, his years of attendance at the College and, if undergoing a full-time course of further education, full and specific details of such course; or
  - 5.1.2 In the case of a candidate under Rule 3.2.2, the date on which he became a member of the College teaching staff; or
  - 5.1.3 In the case of a candidate under Rule 3.3, that he shall make a positive contribution to the Objects of the Association.
- 5.2 In addition, every application for Membership shall bear the name and signature of the Proposer and of the Secunder.

## 6. Posting of Applications for Membership

The particulars of an application for Membership shall be displayed on a notice board at the Premises in a conspicuous place for at least two weeks preceding the day when the candidate comes up for election.

## 7. Inaccuracies in Nomination

Any omission from, or inaccuracy in, the particulars contained in the application for Membership, may at the Council's discretion invalidate the proposal and any election made in consequence of it.

## 8. Notice to Member elected

8.1 Upon the election of a candidate, he shall be duly notified and requested to remit to the Honorary Treasurer within fourteen days from the date of such request the amount of membership fee and any other charge due.

8.2 On payment of his membership fee and any other charge due, he shall become a Member and shall be bound by these rules.

8.3 The Member shall be issued with a membership card and be entitled to the benefits and privileges commensurate with his Membership.

8.4 The Member so elected shall carry his membership card whilst on the Premises.

## 9. Delay in taking up Membership

If the membership fee is not paid within four weeks from the date of such request, the election of such candidate shall be void, unless he shall satisfy Council that he had good cause for delay.

## 10. Membership fees

The fees for Membership shall be as regulated for by the Council.

## 11. Other charges

- 11.1 The Council may, at its discretion, impose upon any Member an additional charge for the use of any premises or facilities of the Association and the Council shall have absolute discretion in determining the amount of any such charge.
- 11.2 The Council may, at its discretion, suspend, vary or revoke any additional charge imposed.

## 12. Due date for annual Membership fees

All annual Membership fees (other than as provided for under Rule 8) shall be due on the first day of January in each year without demand.

## 13. Failure to pay annual Membership fees

- 13.1 If any Member shall fail to pay his annual Membership fee on or before the first day of February next after it has become due, notice shall be sent to him calling his attention to his failure to pay, and, if he shall not pay the amount by the last day of February his Membership of the Association shall thereupon terminate.
- 13.2 If any Member shall fail to pay such other charges under Rule 11 for the use of the Premises or facilities within the period of fourteen days when such charges fell due, then the Member shall not be entitled to use such premises or facilities until such time as he has made payment of the full amount due.

## 14. Privileges of Associate membership

Associate members shall be entitled to all the benefits of and privileges of Membership, except that they shall not be qualified:

- 14.1 to be an Officer;
- 14.2 to be a Council member;
- 14.3 to vote at the Annual General Meeting or any other meeting of the Ordinary members of the Association.

## 15. Restriction on number of Associate members

Persons shall not be admitted in such numbers to Membership not carrying rights of voting in relation to the affairs of the Association as will result in the number of Members not having such rights being more than three times the number of Members having such rights.

## 16. Resignation of Members

Any Member may resign his Membership by giving to the Honorary Secretary a notice in writing to that effect. Every such notice shall, unless otherwise expressed, be deemed to take effect as from the first Council meeting next after receipt by the Honorary Secretary.

## 17. Expulsion and Suspension of Members

17.1 It shall be the duty of the Council, if at any time it is of the opinion that the interests of the Association so require, by letter to invite any Member to withdraw from the Association within a time specified in such letter and in default of such withdrawal, to submit the question of his expulsion to a meeting of the Council. It shall be the duty of the Honorary Secretary to inform the Member in question of the time and place of the meeting and of the nature of the complaints against him, in sufficient time to afford him a proper opportunity of offering his explanation. At such meeting the Member shall be allowed to offer an explanation of his conduct, verbally or in writing, and if, after the majority of the members present votes for his expulsion, he shall immediately cease to be a Member.

17.2 The Council may, instead of expelling a Member:

17.2.1 suspend the Member from the benefits of Membership for such period as the Council shall deem fit; or

17.2.2 direct the Member to carry out any other condition before he may again enjoy the benefits of Membership.

17.3 The Council may, at its absolute discretion, delegate not less than any three members of the House Committee to conduct any investigation necessary under Rule 17.1 and to submit their findings for ratification by Council.

## 18. Effect of ceasing to be a Member

Any person shall, on ceasing to be a Member, forfeit all rights to and claims upon the Association and its property and funds.

## 19. Members' guests

19.1 Every Member shall be allowed to introduce guests, subject to the regulations as shall be made from time to time by the Council.

19.2 The same person, except where that person is a parent, husband, wife, civil partner, or child of a Member shall not be admitted to the Premises as a Member's guest on more than twenty days in any twelve month period.

19.3 A Member's guest shall not be admitted to the Premises except in the company of a Member and said Member shall, immediately on the admission of his guest to the Premises, enter his name and the name and address of his guest in a book which shall be kept for that purpose and which shall show the date of each visit.

- 19.4 A Member shall be responsible for his guest strictly observing these rules and shall not leave the Premises before his guest and a guest of a Member shall not be supplied with intoxicating liquor in the Premises unless upon the invitation and in the company of the Member.
- 19.5 No person eligible for Ordinary membership of the Association shall be permitted as a Member's guest on more than three occasions in any twelve month period.

## 20. The Council

The business and affairs of the Association shall be under the management of the "Council" which shall be comprised of:

- 20.1 the Officers, namely:
  - 20.1.1 the President;
  - 20.1.2 four Vice-Presidents in Council;
  - 20.1.3 the Honorary Chairman;
  - 20.1.4 the Honorary Vice-Chairman;
  - 20.1.5 the Honorary Secretary;
  - 20.1.6 the Honorary Assistant Secretary;
  - 20.1.7 the Honorary Treasurer;
  - 20.1.8 the Honorary Assistant Treasurer;
  - 20.1.9 the Honorary Registrar of Members;
  - 20.1.10 the Retiring President;
- 20.2 and eight Ordinary members.

## 21. Nomination, election and duration of Offices of President and Vice-Presidents in Council

- 21.1 The President shall be elected at the Annual General Meeting of the Association from among those Ordinary members:
  - 21.1.1 as are nominated by the Council for the Office of President, or
  - 21.1.2 as are nominated by at least twenty Ordinary members for the Office of President, such nomination to be in writing and lodged with the Honorary Secretary on or before the first day of February in the year of the proposed election. The nomination to be lodged shall contain a declaration that the nominee consents to act as President of the Association if elected.
- 21.2 The President so elected shall hold Office until such time as his successor has been appointed.
- 21.3 In the event of a person ceasing to be President between his election and the appointment of his successor, one of the Vice-Presidents in Council shall be deputed by the Council to fill the Office of President until a successor has been elected at the next Annual General Meeting.
- 21.4 The person retiring as President shall be an ex-officio Council member for the period that his successor holds the Office of President.

- 21.5 The four Vice-Presidents in Council shall be elected at the Annual General Meeting of the Association from among those persons nominated by Council and such persons shall hold Office until the next Annual General Meeting of the Association.

## 22. Nomination and election of Council members

- 22.1 Any Ordinary member of the Association may permit himself to be nominated for election to the Council.
- 22.2 Any such nomination shall be lodged by the nominee with the Honorary Secretary at least twenty-one days prior to the date of the Annual General Meeting.
- 22.3 Any such nomination shall be in writing signed by the nominee and supported by a proposer and a seconder, both of whom must be Ordinary members.
- 22.4 The Honorary Secretary shall, at least seven days prior to the Annual General Meeting, cause all nominations for Council to be displayed in a prominent place within the Premises.
- 22.5 Not more than fifteen Ordinary members shall be elected at the Annual General Meeting to be the Council members in addition to the President, the four Vice-Presidents in Council and the Retiring President.

## 23. Rotation of Council members

- 23.1 Of the fifteen Ordinary members elected to the Council, one-third shall retire in rotation at the Annual General Meeting, in the first instance those for retirement to be selected by ballot.
- 23.2 Any Council member so retiring may be nominated for re-election in accordance with Rule 22.

## 24. Election of House Committee

- 24.1 At the first meeting of the Council next following the Annual General Meeting, the Council shall elect from amongst its members a House Committee comprising the Officers specified at Rule 20.1.3 to 20.1.9.
- 24.2 Any persons so elected shall hold office until the first Council meeting held after the Annual General Meeting next following the Council meeting which elected those Officers, whereupon their term of Office shall automatically cease.
- 24.3 In the event of any one or more of the Officers retiring from or ceasing to hold Office before the expiry of the term for which he was elected, Council shall have the power to elect another of its number to fill the vacancy so arising.

## 25. Role of House Committee

- 25.1 The Council may at its absolute discretion delegate to a “House Committee” composed of the Officers any or all of the obligations as to the management of the Association and the Council may at any time revoke or qualify such delegation.
- 25.2 The House Committee shall report to the Council at meetings of the Council on the business conducted by the House Committee since the previous Council Meeting.
- 25.3 The House Committee may at its discretion and for the purposes of furthering the objects of the Association co-opt any Ordinary member to serve on it for a period not exceeding the life of the House Committee.
- 25.4 An alphabetical list of the names and addresses of those Officers comprising the House Committee shall be kept on the Premises.

## 26. Meetings of the Council

- 26.1 The Council shall hold meetings at intervals not exceeding two months.
- 26.2 The Honorary Secretary shall notify each Council member in advance of each such meeting.
- 26.3 The Council shall nominate one of its number to keep a written record of all such meetings.
- 26.4 The presence of six Council members (of whom at least two must be Officers) shall be necessary to form a quorum.
- 26.5 Motions proposed at Council shall require a simple majority.
- 26.6 All meetings of the Council shall be chaired by the Honorary Chairman or such one or other Officer as he may nominate.
- 26.7 Subject to the saving provision in Rule 26.8, a Council member who fails on three consecutive occasions to attend a duly summoned meeting of the Council, shall be deemed to have vacated his seat on the Council.
- 26.8 Save that a Council member, who furnishes to the Honorary Secretary before the next Council meeting to be held after the third consecutive meeting from which the member was absent a suitable explanation or apology for non attendance may at the discretion of the Council retain his seat thereon.
- 26.9 Upon the retirement, resignation or removal of a member the Council shall have power to co-opt any Ordinary member to fill the vacancy so arising and such person shall hold Office for the residue of the term of the member who retired, resigned or was removed.

## 27. Trustees

- 27.1 The number of Trustees shall be not more than five and not less than three.



- 27.2 The Trustees shall be elected by the Council and shall hold Office until death or resignation unless removed from Office by a Resolution of The Council. Where by reason of any such death, resignation or removal it should appear necessary to the Council that a new Trustee or Trustees shall be appointed or, if the Council shall deem it expedient to appoint an additional Trustee or Trustees, the Council shall by resolution nominate the person or persons to be appointed the new Trustee or Trustees. For the purpose of giving effect to such nomination, the President or one of the four Vice-Presidents in Council, is nominated as the person to appoint the new Trustee or Trustees within the meaning of The Trustee Act (Northern Ireland) 1958 (as amended) and shall by deed so appoint the person or persons so nominated by the Council as the new Trustee or Trustees and the provision of The Trustee Act (Northern Ireland) 1958 (as amended) shall apply to such appointment.
- 27.3 All the property of the Association shall vest in the names of the Trustees.
- 27.4 The Trustees shall deal with the property of the Association as directed by resolution of the Council of which an entry in the Minute Book shall be conclusive evidence and they shall be indemnified against risk and expense out of the Association's property.

## 28. Regulations

- 28.1 The Council may make, repeal and amend any regulations as it shall think expedient and may impose any reasonable sanction for any breach of such regulations.
- 28.2 All regulations made by the Council under this Rule 28 shall be binding on the Members until repealed by the Council or set aside by resolution of a General Meeting of the Association.

## 29. Employees of the Association

The Council shall have the power to appoint, pay and dismiss such employees as it may deem necessary.

## 30. Borrowing and investment

- 30.1 The Council is empowered to borrow for the purposes of the Association such amount of money either at one time or from time to time and at such rates of interest and in such form and manner and upon such security as it shall see fit and the Trustees shall, at the discretion of the Council, make all such dispositions of the Association's property or any part of the Association's property and enter into such agreements in relation to the Association's property as the Council may deem proper for giving security for such loans and interest.
- 30.2 The Council is empowered to expend or invest any monies of the Association as it shall see fit for the purposes of the Association.
- 30.3 The Council is empowered to incur such liabilities as it shall see fit for the purposes of the Association.

## 31. Annual General Meeting

The Annual General Meeting of the Association shall be held during the month of March or April in each year on a date and at a time to be fixed by the Council for the following purposes:

- 31.1 To receive from the Council a report, balance sheet and statement of accounts for the previous financial year;
- 31.2 To fill the vacancies in Council and to elect Officers as provided in these rules;
- 31.3 To appoint an auditor for the ensuing year;
- 31.4 To decide on any resolutions which may be submitted to the meeting in the manner provided below.

## 32. Notice of Business under Rule 31

Any Ordinary member desirous of moving any resolution at the Annual General Meeting shall give notice in writing with precise details of this resolution to the Honorary Secretary such notice to be given not later than twenty-one days before the Annual General Meeting.

## 33. Special General Meeting

The Council may at any time for any special purpose call a Special General Meeting and shall do so immediately upon the request in writing of any twenty Ordinary members of the Association stating the purposes for which the meeting is required.

## 34. Convening General Meetings

At least seven days before the Annual General Meeting or any Special General Meeting a notice of such meeting and the business to be transacted shall be posted in a conspicuous part of the Premises and in the event of the Association not occupying any premises a copy of the notice shall be sent to each Ordinary member and no business other than that of which the notice has been given, shall be brought forward at such meeting.

## 35. Proceedings at General Meetings

- 35.1 At all General Meetings of the Association the Chairman and in his absence a Member selected by the Council from its number shall take the chair.
- 35.2 Every Ordinary member present shall be entitled to one vote on every motion.
- 35.3 In the event of an equality of votes the Chairman shall have a second or casting vote.
- 35.4 The quorum at all General Meetings shall be six of whom at least two shall be Officers of the Association.

## 36. Financial year audits

- 36.1 The financial year of the Association shall end on the thirty-first day of December in each year to which date the accounts of the Association shall be balanced.
- 36.2 The accounts shall, as soon as practicable at the end of each financial year, be audited by a professional accountant who shall be appointed at each Annual General Meeting.

## 37. Opening times of Premises

The Premises shall be opened to Members on such days and between such hours as the Council shall from time to time determine.

## 38. Permitted Hours for the purchase of Intoxicating Liquor

- 38.1 The maximum permitted hours for the supply of intoxicating liquor on the Premises shall be:
  - 38.1.1 on week days, other than Good Friday or Christmas Day, from half-past eleven in the morning to eleven in the evening;
  - 38.1.2 on Good Friday from five in the afternoon to eleven in the evening;
  - 38.1.3 on Sunday and/or on Christmas Day from half-past twelve in the afternoon to ten in the evening.
- 38.2 The permitted hours may be varied from time to time by the Council but shall not in any circumstances be varied to exceed the statutory maximum permitted hours.
- 38.3 No Council member and no manager or servant employed by the Association shall have any personal interest in the supply of intoxicating liquor on the Premises or in the profits arising from such supply.
- 38.4 No person shall be paid at the expense of the Association any commission, percentage or similar payment on, or with reference to, the purchases of intoxicating liquor by the Association.
- 38.5 No person shall, directly or indirectly, derive any pecuniary benefit from the supply of intoxicating liquor by, or on behalf of, the Association or Members or guests, apart from any benefit accruing to the Association as a whole.
- 38.6 A statement, printed in plain type, of the hours during which intoxicating liquor may be supplied on the Premises shall be exhibited in a conspicuous part of the Premises.
- 38.7 Intoxicating liquor shall not be supplied to persons who are not Members for consumption outside the premises of the Association.

38.8 Intoxicating liquor shall not be supplied to Members for consumption outside the Premises except where the liquor is supplied in such quantities and during such hours, being hours within the permitted hours, and on such days as the Sub-Divisional Commander for the Police sub-division in which the Premises are situate, may authorise in writing.

38.9 Intoxicating liquor shall not be supplied to any person under the age of eighteen years.

### 39. Members' addresses

Every Member shall communicate to the Honorary Secretary any change to his residence and all notices sent by second class post to such addresses shall be considered as having been given on the fourth day following their date of posting.

### 40. Display of Rules

These rules shall be displayed in a prominent part of the Premises.

### 41. Amendment of Rules

These rules may be added to, repealed or amended by resolution at any Annual or Special General Meeting provided that no such resolution shall be deemed to have been passed unless it is carried by a majority of at least two-thirds of the numbers voting on such resolution.

**These Rules were made pursuant to the Order by resolution of the Association in General Meeting on the twentieth day of January 2016.**