

CONSTITUTION PERTAINING TO GAY WESTMEATH

1. NAME

The name of the group shall be GAY WESTMEATH.

2. OBJECTIVES

- **CONTACT**

To provide a focal point in the community where lesbian, gay, bisexual and transgendered people can make contact with each other, and become involved in a range of activities including educational pursuits and social outings organised either solely by GAY WESTMEATH or in conjunction with other groups and organisations.

- **PROVISION OF INFORMATION**

To provide lesbian, gay, bisexual and transgendered people with any available information and general help which pertains to gay related issues.

To offer support of an informal nature to assist lesbian, gay, bisexual and transgendered people in dealing with the many social, emotional and general problems and issues associated with being gay.

- **EDUCATION**

To provide educational information to lesbian, gay, bisexual and transgendered people in regards to health and other gay related issues, and provide same to other agencies and the wider community if and when requested.

- **REPRESENTATION**

To represent a positive image of gay life in County Westmeath and Ireland by increasing the profile of lesbian, gay, bisexual and transgendered issues in the wider community.

To comment on social policy and other public issues and policy which relate to lesbian, gay, bisexual and transgendered people, as agreed by the Management Committee.

3. POWERS

In furthermore to the aforesaid objectives of the group (section 2), the group may:

- (a) Provide information to the lesbian, gay, bisexual and transgendered community.
- (b) Provide social outlets for the lesbian, gay, bisexual and transgendered community.
- (c) Write, print, publish, issue, circulate and distribute or procure any articles, reports, newsletters, periodical books, pamphlets, advertisements, leaflets, posters, memorandum and any other documents which are required by the committee or that the committee feel can be used in any way to help attain the objects of the group.
- (d) Organise and provide, both by itself and in conjunction with other organisations and institutions, classes, meetings, lectures, exhibitions and seminars.

- (e) Apply for, invite, obtain, collect and receive monies , funds, securities and other sources of income and capital by the way of contributions, subscriptions, donations, grants, legacies, sale of publications of the group and other lawful methods and receives gifts by will, of any description whatsoever or not subject to express trusts.
- (f) Open and operate banking accounts and other banking facilities in the name of GAY WESTMEATH.
- (g) Draw, accept and negotiate bills of exchange, cheques, promissory notes and any other negotiable instruments.
- (h) Dispose of or lodge to account all or any of the assets of the group.
- (i) Enter into contracts and raise monies upon such terms as may be considered expedient.
- (j) Invest the monies of the group which is not immediately required for its own use.
- (k) Purchase, take on lease or licence, hire, subscribe for and by any other lawful means, acquire appliances, equipment, vehicles, furniture, books, periodicals, publications, newspapers, stationary and any other chattels whatsoever.
- (l) Employ and retain on a full-time or part-time basis, (such terms shall be agreed) or on a voluntary basis all or any of the following :
Any persons whose qualifications or knowledge may be of assistance in the attainment of the objects of the group.
- (m) Make rule and guidelines for the general administration and conduct of the business of the group, including the specifying of work to be undertaken or refused by the group periodically.
- (n) Enter into any contract of insurance howsoever in respect of any matter in which the group has an insurable interest, particularly in connection with any real or personal property which the group shall have an interest in, or with any acts or omissions done by any persons employed by the group including indemnity insurance in respect of any fraudulent, negligent and other unlawful acts carried out by any such person.
- (o) Make reasonable charges including nominal charges or no charge in respect of the work of the group and the services provided by the group.
- (p) Do all such lawful things which will further the attainment of the objects of the group.

4. MANAGEMENT COMMITTEE

The general control and management of the activities of the group shall be administered by a Management Committee. The Management Committee may exercise all such powers of the group, and do on behalf of the group, all such acts which may be exercised and done by the group.

Any proposed action(s) to be taken by the Management Committee on behalf of the group, which may diverge from the ethos or nature of the group, must be ratified by the general membership at the monthly group meeting.

All Management Committee members must be eighteen years of age or older.

5. OFFICERS OF THE MANAGEMENT COMMITTEE

The officers of the Management Committee shall be:

- Chairperson
- Vice – Chairperson
- Secretary
- Treasurer
- Public Relations Officer

The Management Committee may also appoint other such officers that they and/or the group deem necessary to allow for the efficient administration of the group.

The Management Committee shall appoint officers from their own number and shall determine the period(s) for which they are to hold office.

Some committee members may and can hold more than two positions should the vacancy of another position be open, either as a result of dismissal/retirement or in general non fulfilment of the position in question.

The currently agreed and effective period of office of the Management Committee members will be one year.

An officer on GAY WESTMEATH's Management Committee may only serve two consecutive years or two consecutive A.G.M's in any one officers post. The member may hold or be elected for any other post (both officer and non-offer roles) provided he/she has not served in that post for the two pervious years / A.G.M's . This may be extended for one further year should the officer be proposed and seconded, unopposed.

The original founder of GAY WESTMEATH, JoeB, shall remain on the Management Committee until he himself resigns from the Management Committee. JoeB shall also be exempt from the above requirement and he may serve two or more consecutive years/A.G.M's in any one post, as this is in the best interests of the group.

In order to operate a website the chairperson, JoeB has decided to outsource this to an appropriate professional individual. A separate appropriate Business Agreement between the group/JoeB and the outsourced party is in place.

6. MANAGEMENT COMMITTEE MEETINGS

The Management Committee shall hold no less than six meetings in each calendar year, of which one should be the Annual General Meeting, to be held not more than fourteen months after the last Annual General Meeting.

At least three members of the Management Committee must be present for a Management Committee meeting to take place.

At any meeting of the Management Committee meeting, any three members of the Management Committee shall constitute a quorum.

- **MANAGEMENT COMMITTEE MEETINGS**

Management Committee Meetings will:

Discuss, resolve and/or vote on any new or outstanding issues relating to the group, its administration, its previous events, forthcoming events and their organisation, suggested ideas and any concerns and issues raised by any Management Committee member or any member of the public which the Management Committee deems relevant to the group.

- **ANNUAL GENERAL MEETING**

The Annual General Meeting will:

Hear reports of the years work from the committee, receive the treasurers or auditors accounts for the year, accept the resignation of the outgoing committee members and elect committee members for the forthcoming year.

- **SPECIAL GENERAL MEETING**

The Chairperson may call a Special General Meeting to discuss and or resolve a serious problem or problems which have or may have an effect on the group in any way, or if a proposal is made to alter the constitution.

7. PROCEEDINGS OF THE MANAGEMENT COMMITTEE

Matters arising at any meeting of the Management Committee shall be decided by the majority vote of all the members present and voting.

All members are entitled to vote and voting shall be by a show of hands. In the event of a tie, the Chairperson of the Management Committee or an appointed deputy shall be entitled to a second or casting vote.

The Management Committee may on occasion appoint one or more sub – committees with such composition and power and terms of reference as the Management Committee may think fit.

8. NOTICE PERIODS FOR MEETINGS

At least seven days notice of any meeting of the Management Committee, including A.G.M's and S.G.M's and all meetings of any sub – committees, shall be given to all members of the Management Committee provided that the accidental omission to give such notice by any person shall not invalidate the proceedings of any such meeting.

With the consent of all members of the Management Committee, a meeting of the Management Committee may be convened upon shorter notice. The notice shall specify the place of the meeting, the day and time of the meeting and the nature of the business to be discussed in the meeting.

9. MEETING MINUTES

The Management Committee shall insure that proper minutes be kept of all their meetings, including A.G.M's and S.G.M's and the meetings of any sub – committees.

10. TERMINATION OF MEMBERSHIP OF MANAGEMENT COMMITTEE

A member of the Management Committee shall cease to be a member of the Management Committee if:

- (a) He / She is absent from three or more consecutive Management Committee meetings without due reason being given, or
- (b) He / She submits his / her written resignation to the secretary of the Management Committee, or
- (c) The Management Committee decides to withdraw committee membership. The Management Committee can withdraw committee membership from a member on a vote with the majority of two thirds or more of the members present.

The founder of GAY WESTMEATH, JoeB, shall be the exemption of being voted off and he shall have a casting vote at such a vote, should he believe the motion is not in the best interests of the group, and he shall give his reasons as to his determination at the meeting.

11. ACCOUNTS

The Management Committee shall insure proper books of accounts are kept with respect to:

All sums of money received and expended by the group and the matters in respect of which such receipts and expenditure take place, and the assets and liabilities of the group.

The books of accounts shall be kept by the treasurer and will be made available for inspection by any member of the group at every meeting. The treasurer will present a report to the group at quarterly intervals.

At every Annual General Meeting (except the first Annual General Meeting) the Management Committee shall present an Income and Expenditure Account in respect of the proceeding financial year, a Balance Sheet for that financial year.

12. BANK ACCOUNTS / BANKING / CASH HANDLING

When an amount of money in excess of 100 Euros is expected to be handled, or received, the committee will designate two of its membership to count and record the money.

A third member, designated by the committee, will sign for and will be held responsible for the monies until such a time as it is lodged in the Gay Westmeath bank account. Where possible the Gay Westmeath Lodgement book will be used and returned to the Treasurer at the earliest possible opportunity.

The designated committee member responsible for lodging any monies will agree to take all reasonable measures to ensure that the monies are accounted for and kept in a safe environment until it is lodged into the Gay Westmeath account.

For security reasons the names of these designated persons will be treated as confidential until the money has been lodged in the Gay Westmeath Bank account, or three working days have elapsed. The selection of committee members to carry out the above will be random and all Committee members will be expected to partake in the process.

All committee members will agree to sign up to this policy for handling money in excess of 100 euro. The designated persons will be listed in a sealed envelope, held by the Chairperson and the process will be minuted at a Committee Meeting. The names of those members designated to carry out this policy will not be minuted. Gay Westmeath will not be liable for any injuries or loss received by or to the designated personnel in the operation of this policy.

All cheques, promissory notes, drafts, bills of exchange and other negotiable instruments and all receipts for monies paid to the group shall be signed, drawn and accepted, endorsed or otherwise executed in such a manner as the Management Committee shall from time to time determine, provided they shall always be signed by at least two persons.

13. INCOME AND PROPERTY

The income and property of the group, whatsoever derived, shall be applied solely towards the promotion of the main objects of the group as set forth in this Memorandum of Association and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit, to members of the group.

Provided that nothing herein shall prevent the payment, in good faith, of reasonable and proper remuneration to any officer or servant of the group or to any member of the group, in return for any services actually rendered to the group, nor prevent the payment of interest at a rate not exceeding five per cent per annum on money lent or reasonable and proper rent for premises demised or let, but any member to the group; but so that no member of the group shall be appointed to any salaried office of the group or any office of the group paid by fees and that no remuneration or other benefit in money or monies worth shall be given by the group to any member, except repayment of out-of-pocket expenses and interest at the rate aforesaid on money lent or reasonable and proper rent for premises demised or let to the group, provided that the provision last aforesaid shall not apply to any payment to any group of which a member may be a member, and in which such member shall not hold more than one-hundredth part of the capital, and such member shall not be bound to account for any share of profit s(he) may receive in respect of such payment.

14. WINDING UP OF GROUP

The group may be dissolved by a resolution of the committee, upon written notice, of not less than twenty-one days to each Committee member and agreed by the group members at an E.G.M., by private ballot. If upon the winding up or dissolution of the group there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid or distributed among the members of the group but shall be given or transferred to some other charitable institution or institutions having main objects similar to the main objects of the group and which 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 group under or by the virtue of clause hereof, such institution or institutions to be determined by the members of the group at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then to some charitable object.

15. AMENDMENTS TO THE CONSTITUTION

Proposals for amendments to this constitution must be put in writing and given to the Chairperson and the Secretary before date of ratification.

Any proposals made may be discussed and/or voted on by the Management Committee in a S.G.M before being agreed upon and the changes take effect.

Signed:

JoeB
Chairperson

Date: 9th September 2009