

## BRF&CC AGM 4<sup>th</sup> July 2017

### Agenda Item 6: Amendments to Club Rules

The following amendments to the Club Rules have been considered and approved by Management Committee for presentation to the AGM for adoption. For clarity, each amendment is shown in its entirety. Parts of any current Rule that remain unaltered are shown in regular text; deletions are shown as original text crossed out, and additions are shown in italics. Only those Rules which are new or which have been amended are shown here. Full versions of the current Club Rules, last updated in 2008, are published on the Club's Rugby and Cricket Section Websites.

[https://s3-eu-west-1.amazonaws.com/files.pitchero.com/clubs/9369/hbM14mfpQeipUn1RkQ51\\_BRFC%20Club%20Rules.pdf](https://s3-eu-west-1.amazonaws.com/files.pitchero.com/clubs/9369/hbM14mfpQeipUn1RkQ51_BRFC%20Club%20Rules.pdf)

<http://www.bangorcricquetclub.com/resources/downloads/BRFCC-Club-Rules.pdf>

Reasons for amending these Rules are given before each set of Rule amendments.

*Additions and amendments to Rules 2 and 3 are intended to better reflect conformity to current Community Amateur Sports Club (CASC) requirements.*

#### 2. OBJECT

The object of the Club shall be:

- (i) To ~~encourage and promote interest in and provide playing facilities for~~ *provide facilities for, and promote participation in*, the game of Rugby Football *within the local community*.
- (ii) To ~~encourage and promote interest in and provide playing facilities for~~ *provide facilities for, and promote participation in*, Cricket and other sports *within the local community*, provided this can be carried out without prejudice to the primary object as defined in (i).
- (iii) *To ensure a duty of care to all members of the Club.*
- (iv) *To provide members and their guests only, the ordinary benefits of an amateur sports club in a way that is fair to everyone.*
- (v) *To ensure that the Club shall not be conducted for profit. Any surplus of Income over Expenditure in any year shall be applied for the benefit of members as a whole.*
- (vi) *To ensure that the Club does not permit any distribution of Club assets, in cash or in kind, to members or third parties. This does not prevent donations by the Club to Charities or to other Clubs that are registered as Community Amateur Sports Clubs.*

#### 3. MEMBERSHIP

- (i) *Membership of the Club shall consist of the President; Honorary Life members; Vice-Presidents; ~~Playing members; Non-Playing members; Country members; Junior members; Associate members; Youth members and Minor members.~~ Senior Playing members; Junior Playing members; Non-Playing members and Country members; who shall all have full voting rights.*
- (ii) *The Club shall also have the following classes of membership which do not have full voting rights: Youth Playing members; Minor Playing members and Associate members.*
- (iii) *Membership of the Club shall be open to the whole community without discrimination. (previously Rule 4 (vi)).*
- (iv) *The Club's facilities shall be available to members without discrimination.*
- (v) *The Club may limit the number of members based on the availability of facilities, provided this is done on a fair and equitable basis.*
- (vi) *The Club shall also ensure that, as a rule of thumb, more than 50% of its members participate actively in playing, and/or in facilitating participation in, Rugby and/or Cricket through the provision of appropriate supportive structures including the provision and maintenance of the Club's facilities.*

- (ix) Associate members and members under the age of eighteen years shall not hold office nor serve on any Committee of the Club. ~~and shall not be entitled to claim any share of the Club on dissolution.~~
- (xi) All members shall be subject to these Club Rules, and by joining the Club shall be deemed to accept these Rules and associated Policies and Codes of Practice that the Club has adopted.
- (xii) The Club can refuse membership, on non-discriminatory grounds, where the membership of the person concerned would likely be contrary to the best interests of their sport or the good conduct and interests of the Club.

Additions and amendments to Rule 5 simplify the process of electing U-18 Playing members from the process for the election of adult members which must comply with the Registration of Clubs (NI) Order 1996.

## 5. ELECTION OF MEMBERS

- (i) An application for *adult (over 18 years of age)* membership of the Club must be proposed and seconded by two fully subscribed members of the Club, endorsed by a member of Management Committee, and *their names and addresses displayed on the Club notice board exhibited in the pavilion for not less than fourteen days before election at least 1 week before their election and not less than 2 weeks shall pass between their nomination and election.*
- (ii) *Exceptionally, an application for adult (over 18 years of age) membership of the Club by persons who have not gone through the usual election procedure described in Rule 5 (i) will have to wait until 2 days after their election before being permitted to use the Club facilities.*
- (iii) *An application for Youth or Mini (under 18 years of age) Playing membership of the Club must be proposed and seconded by two fully subscribed members of the Rugby or Cricket Sections of the Club, as appropriate, endorsed by an Official of the Rugby or Cricket Section, as appropriate, and submitted for approval by the Management Committee.*
- (v) Members shall be elected by the Management Committee by a simple majority vote provided that persons *over 18 years of age* who are applying for *non-voting* membership shall not be admitted in such numbers as would exceed ~~three times~~ the number of voting members ~~having such rights~~ by a ratio of more than 3 to 1.

Additions and amendments to Rule 7 (i) simplifies the Associate Membership category and shows the fees for 2017-18, Rule 7 (ix) amends the discount for retired members from 50% to 30% to increase income from this proportionately large section of the non-playing membership, and Rule 7 (x) specifies the (lower) RPI Index as the rate of inflation.

## 7. MEMBERSHIP SUBSCRIPTIONS

- (i) Full Voting Members

CATEGORY	£ 2016-17	£ 2017-18
Vice Presidents (Includes first tie free)	178.00	178.00
Senior Playing	158.00	165.00
Junior Playing (under 22 on 1 <sup>st</sup> day of May) or in full time further education	60.00	65.00
Non-Playing	108.00	108.00
Country	55.00	60.00

### Non Voting Members

Associate (if partner is an existing member)	50.00	65.00
Youth <i>Playing</i> (under 18 according to IRFU or NCU rules <i>Competitions Regulations</i> )	50.00	55.00
Minor <i>Playing</i> (under 15	50.00	55.00

according to IRFU or NCU <del>rules</del> Competitions Regulations)		
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- (xiii) ~~All subscriptions and fees shall be inclusive of Value Added Tax at the appropriate rate.~~
- (ix) A member within the following categories upon reaching the age of sixty or upon retirement from full-time occupation shall be entitled to ~~fifty~~ a 30 per cent reduction of the subscription payable – Vice President and Non Playing.
- (x) The Management Committee shall be empowered to increase, if considered necessary, the annual subscription of any or of all, categories of membership, by an amount not exceeding the greater of ten percent (10%) or the RPI rate of inflation of the previous twelve months *i.e.* January to December in any calendar year.

*Rule 8 is a new Rule on Equity to comply with CASC, SportNI, IRFU and Cricket Ireland best practice which is an essential qualification criterion for Government Grant applications and other funding.*

## **8. EQUITY STATEMENT**

*The Club is committed to the promotion of equality of opportunity for all within the Club, irrespective of age, disability, gender, marital status, religious belief, political opinion, race, sexual orientation or socioeconomic status as detailed in the Club's Equity/Equal Opportunities Policy. This commitment extends across all aspects of the Club's development, and also acknowledges and adopts the following Sport NI definition of sports equity, namely:*

*"Sports equity is about fairness in sport, equality of access, recognising inequalities and taking steps to address them. It is about changing the culture and structure of sport to ensure it becomes equally accessible to everyone in society."*

*Rule 9 is an amended version of the previous Child Protection Rule which is a legal requirement for Sports Clubs. These changes are self explanatory and emphasise the disciplinary process should concerns be raised.*

## **9. SAFEGUARDING CHILDREN (PREVIOUSLY RULE 23 UPDATED)**

- (i) The Club is fully committed to safeguarding the well being of its members under eighteen years. Every individual in the Club should, at all times, show respect and understanding for their rights, safety and welfare, and conduct themselves in a way that reflects the principles of the Club; and the guidelines, ~~contained in the Code of Ethics and Good Practice for Children's Sport in Ireland (See Appendix 1 to these Rules for detailed Child Protection Policy procedures and policies articulated in Sport NI's 'Code of Ethics and Good Practice for Children's Sport' (2009) and 'Club Framework for Safeguarding Standards in Sport' (2016); and the IRFU's 'Safeguarding Policy For Age-Grade Players' (2015).~~
- (ii) *All concerns, allegations or reports of poor practice/abuse relating to the welfare of children should be reported to the Rugby Section or Cricket Section designated Club Welfare Officer (CWO), as appropriate. The CWO will deal with this as a misconduct issue by recording and responding swiftly and appropriately in accordance with the Club's 'Safeguarding Children Policies and Procedures'.*
- (iii) *Where concerns remain, the CWO will refer the matter in writing to the Club Honorary Secretary who will initiate an internal Disciplinary Committee Investigation through the Club Management Committee.*
- (iv) *The Management Committee will meet to hear complaints within **seven** days of a complaint being lodged. The Management Committee has the power to take appropriate disciplinary action including the termination of membership following the procedures described under Club Rule 16 (i) and (ii).*
- (v) *The outcome of a disciplinary hearing shall be notified in writing to the person who lodged the complaint and the member against whom the complaint was made within **seven** days of the hearing.*
- (vi) *There will be the right of appeal to the Management Committee following disciplinary action being announced. The Management Committee shall consider the appeal within **fourteen** days of the Club Hon Secretary receiving the appeal following the procedures described under Club Rule 16 (iii).*

- (vi) Where, under Rule 9 (ii), child abuse is suspected, the CWO will refer concerns to the South Eastern Health & Social Care Trust and to the Ulster Branch (IRFU) CWO or Northern Cricket Union (CI) CWO as appropriate.

Rule 10 (ii) is amended to clarify the Registration of Clubs (NI) Order 1996 requirement for the annual election of Officers, and to reflect Rule 15 (vii) where the quorum (which is 5) for Management Committee must have a majority of Rugby Section members. Rule 10 (v) is a new Rule to reflect Registration of Clubs (NI) Order 1996 conditions for Honorary Membership.

## **10 ANNUAL GENERAL MEETING**

- (i) The Annual General Meeting of the Club shall be held within three months of the date of the end of the financial year of the Club at such hour and place as the Management Committee shall decide.
- (ii) The business of the Annual General Meeting shall consist of:
- (b) To elect Officials *for the incoming year* (of whom *at least three of* the Chairman, Honorary Secretary, Honorary Treasurer and Honorary Membership Secretary shall be members of the Rugby Section) and members of the Management Committee (*of whom members of the Rugby Section shall be in a majority*).
- (v) *Honorary Life Members shall be subject to the normal conditions of Membership as described under Rule 4 but shall be exempt from the conditions of Rule 7 on Subscriptions.*

Rule 11 (iii) is amended to reflect CASC clarification on differentiating classes of membership on voting rights. It basically allows Ladies to vote (they were previously excluded from voting under old Rule 10 (iii)) which contradicts new Rule 8 on Equity. Rule 11 (iv) removes the ambiguity of the term 'equity' which in this context is no longer correct.

## **11. ALL MEETINGS**

- (iii) At all General Meetings, ~~all fully subscribed members, except Lady members, Associate members and members under the age of 18 years only~~ fully subscribed Full-Voting members shall be entitled to vote. Honorary members shall also have full voting rights.
- (iv) On divisions, the Chairman of the meeting may vote as a member and also, in the ~~case of equality~~ event of a tie, give a casting vote.

Rule 15 changes reflect the current structure of Management Committee, and the requirement to have various Policies in place to fulfil CASC, Safeguarding Children, Health & Safety and other legal requirements under which the Club must operate.

## **15. THE MANAGEMENT COMMITTEE**

- (i) The Management Committee shall consist of the Officials (Chairman, Honorary Secretary, Honorary Treasurer and Honorary Membership Secretary), one member to represent the Rugby Section and one member to represent the Cricket Section, and five elected members who shall serve specifically as Chairman of designated Committees i.e. *Bar; Commercial & Development; Entertainment; Grounds and House and Planning & Development Pavilion and Social.*
- (ii) The Management Committee shall have the entire management of the business and affairs of the Club and full power to make Bye-Laws *and Policies* not inconsistent with these Rules *and Legislation*, which Bye-Laws *and Policies* shall be binding until altered or repealed by the Management Committee or at a General Meeting.
- (iii) The Management Committee may appoint Committees and delegate to them such power as it considers fit, except that of the election and suspension of members. The Management Committee at ~~it's~~ its first meeting following the Annual General Meeting, shall appoint, *inter alia*, the following committees:

*Finance, Grounds, Pavilion, Bar, House, Entertainment- Social and Planning-Commercial & Development, and shall also appoint a Vice-Chairman from within the Management Committee.*

~~(vi) The Management Committee may, upon evidence being given of a member's misconduct, withdraw the privileges of membership from that person for such a period as it may determine.~~

Rule 16 is a new Rule on Discipline which is required within the Club Rules to fulfil best practice as recommended by SportNI, the IRFU and Cricket Ireland. Rule 16 (ii) was formerly Rule 17 in the 2008 version of the Club Rules.

## **16. DISCIPLINARY ISSUES**

- (i) The Management Committee may, upon evidence being given of a member's misconduct, *invite that member to a Disciplinary Meeting comprising **three** members of Management Committee, exclusive of the Hon Secretary, and may withdraw the privileges of membership from that person for such a period as it may determine.*
- (ii) The Management Committee may expel from the Club any member who shall have been found guilty of *serious misconduct at such a Disciplinary Meeting, provided a majority of not less than two-thirds of the members present is at the meeting at which the matter is considered, exclusive of the Hon Secretary, attending the Management Committee meeting following the Disciplinary Meeting, has considered the matter.*
- (iii) *Any member subject to disciplinary action shall have the right of appeal. This must be made to the Hon Secretary in writing within **seven** days of the disciplinary action being taken. The Management Committee shall delegate consideration of the appeal to a Disciplinary Appeals' Committee within **fourteen** days of the Club Hon Secretary receiving the letter of appeal. The Disciplinary Appeals' Committee shall comprise the Hon Secretary and **three** senior Vice Presidents of the Club, selected by Management Committee as and when required. The decision of the Appeals' Panel will be final.*

Rule 19 is amended to cover the responsibilities of the Hon Treasurer more clearly in compliance with the Registration of Clubs (NI) Order 1996.

## **19 HONORARY TREASURER**

- (i) The Honorary Treasurer shall keep correct accounts and books showing the financial affairs and the receipts and disbursements of the Club and shall prepare an Annual Financial Statement for approval by the Management Committee *and submit it to the Annual General Meeting.*
- (ii) The accounts of the Club shall be audited by the approved Auditors within three months of the date of the end of the financial year of the Club. ~~and a~~ *A printed summary statement of accounts and the auditor's report shall be made available to paid up full voting members upon request. sent to each entitled member, together with the Notice convening the Annual General Meeting*
- (iv) *The address or addresses at which all books, documents, etc., are kept shall be notified in writing to the sub-divisional commander of the police sub-division in which the premises of the Club are situated.*  
~~The sub-divisional commander shall be supplied with such information, particulars or documents relating to the accounts as he may require, within two weeks of the date on which he requests that information or those particulars or documents.~~
- (v) *A copy of the summary statement of accounts and the auditor's report shall be displayed in a conspicuous part of the Club premises for 4 weeks ending on the date of the Annual General Meeting.*
- (vi) *All documentation relating to the Club's accounts shall be kept for a period of 6 years.*

Rules 21 and 22 on Rugby Section and Cricket Section have been brought forward to reflect the Club's primary status as a CASC. The amendments reflect the current organisation of these sections, differentiate Mini, Youth and Adult rugby, and formalise disciplinary responsibilities.

## **21. RUGBY SECTION**

- (iv ) (b)  
To elect Officials (who shall consist of Chairman, Honorary Secretary (Rugby), Honorary Fixtures Secretary, Honorary Match Secretary, Rugby Captain, *and Director of Rugby*), Representative to Ulster Branch Committee, Representative to Ulster Branch ~~Competition Clubs'~~ *Clubs'* Committee, Chairman Coaching and Training Committee, Rugby Section Public Relations Club Media Officer, Chairman of Youth Committee, *Chairman of Mini Rugby Committee and Club Welfare Officer.* The Honorary Membership Secretary shall be an ex-officio member of the Rugby Section General Committee. These Officials and

members shall constitute the Rugby Section General Committee. Should the Rugby Captain be unable to attend he shall nominate a representative from the players.

- (iv ) (c) To elect Team Captains. ~~and Selection Committee.~~
- (v) No proposal for any of the following offices – Chairman; Honorary Secretary (Rugby); Honorary Fixtures Secretary; Honorary Match Secretary; Rugby Captain; *Director of Rugby* and Team Captains – and membership of the Rugby Section General Committee, may be accepted at the Rugby Section Annual General Meeting, unless it has been made, in writing, to the Rugby Section Honorary Secretary not later than 30<sup>th</sup> day of April. All such proposals must be signed by the proposer and a seconder and must contain a signed agreement by the person proposed that he will, if elected, accept the office for which he has been proposed.
- (vii) The Rugby Section General Committee shall see all games of football are conducted according to the *Laws and Regulations* of the Irish Rugby Football Union *and of the Ulster Branch (IRFU)*, and shall have no power, except with the permission of the Management Committee, to incur any expense or enter into liability on behalf of the Club. Five members of this Committee shall form a quorum, one of whom must be an Official of the Section.
- (viii) (a)  
The Honorary Secretary of the Rugby Section, with the approval of the Management Committee, shall call a Special General Meeting of the Section on receiving a requisition from ~~fifteen~~ 15 fully-subscribed entitled members stating the object for which the meeting is to be held. The Rugby Section General Committee may, with the approval of the Management Committee, instruct the Section Honorary Secretary to call such a meeting at any time.
- (x) The Selection Committee *for adult rugby* shall consist of the *Director of Rugby*, Honorary Match Secretary, *Club Captain*, Coach and or Manager of each adult XV. The Captains of junior teams, who if not elected at the Rugby Section Annual General Meeting, shall be appointed as directed at this meeting. They shall not be entitled to vote in the selection of teams, other than those of which they are Captains.
- (xi) *Selection of Youth and Mini Rugby teams shall be the responsibility of the Chairpersons and team coaches and managers within these sub-sections.*
- (xii) *A Rugby Section Disciplinary Sub-Committee consisting of the Chairman, Honorary Secretary and Club Captain will consider incidents of misconduct from a rugby playing perspective and recommend appropriate action. This will take into account the IRFU (Ulster Branch) disciplinary procedures.*
- (xiii) *Anyone subject to such disciplinary action will have the right of appeal under the Club Disciplinary Issues appeals conditions stipulated under Rule 16 (iii).*

## 22. CRICKET SECTION

- (ii) The Annual General Meeting of the Cricket Section shall be held before the 30<sup>th</sup> day of November at such an hour and place as the Management Committee shall decide, for the purposes of electing its own Officials and Committees, to look after the particular interests of the Section. At least ~~ten~~ 10 fully subscribed members of the Section present shall form a quorum.
- (vi) *The Cricket Section General Committee shall, at its first meeting following the Section's Annual General Meeting, appoint such sub-committees as may be required and also appoint a Vice-Chairman from within the Cricket Committee.*
- (xiv) *A Cricket Section Disciplinary Sub-Committee consisting of the Chairman, Honorary Secretary and Club Captain will consider incidents of misconduct from a cricket playing perspective and recommend appropriate action. This will take into account the CI (Northern Cricket Union) disciplinary procedures.*
- (xv) *Anyone subject to such disciplinary action will have the right of appeal under the Club Disciplinary Issues appeals conditions stipulated under Rule 16 (iii).*

*Rule 23A, B & C amendments bring the Club Rules on Intoxicating Liquor, Bar Opening Hours and Visitors using the Bar in line with 2009 amendments to the Registration of Clubs (NI) Order 1996 for Sports Clubs.*

## 23. LICENSING AND REGISTRATION OF CLUBS INTOXICATING LIQUOR

### A INTOXICATING LIQUOR

~~No intoxicating liquor shall be supplied to persons, who are not members of the Club, for consumption outside the premises of the Club.~~

- (i) ~~No intoxicating liquor shall be supplied to members of the Club or their guests for consumption outside the premises of the Club. 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 situated may authorise in writing.~~
- (iii) No person under the age of eighteen years shall be permitted in any part of the Club premises which contains a bar or is used exclusively or mainly for the supply, consumption or storage of intoxicating liquor, after ~~7 o'clock~~ 10 o'clock in the evening, except where that person is in that part for the purpose of employment or except for passing to or from some other part of the premises which is not a part as aforesaid and to or from which there is no other means of access.
- (iv) *No intoxicating liquor shall be supplied for consumption within the Club premises other than that supplied from the Club bar, unless exceptionally authorised by Management Committee.*
- (v) No Trustee, Official or member of the Management Committee, or member of any Committee, and no manager or servant employed by the Club, shall have any personal interest in the supply of intoxicating liquor therein, or in profit arising ~~in~~ from such supply.
- (vi) No person shall, directly or indirectly, derive any ~~pecuniary benefit~~ *monetary gain* from the supply of intoxicating liquor by or on behalf of the Club or members or guests, apart from any benefit accruing to the Club as a whole.

### B HOURS

- (ii) No intoxicating liquor shall be supplied except between the hours of 11:30 a.m. ~~and to~~ 11:00 p.m. on week-days, *including Saturdays*, and between the hours of 5:00 p.m. ~~and to~~ 11:00 p.m. on Good Friday and between the hours of 12:30 p.m. to 10:00 p.m. on *Sundays and Christmas Day*.

~~No intoxicating liquor shall be supplied on the Club premises on Christmas Day.~~

### C VISITORS

- (vi) *Where a person has paid a fee to use the Club's sporting facilities, that person does not need to be signed in as a guest for any day covered by the fee. That person or persons, on that day or days, may use such facilities as may be decided by the Management Committee of the Club.*

#### Appendix 1

~~To ensure that best practice is being followed by the Club, we shall work closely with the IRFU and the NCU. In order to promote the best practice in children's sport, we shall comply with the guidelines of the Code of Ethics and Good Practice for Children's Sport as set out in Section 2.7 of the Code which are:~~

- ~~• adopt and implement the *Code of Ethics and Good Practice for Children's Sport in Ireland* as an integral part of its policy on children in the club.~~
- ~~• have its constitution approved and adopted by club's members at an AGM or EGM.~~
- ~~• ensure that the Club Management Committee is elected or endorsed by registered club members at each AGM.~~
- ~~• adopt and consistently apply a safe and clearly defined method of recruiting and selecting Sports Leaders (See Section 3.5 of the Code).~~
- ~~• clearly define the role of committee members, all Sports Leaders and parents/guardians.~~
- ~~• appoint at least one Children's Officer as outlined at Section 2.6.1 in the Code. In the event that a club caters for both boys and girls, one Children's Officer of each gender would ideally be appointed.~~
- ~~• designate the Club Chairperson to act as liaison with the Statutory Authorities in relation to the reporting of allegations or suspicions of child abuse. (See Section 5.13.2 of the Code) Any such reports should be made according to the procedures outlined in this *Code/Children First /Our Duty to Care*.~~
- ~~• ensure best practice throughout the club by disseminating its code of conduct, including the disciplinary, complaints and appeals procedures in operation within the club to all its members. The club's code of conduct should also be posted in all facilities used by the club.~~

- have in place procedures for dealing with a concern or complaint made to the Statutory Authorities against a committee member or Sports Leader or other members of the club. Regulations should stipulate that a Sports Leader who is the subject of an allegation, which has been reported to the Statutory Authorities, should stand aside, while the matter is being examined. S/he should be invited to resume full duties immediately if s/he is vindicated.
- ensure that relevant Sports Leaders report to the Club Management Committee on a regular basis.
- encourage regular turnover of committee membership while ensuring continuity and experience.
- develop effective procedures for responding to and recording accidents.
- ensure that any unusual activity (high rate of drop-out, transfers, etc.) is checked out and reported by the Club Chairperson to the Governing Body of Sport.
- ensure that all club members are given adequate notice of AGMs and other meetings.
- ensure that all minutes of all meetings (AGMs/EGMs/, Committee) are recorded and safely filed.