



Clane Community Council - *Serving the Community since 1973*

Constitution of Clane Community Council

Date of adoption: 28th January 2019

1. Vision

To achieve a shared sense of place, purpose and community in Clane

2. Mission Statement

Clane Community Council is a representative body for the community of Clane. It facilitates individuals, voluntary groups and associations in expressing their views and working towards maintaining and improving the community life of Clane. It strives to provide amenities and initiate activities which help Clane to be a good place in which to live. The Council may address whatever community needs its members deem relevant in order to achieve its Vision, including physical, heritage-related, social or educational and shall be non-political in all aspects of its work.

3. Membership

All persons residing in the locality, as defined by townlands in the map attached, are deemed to be members of the community, and are, if over the age of 18 years, entitled to nominate candidates for, be nominated as candidates for, and take part in the election of the Council. No membership fee shall be payable by any member of the community.

The Council may from time to time confer Honorary Life Membership of the Council on a person who has made a significant contribution to the Clane area.

4. Organization

4.1 The Council shall be elected every two years. The election shall be held in accordance with the procedure determined by the Council and shall take place at or before the expiry of the term of office of the existing Council and Officers.

4.2 The Council shall consist of:

- a) A number of Representatives, duly nominated and resident within the defined area. If the number of nominations received exceeds 30 in total the Executive may, at its own discretion, deem all nominated persons to be elected or may decide to hold an election for a Council of 30 Representatives.
- b) One nominee co-opted from any local organization involved in community affairs as determined by the Council, but excluding political parties. A suitable authorization from that organization is required.
- c) Other co-opted Representatives as deemed necessary or desirable by the Council.
- d) An Executive Committee, elected by and from the elected Representatives, which shall consist of Chairman, Vice Chairman, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, PRO and Assistant PRO.

4.3 The Executive Committee shall be elected at the first meeting of the Council following election and shall have full authority to act on all matters relating to Council business which may arise in the intervals between ordinary meetings of the Council.

4.4 The Executive Committee shall be elected annually and no person may hold the same Executive post for more than three consecutive years. However, after vacating that post for one term, that person becomes eligible for a future term or terms of office.

4.5 The Chairman at any meeting shall, in the event of equality of voting, have a second or casting vote.

4.6 The Council shall normally meet on a monthly basis, with the exception of holiday periods. It shall have a target of ten meetings per annum, inclusive of General Meetings.

4.7 Business can be transacted at any meeting of the Council, properly called, no matter how many are in attendance, but no vote may be taken, nor any binding decision made on any substantive issue, unless a quorum of not less than 10 is present.

4.8 The Council may, from time to time, appoint such sub-committees as it may consider necessary or expedient, for the purposes of carrying out specific projects, and such sub-committees shall conduct their business in accordance with the direction of the Council.

4.9 Sub-committees are encouraged to co-opt, subject to the approval of the Council, members of the community considered, because of their leadership and interests, suitable for the particular work in hand.

4.10 The Council may, from time to time, make, repeal or amend all such rules (not inconsistent with these rules) as it may consider necessary or desirable for the management and well-being of any relevant activities.

4.11 If an elected Representative fails to attend four consecutive meetings without valid reason then he or she may be deemed to have resigned their position on the Council.

5. Finance

5.1 All funds of the Council shall be deposited as soon as possible after receipt in such bank accounts as the Council may, by resolution, designate, and all cheques issued on behalf of the Council shall be signed by the Treasurer and countersigned by the Chairman, Secretary or Assistant-Treasurer.

5.2 The Council shall have power to borrow and to lend, and to pledge and accept pledge of assets as security for same.

5.3 The financial year of the Council shall end on the 31st December each year, to which date the accounts shall be balanced, and a written statement presented to the Annual General Meeting.

5.4 An audit of the accounts of the Council shall be carried out by persons appointed by the Council should any such audit be requested by a member of the Council, provided such request be received no later than 6 weeks before the date of the Annual General Meeting.

5.5 The income and property of the Council shall be applied solely towards the promotion of the Vision and Mission Statement as set forth in this Constitution. No portion of the Council'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 Council.

5.6 No member of the Executive Committee shall be appointed to any office of the Council paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the Council. However, nothing shall prevent any payment in good faith by the Council of:

(a) reasonable and proper remuneration to any member or servant of the Council (not being a member of the Executive Committee) for any services rendered to the Council;

(b) interest at a rate not exceeding 1% above the Euro Interbank Offered Rate (Euribor) per annum on money lent by members of the Executive Committee or other members of the Council to the Council;

(c) reasonable and proper rent for premises demised and let by any member of the Council (including a member of the Executive Committee) to the Body;

(d) reasonable and proper out-of-pocket expenses incurred by any member of the Executive Committee in connection with their attendance to any matter affecting the Council;

(e) fees, remuneration or other benefit in money or money's worth to any Company of which a member of the Executive Committee may be a member holding not more than one hundredth part of the issued capital of such company.

(f) Nothing shall prevent any payment by the Council to a person pursuant to an agreement entered into in compliance with section 89 of the Charities Act, 2009 (as for the time being amended, extended or replaced).

6. Trustees

6.1 All property of the Council (other than cash which shall be under the control of the Treasurer) shall be vested in a minimum of two and maximum of three trustees, who shall be members or, if not, ex-officio members, of the Council, and once elected shall hold office until death, or resignation, or until removed from office by resolution of the Council, and approval of a General Meeting.

6.2 Trustees shall be elected by a normal majority vote of the Community Council.

6.3 The Trustees shall be indemnified against any claim or demand in respect of any liability properly incurred on behalf of the Council. The Trustees shall deal with the property of the Council as directed by resolution of a meeting of the Council of which any entry in the Minute Book signed by the Chairman shall be conclusive evidence.

6.4 In the event of the Council being wound-up at any stage it shall be the duty of the Trustees to utilise or dispose of the property and assets of the Council for the benefit of the community of Clane.

6.5 If upon the winding up or dissolution of the Council there remains, after satisfaction of all debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the Council. Instead, such property shall be given or transferred to some other charitable institution or institutions having main objects similar to the main objects of the Council.

6.6 The institution or institutions to which the property is to be given or transferred shall prohibit the distribution of their income and property among their members to an extent at least as great as is imposed on the Council under or by virtue of clause 6.5 hereof. Members of the Council 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 with the agreement of the Charities Regulator. 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.

7. General Meetings

7.1 The Annual General Meeting of the Council shall be held on a date in January each year.

7.2 Special General Meetings may be called by resolution of the Council, but shall be called upon written request of at least fifty members of the Community. At such Special General Meetings fifty members of the community shall constitute a quorum.

7.3 Notice of General Meetings shall be published in such a manner and in such places as to ensure that the community will have adequate notification of date, time, place and business of meetings.

7.4 All members of the community are entitled to attend, and to take part in the business of General Meetings, subject to paragraph 4.2 above.

8. Interpretation and Amendment of Rules

8.1 The Council is the sole authority for the interpretation of these rules made thereunder.

8.2 These rules may be amended only by the affirmative vote of two thirds of the members present at a General Meeting of the community. Notice of such meetings shall include full information on the amendments to be proposed.

8.3 Where an alteration to the Constitution is approved, a dated copy of the new version of the Constitution shall be made available to every representative within thirty-one (31) days by the Secretary.

8.4 From the date of its adoption this Constitution supersedes all previous constitutions and rules and is the only valid document governing the activities of Clane Community Council.

8.5 The Council must ensure that the Charities Regulator has a copy of its most recent Constitution. If it is proposed to make an amendment to the Constitution which requires the prior approval of the Charities Regulator, advance notice in writing of the proposed changes must be given to the Charities Regulator for approval, and the amendment shall not take effect until such approval is received.

Record of Amendments

Date Adopted	Description
28 th January 2013	New Constitution
28 th January 2019	Title amended with date of adoption Clauses 5.5, 5.6, 6.5, 6.6, 8.5 inserted Reference to General Meeting January 28 th 2013 removed from Clause 8.4 This record of amendments inserted

Map of Clane

For the purposes of this constitution the townlands highlighted in the map below are deemed to represent the locality of Clane.

