



# Munich Irish Rovers F C

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## Constitution of the Munich Irish Rovers Football Club (translation)

### **§ 1 Name and Location**

- a) The club shall be called Munich Irish Rovers Football Club. It shall be entered in the Register of Associations: after entry the name shall read Munich Irish Rovers Football Club e.V.
- b) It shall be officially located in Munich.
- c) The business year shall be the calendar year.

### **§ 2 Membership of the BLSV and BFV**

- a) The Club shall be a member of the Bavarian State Sports Council (BLSV) and the Bavarian Football Association (BFV). The Club shall recognise and abide by the rules and regulations of same organisations.

### **§ 3 Purpose of the Club**

- a) The club shall directly pursue solely charitable purposes in accordance with the section "Purposes taxed at a lower rate" (Steuerbegünstigte Zwecke) as contained in the Tax Regulations (Abgabenordnung) 1977 [AO 1977].
- b) The Bavarian State Sports Council and it's specialist departments as well as the relevant Tax Office shall be informed by the Club of any change of tax status.
- c) The purpose of the Club shall be the general promotion of sport, being realised, in particular, by:
  - The holding of organised sports and games
  - The carrying out of meetings and sports events
  - The training and employment of suitably qualified coaching staff
- d) The club is a charitable organisation; it does not primarily exist to make a profit.
- e) The club's assets may only be used for purposes specified by The Constitution of the Club. Members are not remunerated from the Club's assets. Members who leave the club have no claim upon the Club's assets.
- f) No person may be remunerated for activities incompatible with the purposes of the Club, or be rewarded by inappropriately high remuneration.
- g) The Club is politically and denominationally neutral.

### **§ 4 Membership**

- a) Any natural person may, upon written application to the Board, become a member.
- b) An application for membership by a minor requires the signature of his/her legal guardian. The Board decides upon the acceptance of a membership application. This decision is final.
- c) Membership ends upon resignation, expulsion, or death.



- d) Resignation is possible at any time within a business year, upon written application to the Board.
- e) A member may be expelled from the Club if he/she has significantly contravened the purposes of the Club, is guilty otherwise of gross and repeated contravention of the Rules of the Club, or has, despite the issuing of two written warnings, failed to pay any membership fees due.
- f) The Board decides upon any Expulsion. The member shall be given the opportunity of a hearing. A written appeal to a General Meeting is permitted within four weeks of being notified of Expulsion from the Club. The Annual General Meeting then decides upon the appeal, by a minimum two thirds majority of all valid votes cast, in as far as an Extraordinary General Meeting has not already taken place.
- g) If deemed in the interests of the Club, the Board may deem an Expulsion as being temporarily binding.
- h) An expelled member may only be readmitted after the expiry of one year. The body, which made the final decision on the expulsion, shall decide upon the application for readmission.
- i) A member may, after a hearing before the Board, for conduct as referred to in c), be punished by a warning or a fine not exceeding 100 DM and/or a suspension of up to one year from the participation in all sporting or other events organised by the Club, or organisations with which the Club is affiliated.
- j) The member affected shall be informed of all decisions by means of a letter sent by recorded delivery.

#### **§ 5 Official Organs of the Club**

- a) The official organs of the Club are:
  - The Board
  - The General Meeting

#### **§ 6 The Board**

- a) The Board, as defined by §26 BGB, consists of
  - The Chairman
  - The Vice-Chairman
  - The Treasurer
  - The Club Secretary
  - The Director of Football
- b) Two members of the Board shall legally and otherwise represent the Club. Internally, the Treasurer, the Club Secretary and the Director of Football are only empowered to represent the Club in conjunction with either the Chairman, or Vice-Chairman.



- c) An Annual General Meeting shall elect the Board for the period of two years. The Board remains in office until replaced at the election of the next Board. No member of the Board may hold more than one office.
- d) Should a member of the Board resign his position before completing his period of office, a General Meeting shall elect a replacement member of the Board.
- e) The Board carries out the business of the Club. With regard to the whole Club, the Board shall be required to obtain the endorsement of a General Meeting for property transactions of any kind, as well as any transaction exceeding 10,000 DM in value. In addition, the Board shall establish and act within standing orders.
- f) The Board shall meet a minimum of six times in any Year, otherwise as required, or at the request of three of its members. The Chairman shall call meetings, or in his absence another member of the Board will call these.

#### **§ 7 General Meeting**

- a) A General Meeting, the Annual General Meeting, shall be held once in every calendar year.
- b) An Extraordinary General Meeting must be held:
  - If called for by a decision from the Board
  - If applied for by one fifth of the Club's members, in writing, to the Board, stating the purpose of the meeting.
  - If required in the interests of the Club
- c) The Board shall give notification of the calling of a General Meeting at least fourteen days in advance of the date of the meeting. Together with the written notification of the meeting, the agenda shall also be published, in which all motions shall, together with their general content, be listed.
- d) A General Meeting decides upon:
  - Membership subscription rates and other payments to be made by individual members
  - The dissolving and election of the Board
  - Amendments to the Rules of the Club
  - All items set out in the agenda.
- e) The General Meeting shall, for each year, appoint two members who shall audit the Club's financial records and report to the meeting.
- f) All members are eligible to vote or be elected, provided by the day of the meeting they have attained the age of 18 years.
- g) A General Meeting is competent to pass resolutions irrespective of the number of members in attendance.
- h) A General Meeting decides upon motions and elections by simple majority, except where the Rules of the Club demand otherwise. Decisions to amend the Constitution of the Club require a three quarter majority of all valid votes cast. Any



amendment to the purposes of the Club requires a majority of nine tenths of the Club's members who are entitled to vote.

- i) Minutes of the proceedings shall be taken at every General Meeting and shall be countersigned by chairman of the meeting and a member of the Board.

#### **§ 8 Club Sections**

- a) For all sports practised within the Club, relevant sections may, with permission of the Board, be formed. These sections are, within the remit given to them by the Board, to be active on behalf of the activity for which they are responsible.
- b) Club sections shall not hold independent funds.

#### **§ 9 Membership Subscriptions**

- a) Every member is obliged to pay a joining fee and membership subscription. The subscription rates and periods for which these fall due, as well as any other fees due from members, shall be determined by a General Meeting.

#### **§ 10 Other Regulations**

- a) A General Meeting may, by simple majority, establish standing orders for a general purpose, a finance, a legal and a youth committee.

#### **§ 11 Dissolution of the Club**

- a) The Club may only be dissolved by a General Meeting called for this purpose and providing at least four weeks notice of such a meeting is given. At this meeting, at least four fifths of the Club's members must be present. For a decision to be reached, a majority of no less than three quarters of all valid votes cast is required. Should it not be possible to reach a decision, a further General Meeting shall be called within fourteen days, at which a decision irrespective of the number of members present may be reached. This must be stated when giving notice of the meeting.
- b) At the same meeting, the members shall appoint official liquidators, who then assume the running of the Club's business and are obliged to convert the Club's complete assets into ready money.
- c) Upon the dissolution / disbanding of the Club, or the cessation of its hitherto purpose, the remaining balance of its assets shall be transferred to SOS Kinderdorf, registered office in Munich, with the proviso that it be used solely for charitable, non-profit making purposes.

#### **§ 12 Notification of Tax Office**

- a) Decisions regarding amendments to the Rules of the Club and the dissolving of the Club must be reported to the relevant Tax Office.
- b) Amendments to the Rules of the Club affecting the Club's charitable status, as set out in Paragraph 3, require official sanctioning by the Tax Office.



### § 13 Conclusion

- a) The Extraordinary General Meeting adopted the Club Constitution on 8<sup>th</sup> June 2001.
- b) The Founding Members are: *(note min. 7 names required)*

Diarmuid Kelly	
Thomas Breen	
Alan Robinson	
Ian Taylor	
Robert Gebhardt	
Cyril Barrett	
Paul Synnott	
Vincent Skelton	

*Note: This document is a translation of the original German version of the Club's constitution. Only the German document will be legally binding.*