

# Constitution of the Irish Environmental Law Association of Ireland

(Adopted on 13<sup>th</sup> December 2016)

## 1. Interpretation

- 1.1. "the Association" means the body comprised in this Constitution being the Irish Environmental Law Association.
- 1.2. "the Committee" means the Committee of the Association elected by the Members from time to time.
- 1.3. "Clear Day" means 24 hours from midnight following the relevant effect.
- 1.4. "Member" and "Membership" refers to Membership of the Association.

## 2. Name

The name of the Association is the Irish Environmental Law Association also referred to as IELA.

## 3. Objects

The main objects of the Association are:

- 3.1. To promote for the benefit of the public generally, the enhancement and conservation of the environment (but which, for the avoidance of doubt, shall not include the initiation of, or the voluntary participation in, proceedings).
- 3.2. To advance the education of the public in all matters relating to the development, teaching, application and practice of law relating to the environment.
- 3.3. To encourage collaboration between all those interested and concerned with environmental law.
- 3.4. To collect and distribute information in relation to environmental law.
- 3.5. To review, advise and comment on issues of environmental law and its application.

4. **The Association has the following powers that may be exercised only in promoting the main objects:**
- 4.1. To undertake any of the activities or carry into effect any of the main objects of the Association jointly or in association or cooperation with any other person or body of persons on such terms and conditions, if any (including the payment of any fee or provision of any services) as the Association may approve;
- 4.2. To provide such services connected with the above main objects as are considered to be of assistance or benefit in furthering the main objects of the Association;
- 4.3. To undertake any activity or function, whether of research, education, supervision, training or otherwise, which may be requested of the Association and on such terms and conditions as to remuneration or otherwise as the Association may think fit;
- 4.4. To hold conferences and meetings for the consideration and discussion of matters concerning or effecting or incidental to the above main objects;
- 4.5. To collect, collate and publish information of assistance or benefit in furthering the above main objects;
- 4.6. To organise and/or finance education and training courses, seminars, study groups, discussions and similar activities concerned with any of the main objects of the Association and to pay and provide for such scholarships, exhibitions, prizes and other rewards;
- 4.7. To prepare, edit, print, publish, issue, acquire and circulate (or to assist in the same) information, reports of conferences and meetings, books, papers, periodicals, gazettes, circulars and other literary undertakings concerned with or bearing upon any of the main objects of the Association;
- 4.8. To levy such fees and other charges (if any) as the Association shall think fit for the provision by the Association of any of the services, benefits or facilities provided for in the foregoing paragraphs of this clause 4;
- 4.9. To establish sub-committees and to establish or authorise the formation of local groups in the State or elsewhere, with a view to promoting the main objects of the Association;

- 4.10. To take such steps as may be necessary from time to time for the purposes of procuring contributions to the funds of the Association to include setting and charging membership fees and fees to attend conferences and seminars;
- 4.11. To maintain and operate a bank account, to draw and make, accept, endorse, discount, execute and issue negotiable or transferrable instruments;
- 4.12. To invest the monies of the Association not immediately required for its purposes in or upon such investments, securities or property as may be thought fit, subject nevertheless to such conditions (if any) and such consents (if any) as for the time being may be imposed or required by law and subject as hereinafter provided;
- 4.13. To pay all expenses, preliminary or incidental, to the formation of the Association and its registration and all other expenses which it shall consider from time to time necessary or expedient for the lawful main objects of the Association, to include the costs of the defence of any proceedings;
- 4.14. To do all such other lawful things as are incidental or conducive to the attainment of the above main objects or any of them, to include making suitable charitable donations if considered appropriate by the Committee, provided that the Association should not support with its funds nor endeavour to impose on, or procure to be held by its Members or others, any regulation or instruction which, if a main object of the Association, will make it a trade union.

## 5. **Committee**

- 5.1. The Committee is empowered to exercise the powers set out at article 4 to promote the main objects of the Association on behalf of the Members ("the Committee").
- 5.2. The Committee shall be comprised of no less than seven and not more than ten Members.
- 5.3. The Association shall re-elect the Committee at least every three years at the relevant Annual General Meeting of the Association. An existing Committee Member may apply for re-election to the Committee.
- 5.4. There will be a quorum at a meeting of the Committee if the number of Members present, in person or otherwise, is at least four.
- 5.5. Elections shall be held every three years.

- 5.6. Election to the Committee shall require a Member to be proposed and seconded by two fully paid up Members.
- 5.7. In the event that there are more than ten Members proposed for election to the Committee, the Chairperson shall circulate details of the Members proposed as set out in Clause 5.5 and call a meeting of the Members at which paid up Members can cast their vote. Proposed Members shall be elected by a simple majority of votes cast. The Chairperson shall have a casting vote if required to elect the Committee.
- 5.8. Subject to article 5.7., the Committee shall elect a Chairperson, a Secretary, and a Treasurer from amongst those elected to the Committee to serve such time as may be agreed. The position of the Secretary and the Treasurer can be held by one person.
- 5.9. Subject to the other provisions of these Rules, the Chairperson shall be elected for a term of 5 years.
- 5.10. As an alternative to the election of a Secretary or Treasurer as set out in clause 5.6. the Chairperson has the right to co-opt one or more Members to the positions of Secretary or Treasurer at a meeting of the Members convened for the election of the Secretary and/or Treasurer. The Chairperson must notify the current Secretary in writing of his or her intention to co-opt one or two Members to the positions of Secretary or Treasurer in advance of a meeting of the Members convened for the election of the Secretary and/or Treasurer.
- 5.11. A Committee Member shall not be obliged to pay an annual membership fee.
- 5.12. Members shall automatically cease to be a Member of the Committee if he or she:
- (a) Is absent from four consecutive meetings of the Committee and is asked by the majority of other Members of the Committee to resign; or
  - (b) Resigns by written notice; and /or
  - (c) Is incapable, whether mentally or physically, of managing his or her own affairs.

6. **Membership**

6.1. Membership of the Association is open to any person on paying the appropriate membership fee.

6.2. The Committee will set the level of the membership fee from time to time.

7. **Meetings of Members**

7.1. Meetings of Members shall be called in such manner, by such notice, at such frequency and at such times as the Committee may determine from time to time and until decided otherwise, shall be adequately called by 24 hours' notice circulated by email. An agenda shall be circulated in advance by the Secretary wherever possible.

7.2. An Annual General Meeting shall be held once annually at which reports will be delivered by both the Chairperson and the Treasurer of the Association.

7.3. Each Member present in person at a meeting of the Members (including the Annual General Meeting) is entitled to one vote on every issue requiring a vote of the Members including the election of Members to the Committee.

7.4. There will be a quorum at a meeting of the Members if the number of Members personally present is at least four.

8. **Benefit to Members**

8.1. The funds of the Association (if any) must be used only for promoting the main objects and do not belong to the Members. If the Association is disbanded for any reason, the funds held shall be donated to a charity or charities to be determined by the Committee at its discretion.

8.2. No Member may receive any payment of money or other material benefit, whether direct or indirect, from the Association, except by way of the reimbursement of reasonable out-of-pocket expenses (including hotel and travel costs) actually incurred, or in relation to a reasonable rent or hiring fee for property let or hired, relative to the administration and or furthering of the main objects of the Association.

8.3. Whenever a Member has a personal interest in a matter to be discussed at a meeting of the Members or a meeting of the Committee, he or she must declare that interest before the meeting or at the meeting before discussion begins on the matter; be absent from that part of the meeting unless

expressly advised to remain in order to provide information; and not be counted in the quorum for that part of the meeting. He or she shall also be absent during the voting and have no vote on the matter.

9. **Honorary Members**

9.1. The Committee shall be entitled to elect Honorary Members of the Association from time to time.

9.2. An Honorary Member must be elected by unanimous decision of the Committee.

9.3. An Honorary Member is not required to pay an annual membership fee.

9.4. The Chairperson of the Association is considered to be an honorary member of the Association for such period as that person holds the position of Chairperson of the Association.

10. **Records and Accounts**

10.1. Where the Association holds any monies or funds, the Committee shall ensure that appropriate information records are kept.

10.2. The Committee shall ensure proper records of all proceedings at meetings of the Association and all reports are kept.

10.3. If the Association holds any monies or funds (including membership fees), accounting records relating to the Association must be made available for inspection by any member during normal office hours on receipt of not less than 3 days notice to the Committee.

11. **Notices**

11.1. Notices under this Constitution may be sent by hand, by post, by email or by any other suitable electronic means.

11.2. The postal or email address at which a Member is entitled to receive notices, is the address noted in the register of Members or if none, the last known address.

11.3. Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing, pre-paying and posting a letter containing the notice, and to have been effected in the case of a notice of a meeting at the expiration of 24 hours after the letter containing the same is posted and in any other case at the time at which the letter would be delivered in the ordinary course of the post.

Where a notice of a meeting is sent by electronic means including email it shall be deemed to have been effected and received for all purposes 24 hours after being served.

11.4. A technical defect in the giving of a notice of which the Committee was unaware at the time does not invalidate decisions taken at a meeting.

12. **Amendments**

This Constitution may be amended with the approval of a two-thirds' majority of the Members present in person at a meeting called with 14 clear days' notice of the proposed amendments and of the time and place of the meeting.

**ADOPTED AT A MEETING OF THE ASSOCIATION HELD AT TRINITY COLLEGE, DUBLIN 2**

on the 13<sup>th</sup> day of December 2016

**SIGNED**

**Name:** \_\_\_\_\_  
(of Chairman of the Meeting)

**Signature:** \_\_\_\_\_

**WITNESSED**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Occupation:** \_\_\_\_\_

**Signed:** \_\_\_\_\_