



The O'Malley Clan Association Constitution

Introduction:

The O'Malley Clan Association held its first event in Westport, Co. Mayo, Ireland, in 1953 with the aim of fostering links and connections between people of O'Malley heritage worldwide and promoting awareness of the rich history of this Gaelic Clan.

The main event for the Clan is the Annual O'Malley Clan Gathering. The Gathering is organised by The Chieftain and a voluntary committee.

Each year the Clan appoints, by election, a new Tánaiste, who in turn is elevated to the role of Chieftain at the following Annual Gathering, surrounded by The Guardian Chieftain, Past Chieftains, and members of the Clan.

A Guardian Chieftain is appointed from among the Past Chieftains to serve a three year term, to provide continuity of traditions.

The aims of the O'Malley Clan Association are set out in the Constitution of the organisation.

Constitution

1. NAME

- 1.1 **This document is the constitution of the The O'MALLEY CLAN ASSOCIATION** (the Association).
- 1.2 **Email Address:** omalleyclanireland@gmail.com
- 1.3 **Postal Address:** Will be that of the of the Secretary duly elected to carry out the role, for the term of the appointment.

2. VISION

The O'Malley Clan Association is an association of people bearing the O'Malley name, their spouses, and relatives, fostering links and connections between people of O'Malley heritage worldwide and promoting awareness of the rich history of the O'Malley Clan, in all their traditions and heritage.

3. OBJECTIVES

The main Objectives of the Association are as follows:

- 3.1 To promote friendship between the members, knowledge of the history of the clan, and loyalty to its traditions;
- 3.2 Friendship between the members is fostered by the Annual Clan Gathering and other events, which strives to attract participants from the home country and overseas;
- 3.3 Knowledge of the history of the Clan is fostered by visits to places associated with the clan, and by the sale of publications dealing with Clan history; a digital monthly newsletter; and the clans social media channels.
- 3.4 Loyalty to the Clan's traditions is fostered by encouraging the members to cherish the Clan heritage by watching over the surviving monuments associated with the Clan Heritage.

4. MEMBERSHIP

- 4.1 **Membership is open to:**

- 4.1.1 Any person who has one of the many variations of the O'Malley name - including, but not limited, to other derivatives of the name such as:
Malley, Mallay, Mally, O'Mally, Mailley, O'Mailey, Mailey, Maley, Mealey, Mealley, Meally
- 4.1.2 Their spouse, family members, and relatives. Including anyone with an O'Malley ancestor or is the descendent of an O'Malley.
- 4.1.3 And who has paid membership dues as outlined below.

4.2 Membership Payment

The O'Malley Clan Association is a voluntary non-profit cultural organisation, membership fees – which include the Monthly Newsletter of the O'Malley Clan. The fee will be set by the Council, and may be amended from time-to-time.

There are a number of types of membership available:

- Annual membership
- Three Year Membership
- Ten Year Membership
- Honorary Membership – voted on by the Council and awarded to an individual who has contributed to the Clan in an outstanding manner.

Fees must be paid prior to an AGM. Membership shall last for one full year or for the number of years the member pays for, and membership commences on the date of payment.

Fees may be amended by the council, members will be advised in advance of any changes.

5. GOVERNANCE

Governance of the O'Malley Clan Association rests with the Chieftain, the Tánaiste and the Council of Chieftains, answerable to the Members in General Meeting.

5.1 Officers

The Council will have:

- The Guardian Chieftain – who will act in the role of Chairperson;
- A Secretary; and
- A Treasurer.

Other officers may be chosen as deemed necessary

5.2 Election of Officers

5.2.1 Officers will be elected by the Council at the first meeting following the AGM.

5.2.2 Nominations will be made at the meeting.

5.2.3 The Guardian Chieftain shall serve a term of 3 (three) years; all other Officers will serve for a period of 3 (three) years. Retiring Officers will be eligible for re-election.

5.2.4 An Officer can serve for no more than 2 (two) consecutive terms.

5.3 Duties

5.3.1 The Chieftain

5.3.1.1 Role & responsibilities: The Chieftain is the public face of the Clan and represents the Clan as required. The Chieftain organises the Annual Clan Gathering, during which the AGM is held. They may set up a local subcommittee to assist them

5.3.1.2 Election & term. At the AGM, the outgoing Chieftain is succeeded by the Tánaiste, who becomes the new Chieftain and serves until the next AGM.

5.3.2 The Tánaiste

5.3.2.1 Role & responsibilities: The Tánaiste supports the Chieftain as required and succeeds to the role of Chieftain in the event of the Chieftain being unable to continue in office until the end of their term.

5.3.2.2 Election & term. The Tánaiste is elected by the Members at the AGM from a list of nominees. Nominations must be submitted in writing to the Secretary at least two weeks prior to the AGM and must be signed by two Members. Nominee must agree to be nominated. The Tánaiste serves until the next AGM, at which they become Chieftain.

5.3.3 The Guardian Chieftain

5.3.3.1 Role & responsibilities: The Guardian Chieftain is the custodian of the traditions and customs of the Association. The Guardian Chieftain provides advice and support to the Chieftain in the carrying out of their duties and acts as required to ensure that the affairs of the Association are managed in accordance with the Constitution. The Guardian Chieftain chairs the meetings of the Council and has a casting vote in the event that the Council is tied.

5.3.3.2 Election & term. The Guardian Chieftain is elected by the Council at its first meeting after a vacancy occurs and serves for a term of three years. The Guardian Chieftain may not serve for more than two consecutive terms.

5.3.4 The Council

5.3.4.1 Membership. The Council will have a minimum of 6 members, made up of ex-officio members (the Chieftain, Guardian Chieftain, former Chieftains and the Tánaiste) and co-opted members. The Guardian Chieftain will chair Council meetings. All former chieftains are eligible to be members of the Council if they so choose. The Council may co-opt additional members from time to time as is deemed necessary

for the effective functioning of the Council. Co-opted members will serve for a period set by the Council, subject to a maximum of three years, after which they may be co-opted for a further term by the Council.

5.3.4.2 Role & responsibilities. The Council will be responsible for dealing with the business and affairs of the Clan including:

- Fostering the Objectives of the Association;
- The control of the finances of the Association;
- Reporting to the AGM;
- Supporting the current Chieftain in their organisation of the Annual Clan Gathering;
- The arrangement of any other such social functions as the Council may decide;
- The convening of the AGM;
- The removal from membership any member whose conduct shall be deemed discreditable to the Association;
- Any other act or function the Council considers necessary to further the aims of the Clan.

5.3.3 Officers. The Council will elect a Secretary, a Treasurer and any other officers that it deems necessary. Officers will be elected at the next meeting of the Council after a vacancy occurs and will serve for a term of three years from the date of election. Officers may be re-elected to serve additional terms.

5.3.4 **The Secretary.**

The Secretary will

- Take, keep and issue minutes of Council and General meetings;
- Prepare the Agenda for meetings of the Council and the AGM – in consultation with the Guardian Chieftain;
- Maintain the membership list; and
- Deal with any correspondence.

5.3.5 **The Treasurer.**

The Treasurer will ensure compliance to the Financial Policy of the Association. In this regard, they will:

- Keep proper accounts that show all monies collected and paid out by the Clan
- Maintain bank accounts and credit cards as required
- Ensure that necessary insurance policies are in place
- Report on the Association's finances to the AGM

5.3.6 **Council Meetings.**

- The Council will hold a minimum of 4 (four) meetings per year at regular intervals.
- The quorum for the meetings shall be 6 members.
- Attendance at Council meetings can be in person or by phone or other electronic method providing the voice or image of the Council member can be identified and confirmed.
- The Agenda will be drawn up by the Secretary in consultation with the Guardian Chieftain.
- Items for inclusion on the agenda must be submitted to the Guardian Chieftain at least 2 days before the meeting.
- The Council will endeavour to reach consensus on decisions. In the event of this not being possible, decisions will be taken by a vote, with each member of the Council being entitled to one vote.
- In the event of a tied vote the Guardian Chieftain will have a second or casting vote

6. REPRESENTATION

6.1 Annual General Meeting (AGM)

The AGM of the Association will be held during the annual Clan Gathering.

- 6.1.1 Notice of the AGM will be included in the notification of the Annual Clan Gathering sent to each member 2 months prior to the AGM.
- 6.1.2 Each member of the Association will be entitled to a vote at the AGM
- 6.1.3 The AGM will elect the next Tánaiste.
- 6.1.4 At the AGM a report will be given by the Guardian Chieftain; the Chieftain; the Treasurer and the Secretary.
- 6.1.5 Attendance at the AGM will be counted and recorded. Only Members can vote at the AGM.

6.2 Special General Meeting (SGM)

- 6.2.1 An SGM may be called by submitting the reason for the SGM to the Guardian Chieftain in a letter signed by not fewer than three members of the Council or 20% of the number of ordinary members.
- 6.2.2 In such an event the Council will be obliged to organise an SGM within twenty-eight (28) days. This task may be designated to the Guardian Chieftain if appropriate.

In such an event the Guardian Chieftain will advise the Council

6.3 Decision Making

6.3.1 The Council will endeavour to reach consensus on decisions. In the event of this not being possible, decisions will be taken by a vote.

6.3.2 Each member of the Council will be entitled to one vote.

6.3.3 In the event of a tied vote the Guardian Chieftain will have a second or casting vote

6.4 Subcommittees and Task Groups

6.4.1 The Council may establish subcommittees and/or task groups when required. These structures may include people external to the Council if appropriate.

6.5 Accounts

6.5.1 The Council will cause proper books of accounts to be kept according to the Financial Policy of the Association.

6.6 Financial Policy

6.6.1 The Association will keep proper accounts that show all monies collected and paid out by the Association.

6.6.2 Any monies obtained by the Association shall only be used for the Association.

6.6.3 The Association will maintain a bank account [and a credit card]. Any bank account / credit card opened for the Association shall be in the name of the Association

6.6.4 Only the Guardian Chieftain, Treasurer, Chieftain and Secretary can be signatories on the bank account.

6.6.5 Two signatures will be required on any cheque, but prior to any expenditure there must be a record of two approvals for any expenditure.

6.6.6 The Treasurer will maintain the file for such approvals.

6.6.7 Approvals can be evidenced in writing or by electronic form (email).

7. DISCIPLINARY PROCEDURES & CODES OF PRACTICE

Issues that will require the implementation of disciplinary proceedings include:

- Persistent non-attendance at meetings
- Misuse of funds
- Misconduct including:
 - Breaching the rules of the Constitution
 - Offensive, abusive behaviour

7.1 Procedure

- 7.1.1 In the event of a representative missing three consecutive meetings of the Council:
- a. A letter will be written to the representative in question, outlining the reason for the disciplinary procedure. The representative will be given the opportunity to discuss the issue at the following meeting of the Council.
 - b. A vote may be taken as to whether the person will be permitted to remain on the Council, In the event that the representative does not reply it will be assumed that they are no longer a member of the Council.
- 7.1.2 In the event of misconduct or misuse of funds of the Association:
- a. A letter will be sent to the representative in question outlining the reason for the grievance and offering the opportunity to discuss the matter with the Council.
 - b. In the event of a second offence membership of the Council will be withdrawn from the representative.
- 7.1.3 The Council reserves the right to withdraw membership from a representative for reasons other than those outlined above on a vote of a majority of two-thirds or more of the members present & entitled to vote.

7.2 Dignity & Respect Policy.

The purpose of this policy is to demonstrate the Association's commitment to implementing and promoting measures to protect the dignity of members and to encourage respect for others. The Association aims to create an environment free from discrimination, harassment, racism and disrespectful behaviour, by dealing effectively with any complaints of such conduct and also by welcoming diversity and promoting equality. This policy applies to all members.

7.3 Anti-Racist Code of Practice.

The Association understands racism as oppression experienced by minority ethnic communities. Racism involves individual practices that discriminate against these groups. This discrimination can be unintentional and without intent. At times, it is only visible in the unfair outcomes for these groups relative to outcomes for the majority population from the provision of institutions and organisations.

The Association is committed to implementing and promoting measures to ensure no individuals will be discriminated against or treated in a less favourable manner.

8. GENERAL DATA PROTECTION REGULATION (GDPR)

- 8.1 The Association is committed to complying with the following data protection principles, regarding personal information, The Association will comply with data protection law. This says that the personal information held about members must be:

- processed and used fairly and lawfully.

- collected only for valid purposes
- relevant and limited only to those purposes
- accurate and kept up to date
- kept only as long as necessary for the purposes
- kept securely

8.2 The Association may collect, store and use the following categories of personal information about members:

- personal contact details such as name, title, address, telephone numbers and personal email address
- date of birth
- gender
- photographs

The Association will only retain personal information for as long as necessary to fulfil the purposes we collect it for, including for the purposes of satisfying any legal, accounting or reporting requirements.

8.3 **Third Parties**

The Association may have to share data with third parties, including third party service providers and other entities in the group. If we do the Association and its members can expect a similar degree of protection in respect of personal information.

The Association requires third parties to respect the security of all data and to treat it in accordance with the law.

The Association may share personal information with third parties where required by law or where there is another legitimate interest in doing so.

8.4 **Data Protection Principles**

The Association is committed to complying with the following data protection principles regarding personal information processed by the Association:

- Personal data shall be processed fairly and lawfully.
- Personal data shall be obtained only for one or more specified and lawful purpose and shall not be further processed in any manner incompatible with that purpose or those purposes.
- Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed .
- Personal data shall be accurate and kept up to date.
- Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose.

9. **AMENDMENTS TO THE CONSTITUTION**

9.1 Motions to amend the Constitution must be submitted to the Secretary of the Council in writing eight (8) weeks prior to the date of the AGM.

- 9.2 The proposer of an amendment will be invited to speak for the motion of the AGM. The Council will have the opportunity to respond if necessary.
- 9.3 Motions to amend the Constitution will be carried on a majority vote of two thirds or more of those present & entitled to vote at the AGM.
- 9.4 An SGM may be called to amend the Constitution if required. The same rules will apply to the SGM as apply at the AGM.