

## DUN LAOGHAIRE REFUGEE PROJECT/TIONSCNAMH DHUN LAOGHAIRE UM DHIDEANAITHE

### CONSTITUTION

#### 1. NAME

The name of the association is “Dun Laoghaire Refugee Project” (herein called “the association”). The name in the Irish language is: “Tionscnamh Dhun Laoghaire Um Dhideanaithe”.

#### 2. OBJECTS

The main and subsidiary objects of the association are the same as those of the Dun Laoghaire Refugee Project Trust, as set out in Articles 2 and 3 of the Deed of Trust, of which a copy is annexed hereto.

#### 3. COMMITTEE

The affairs of the association shall be managed by a Committee (herein referred to a “the Committee”) which may exercise the powers of the association and do on behalf of the association all such things as are not by the Deed of Trust required to be done by the Trustees alone, subject to any directions or guidance that the Committee may give to the Trustees in the carrying out of their functions.

#### 4. SUB-COMMITTEES

The Committee may delegate any of its powers to a sub-Committee or sub-committees on such terms as it thinks fit.

#### 5. COMPOSITION

5.1. The Committee shall comprise not less than seven members provided that, should the number fall below seven, the remaining members shall be entitled to act only for the purpose of co-opting a further member or members. **Any such new member or members will be informed in writing of the decision to co-opt and a copy of this Constitution will be sent with the letter conveying that decision.**

5.2. Members shall include if possible:

- persons who are resident in the Dun Laoghaire area;
- persons who have particular skills, knowledge or experience likely to be beneficial to asylum-seekers (i.e. applicants for a declaration that a person is a refugee) and refugees;
- a representative or representatives of the asylum-seekers and refugees.**

5.3. The first members of the Committee shall be:

5.3.1. Niall Coleman

5.3.2. Joan Dobbyn

5.3.3. Gary Kilgallen

5.3.4. Mary King

5.3.5. Sr. Laura McCann

5.3.6. Maureen McCullagh

5.3.7. Marie-Therese Naismith

5.3.8. Eamon O Tuathail

5.3.9. Liam Ryder

## **6. MEETINGS OF THE COMMITTEE**

6.1. **At its first meeting, the members of the Committee shall elect, by simple majority, one of their number to act as Chairperson, another as Secretary, another as Record-Secretary and another as Treasurer.** The Chairperson will preside over each meeting of the Committee and, in addition, prepare the agenda for each meeting and see to the orderly conduct of all meetings and carry out such other duties and functions as are customarily carried out by persons holding such office.

6.2. If the Chairperson is unable to attend any meeting, he/she may designate any other member of the Committee to act as Chairperson in his/her stead, failing which the members present at any meeting shall elect one of their number to act as Chairperson for the purpose of such meeting.

6.3. Further meetings of the Committee shall take place at such times and at such places as the members shall deem appropriate provided that, unless agreed otherwise by all members, the Committee shall meet not less frequently than once in every month.

6.4. The Record-Secretary shall keep minutes of all meetings of the Committee.

6.5. **At each meeting of the Committee, the Chairperson and Secretary will report on matters relating to the Trust and the Treasurer will report on the financial situation of the Trust and furnish accounts.**

6.6. In the event of the resignation or incapacitation of any one of the officers of the Committee (Chairperson, Secretary, Record-Secretary and Treasurer), the Committee will elect as soon as possible at one of its meetings, by simple majority, a Committee member to fill the office vacated.

6.7. Any member of the Committee who fails to attend three consecutive Committee meetings shall cease to be a member of the Committee unless he/she gives a reason in writing which is in the opinion of the Committee satisfactory.

6.8. The Secretary shall keep **a register showing the names and addresses of members of the Committee.**

6.9. Unless otherwise stated in this Constitution, decisions will be taken by a simple majority of all the members of the Committee, present as well as absent, at any meeting of the Committee. One third of all the members of the Committee shall form a quorum at a meeting of the Committee.

## **7. DUN LAOGHAIRE REFUGEE PROJECT TRUST**

a. The Trust has been established for the objects and subsidiary objects set out in the Deed of Trust. The property of the association has been vested in the Trustees to be dealt with by them in accordance with the terms of the Deed of Trust. The principal function of the Trustees is to manage the finances of the Dun Laoghaire Refugee Project.

- b. The Trustees must always be members of the Committee of the Dun Laoghaire Refugee Project and must always include the Chairperson, Treasurer and Secretary of the Committee, who will hold the same offices in relation to the Trust.
- c. Article 10 of the Deed of Trust states that when the Trust members fall below four in number, then the remaining members should appoint a new member by unanimous cooption. In making such an appointment, the Trust members must act on the instructions of the Committee.

## **8. INCOME AND PROPERTY**

All income and property belonging to the association are vested in the Trust

## **9. ACCOUNTS**

The programme of activities of the association shall be funded from the Account of the Trust. Donations for the welfare of the asylum-seekers and refugees and any other revenues received by members of the Committee or by any other person acting for the association shall be forwarded to the Treasurer and deposited by the Treasurer to the Trust account. The accounts shall be kept by the Trust in accordance with the terms of the Deed of Trust and the Scheme of Incorporation establishing the Trust as a Body Corporate under the Charities Act, 1973 (requiring an annual external audit and **annual transmission of accounts, certified by the Auditor, to the Commissioners of Charitable Donations and Bequests and to the Revenue Commissioners**). The only account of the association shall be the account of the Trust. The Committee will advise on the proper management of the account of the Trust.

## **10. REIMBURSEMENT OF EXPENSES**

10.1. No Committee member shall be entitled to any remuneration for his/her services nor any reimbursement of his/her costs or expenses incurred in attending any meeting of the Committee. However, nothing shall prevent any payment in good faith from the account held by the Trust of reasonable and proper remuneration to any member of the Committee for any services rendered against the production of suitable vouchers with receipts.

## **11. CONTACT WITH STATUTORY/NON-STATUTORY BODIES**

In conformity with Article 3 (e) of the Deed of Trust, the Committee will establish and maintain contact, for purposes of exchanging and obtaining information, with Statutory and non-Statutory bodies dealing with asylum-seekers and refugees in Ireland and especially in the Dublin area. In areas adjacent to Dun Laoghaire, the Committee will offer assistance if requested, in establishing local support groups on the lines of the Dun Laoghaire Refugee Project,

## **12. ANNUAL PROGRAMME OF ACTIVITIES**

Before the end of November each year, the Secretary (or other Committee member to be designated by the Committee) will draw up and circulate to each member of the Committee a proposed **programme of activities together with budget estimates** for the following calendar year. The Committee will take a decision on that programme at their monthly meeting in December. The Committee will review also the fund-raising programme for the year ahead and take the necessary decisions. The programmes of activities and of fund-raising, as approved, will be reviewed at **quarterly intervals during the year**. The first such annual programme will be for the calendar year 2003. The implementation and oversight of particular groups of

activities within the overall programme may be delegated to a sub-Committee or sub-Committees.

### **13. ASYLUM-SEEKERS AND REFUGEES**

The asylum-seekers and refugees, whom the Committee will endeavor to assist, will normally be those resident at the hostels at Eblana Ave. and Sandycove, at rented accommodation in the Dun Laoghaire area and at any new hostels within the Dun Laoghaire area that may be created in the future. The term Dun Laoghaire area means the area within the boundary of the former Municipal Town of Kingstown (under Local Act 32 & 33 Vict), comprising: Monkstown, Dun Leary, Kingstown proper and Glasthule in the Barony of Rathdown (see Thoms Directory of Ireland 1900 p.1244). **A member of the Committee, to be designated by the Committee, will keep an accurate register**, in so far as possible, of the names, identity card (temporary residence certificate) numbers and places of residence of such asylum-seekers and refugees and up-date that register from time to time. The Committee member so designated will ensure the confidentiality of these details and keep the register in a secure place.

### **14. VOLUNTEERS WHO ARE NOT MEMBERS OF THE COMMITTEE/OTHER INTERESTED PERSONS**

14.1. Volunteers who are not members of the Committee but wish to offer their services in order to further the objects of the association will be invited by the Committee to make **a written application and this application upon receipt will be considered by the Committee in the light of the needs of the asylum-seekers and refugees and the qualifications/experience of the volunteer**. If the Committee so decides, the candidate volunteer should be invited to be interviewed and, as a result of that interview, a final decision will be made by the Committee. Such a decision will be **conveyed in writing to the candidate volunteer**. If the decision is favourable, a statement setting out the **conditions and duties** in respect of the volunteer will be included. The Secretary (or other Committee member to be designated by the Committee) will keep an **up-to-date register of the names and addresses of such volunteers**.

14.2. Such volunteers may be invited to attend meetings or portions of meetings of the Committee, so that they may participate in the discussions on specific items and express their views. The Committee will decide at each meeting on the participation of non-members at any subsequent meeting. In case of urgency, a decision on such participation may be decided jointly by the Officers (Chairperson, Secretary, Record-Secretary and Treasurer) of the Committee. Special meetings devoted to the work of the volunteers may also be organized between such volunteers or groups of such volunteers and the Committee or its sub-Committees. All the volunteer non-members of the Committee will be invited to one such special meeting, which will be convened by the Committee yearly in December to discuss the annual programme of activities, before the programme has been agreed by the Committee.

14.3. Volunteers who are not members of the Committee but wish to apply to become members are welcome to do so, provided that they feel that they can comply with the conditions of membership, as set out in Articles 5 and 6 above.

14.4 Other interested persons (e.g. central or local government officials, hostel managers, local gardai, businesspersons, religious, representatives of voluntary bodies etc.) may be invited to the

meetings referred to at 14.2 above but the Committee shall take a decision in advance on the persons to be invited and on the object of the meeting.

14.5 All persons, Committee members, volunteers who are not members of the Committee and any other persons acting under the auspices of the association shall endeavor to uphold the rights of those asylum-seekers and refugees with whom they have contact. Such rights include the protection of the identity of the asylum-seekers, which must be kept confidential. At the same time, asylum-seekers and refugees should be advised to conform to the laws and regulations in force in Ireland, and, in so far as practical, either informed what these legal obligations are or directed how to obtain such information.

#### **MEMBERSHIP OF THE ASSOCIATION**

14.6. Volunteers who are not members of the Committee but whose names appear on the register of volunteers shall be termed 'ordinary members of the Association'. These 'ordinary members' together with the Committee members shall constitute the membership of the Association.

#### **TERMINATION OF MEMBERSHIP**

15. Acting on a proposal of any two of its members, the Committee shall have the right for good and sufficient reason to decide by simple majority of all the members of the Committee, present as well as absent, to terminate the membership of an individual member of the Committee or to inform a volunteer not a member of the Committee ('ordinary member') that the services of that volunteer are no longer required, provided that the Committee must give prior reasonable notice in writing of the intention to terminate and that the individual whom it is proposed to terminate has the right to be heard in person or in writing (or both) at his or her option, but subject to a time-limit of no longer than one month after receiving the notice, before a decision is taken. The name of such a member or of such a volunteer, if a decision to termination or end the services is taken, should accordingly, be removed by the Secretary from the relevant register.

#### **INDEMNIFICATION OF MEMBERS**

16. The Association will endeavour to indemnify its members in respect of any claims made as a result of their acts as members.

#### **WINDING UP**

17. The Association shall be wound up and dissolved and the Committee shall cease to function as or when the Trust is wound up or dissolved in accordance with the terms of the Deed of Trust and the requirements of the Commissioners of Charitable Donations and Bequests.

#### **AMENDMENT OF CONSTITUTION**

18. The terms of this Constitution may be amended by a resolution of not less than 75% of the members of the Committee taken at a meeting: -  
 -of which not less than 14 (fourteen) days prior notice has been given to each Committee member (provided that, with the unanimous agreement of all members, such period may be reduced or waived);  
 -in respect of which the intention to amend the Constitution and details of the proposed amendment have been advised to members of the committee together with the aforesaid notice of the meeting.

ADOPTED AND SIGNED AT DUN LAOGHAIRE ON 22 day of August 2002 DUN  
 LAOGHAIRE REFUGEE PROJECT/TIONS CNAMH DHUN LAOGHAIRE UM  
 DHIDEANAITHE

**FIRST AMENDMENT TO THE DRP CONSTITUTION 22/08/2002  
RESOLUTION TO AMEND ARTICLE 18 OF THE CONSTITUTION OF THE ASSOCIATION**

The Committee noted the terms of Articles 13 and 18 of the Constitution of the DRP as follows:

**13. ASYLUM-SEEKERS AND REFUGEES**

*The asylum-seekers and refugees, whom the Committee will endeavor to assist, will normally be those resident at the hostels at Eblana Ave. and Sandycove, at rented accommodation in the Dun Laoghaire area and at any new hostels within the Dun Laoghaire area that may be created in the future. The term Dun Laoghaire area means the area within the boundary of the former Municipal Town of Kingstown (under Local Act 32 & 33 Vict), comprising: Monkstown, Dun Leary, Kingstown proper and Glasthule in the Barony of Rathdown (see Thoms Directory of Ireland 1900 p.1244). A member of the Committee, to be designated by the Committee, will keep an accurate register, in so far as possible, of the names, identity card (temporary residence certificate) numbers and places of residence of such asylum-seekers and refugees and up-date that register from time to time. The Committee member so designated will ensure the confidentiality of these details and keep the register in a secure place.*

**AMENDMENT OF CONSTITUTION**

18. The terms of this Constitution may be amended by a resolution of not less than 75% of the members of the Committee taken at a meeting: -

-of which not less than 14 (fourteen) days prior notice has been given to each Committee member (provided that, with the unanimous agreement of all members, such period may be reduced or waived);

-in respect of which the intention to amend the Constitution and details of the proposed amendment have been advised to members of the committee together with the aforesaid notice of the meeting.

The Committee decided by this resolution of which the text has been circulated to all members of the Committee more than fourteen days in advance of this Committee meeting as follows:

-to delete the first sentence of the present Article 13 as contained in the Constitution, and to replace it by the following text which will constitute the first sentence of the new Article 13:

*The asylum seekers and refugees, whom the Committee will endeavour to assist, will normally be those resident at hostels and other accommodation in the area of the Dun Laoghaire Rathdown County Council or elsewhere provided the Committee so decides in specific cases.*

(The final two sentences about keeping a register remain unamended)

Thus the amended text of Article 13, as approved, will read:

***The asylum seekers and refugees, whom the Committee will endeavour to assist, will normally be those resident at hostels and other accommodation in the area of the Dun Laoghaire Rathdown County Council or elsewhere provided the Committee so decides in specific cases***

***A member of the Committee, to be designated by the committee, will keepi and accurate register, in so far as possible, of the names, identity card (temporaty residence certificate), number and places of residence of such asylum seekers and refugees and up-date that register from time to time. The Committee member so designated will ensure the confidentiality of these details and keep the reisger in a secure place.***

This resolution has been approved by more than 75% of the members of the Committee at their meeting on 11 January 2006

Signed by the following Committee members:

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