

# BSMC CONSTITUTION

1. **NAME:** The name of the organisation shall be The Bloody Sunday March Committee and within this document shall be referred to as “BSMC”
2. **BSMC** is an unincorporated organisation.
3. **AIMS: The aims of BSMC shall be:**
  - 3.1. To commemorate Derry’s Bloody Sunday (30<sup>th</sup> January 1972);
  - 3.2. Organise, promote and oversee an annual ‘March for Justice’ on and around the Sunday nearest the 30th January each year;
  - 3.3. Ensure that this March acts as an inclusive platform for ongoing social, economic, environmental and human rights justice campaigns both here and abroad;
  - 3.4. Organise an associated programme of human rights, cultural and educational events addressing contemporary issues (local, national and international) of resonance with Derry’s Bloody Sunday;
  - 3.5. Strive to ensure inclusive, non-sectarian, educational spaces where the complex social justice issues arising from the violent political conflict here, and others across the world can be freely addressed, and democratic actions initiated;
  - 3.6. Promote through active, informed debate and actions, an active and informed citizenry.
  - 3.7. To raise, hold and disperse funds for the above aims, subject to the prohibition that BSMC shall not seek or accept state funding.
4. **MEMBERSHIP**
  - 4.1. The **BSMC** shall have **four** categories of member:
  - 4.2. **HONORARY PATRON(S)** shall be those who are appointed by the Trustees and whose life and work signifies the integrity of **BSMC’s** purpose.
  - 4.3. **TRUSTEE** shall be four in number and be:
    - i. The founding members who have signed their names to this Constitution;
    - ii. Those who have been appointed as replacement Trustees in accordance with the procedures laid down in Art 7.1 (i).
  - 4.4. **ORGANISING COMMITTEE MEMBERS** shall be those elected to serve on the Organising Committees and who jointly have responsibility for:
    - i. the effective management of **BSMC’s** finances and resources; and
    - ii. the design and implementation of its programme of activities.

#### **4.5. ORDINARY MEMBERS**

- i. Ordinary members shall be those individuals who actively support the work of the BSMC, who have been admitted to membership by the Organising Committee and who remain in good standing.
- ii. Only ordinary members who have been in good standing for at least one year shall be eligible to be members of the Organising Committee.

**4.6.** All members of whatever category shall be in good standing, which means that they abide by this Constitution and uphold the current Code of Conduct.

### **5. STRUCTURE OF ORGANISATION**

#### **5.1. Honorary Patron(s):**

- i. This shall be a person or persons nominated to this position/s by the trustees and Organising Committee to be BSMC's Honorary Patron/s.
- ii. Nominated patrons shall agree in writing to accept the position.
- iii. They shall continue as an Honorary Patron until either:
  - (a) They decide to withdraw from the position/s for any reason and notify the Organising Committee in writing; or
  - (b) They are asked to withdraw from the position by the Organising Committee. Such a request must be put in writing, stating the reason for the request. Such a request shall be agreed to by the Honorary Patron, subject to a meeting with the Organising Committee to discuss the request.
  - (c) If the Honorary Patron does not attend such a meeting within one month of the request, the Honorary Patron shall automatically cease to hold office.

#### **5.2. The Trustees shall:**

- i. Hold in trust and safeguard the values and ethics implicit in the aims of the organization; and
- ii. Hold in trust and safeguard any assets that may be held or acquired by the organization; and
- iii. Oversee all levels of membership and adherence to BSMC's code of conduct; and
- iv. Act as an appeal board for any disputes; and
- v. Act as mediators in any conflict; and
- vi. Appoint replacement Trustees on resignation of existing members to ensure a minimum of 4 trustees.

#### **5.3. The Organising Committee:**

- i. The Organising Committee shall number a minimum of eight and a maximum of fourteen members.

- ii. At least one third of the current membership of the organizing committee shall be present in order for a quorum to exist.
- iii. The Organising Committee shall elect a chair, treasurer and secretary from amongst their number at their first meeting after the AGM each year.

#### **5.4. Ordinary members:**

- i. Membership shall be open to individuals who are:
  - a. over 16 years of age; and
  - b. agree with the aims of BSMC; and
  - c. want to play an active role in furthering them; and
  - d. apply for membership; and
  - e. are willing to abide by this constitution and its accompanying Code of Conduct.
- ii. The process governing the application and admission into ordinary membership shall be decided upon by the Organizing Committee, subject to the condition that all new members must be nominated and seconded by a member who has been in good standing for at least one year.
- iii. The Organising Committee may refuse or rescind membership of any individual whose membership would in its reasonable view either
  - a. not assist it in maintaining and developing its capacity to deliver its aims; or
  - b. who has brought the organization into disrepute; or
  - c. whose continued membership would in any other way be detrimental to BSMC.
- iv. Individuals whose membership has been so refused or rescinded shall under Article 6.18 or 6.19 have the right under Art 6.20 to appeal that decision in writing to the Trustees before a final decision is made.

## **6. MANAGEMENT**

- 6.1. BSMC shall be managed by way of the existing Organising Committee.
- 6.2. The Organising Committee shall be made up of existing Organising Committee members and Trustees until the first AGM, which should be held within 12 months of this constitution being agreed.
- 6.3. Subject to 6.2 above, all members of BSMC's Organising Committee shall be elected at an Annual General Meeting, save for the Trustee members of the Organising Committee, who shall be nominated by the Trustees.

- i. All nominees for the Organising Committee shall be proposed and seconded by a member in good standing and in writing to the Secretary no less than five days in advance of the AGM.
  - ii. Should there be more nominations than there are vacancies, an election will take place at the AGM by secret ballot, supervised and conducted by the Trustees.
- 6.4. At its first meeting after the AGM each year, the Organising Committee shall elect from amongst its number a Chairperson, a Treasurer and a Secretary.
  - i. Should there be more nominations than there are vacancies, an election will take place at the first meeting by secret ballot, supervised and conducted by the Trustees.
- 6.5. The Organising Committee shall manage and direct BSMC towards the pursuit of its aims.
- 6.6. The Organising Committee shall normally act through achievement of consensus.
- 6.7. The Organising Committee shall agree a Code of Conduct which shall govern all members.
- 6.8. The Code of Conduct shall be reviewed by the Organising Committee at least once a year and any changes shall be adopted at a meeting of the Organising Committee.
- 6.9. The committee shall meet at least 5 times each year.
- 6.10. A record of decisions made at each meeting shall be kept, normally by the Secretary.
- 6.11. The quorum for meetings shall be as stated in Article 5.3 (ii) above.
- 6.12. An Annual General Meeting (AGM) of BSMC shall be held every calendar year and not more than 15 months after the previous AGM.
  - i. All members of the BSMC shall be formally notified by the Secretary of the AGM three weeks beforehand.
  - ii. A report on BSMC's activities, financial position for the previous year and an agenda shall be made available at to all members by the Secretary at least 5 working days in advance of the AGM.
- 6.13. A Special General Meeting may be called at any time at the request in writing to the Secretary of either:
  - i. 50% of the membership of the trustees; or
  - ii. 50% of the membership of the committee; or
  - iii. Not less than one third of the membership.
- 6.14. A notice explaining the place, date, time and reason for the Special General Meetings shall be sent to all members three weeks beforehand.

- 6.15. **Quorum (General & Special Meetings):** At least half of the current membership of the BSMC shall be present in order for a quorum to exist.
- 6.16. Every member attending either an AGM or Special General Meeting has one vote.
- 6.17. Any proposals to change this constitution must be given in writing to the Secretary at least 28 days before any general meeting and approved by a two thirds majority of those members present and voting.
- 6.18. Any member can resign at any point from the BSMC by notifying the Secretary in writing.
- 6.19. Any member can be asked to resign by the Organising Committee.
- i. Such a request and the reasons for it must be provided to the member concerned in writing by the Secretary.
  - ii. Subject to an appeal to the Trustees, the member will be required to resign within one month of such a request being received.
- 6.20. Anyone whose application for membership is refused shall have the right to an appeal to the Trustees, having been first given the reasons for the refusal to them in writing by the Secretary.
- 6.21. Where anyone on the Organising Committee or amongst the Trustees has a conflict of interest they shall declare it and where required, withdraw from any discussions or deliberations relating to it.

## **7. POWERS IN FURTHERANCE OF THE AIMS:**

### **7.1. The Trustees shall have the power to:**

- i. Appoint replacement Trustees upon the resignation or death of a Trustee so as to maintain a number of four Trustees at all times.
- ii. Appoint a minimum of 1 and a maximum of 4 of its members to the Organising Committee.
- iii. Hold assets in trust for the BSMC
- iv. Act as an appeal board for any disputes;
- v. Act as mediators in any internal conflict.

### **7.2. The Organising Committee shall have the power to:**

- i. Recruit and nominate individuals to be members of the Organising Committee (including its office bearers) and Ordinary members; charge membership fees; rescind or refuse membership in accordance with this constitution;
- ii. Obtain, collect and receive money or funds by way of contributions, donations fundraisers or collections towards the aims of the organisation and pay necessary expenses involved in running BSMC, subject to Clause 3.7 above.

- iii. Maintain the financial accounts of **BSMC** and open and maintain a bank account in its name;
- iv. Hire or employ staff or equipment, when necessary, to carry out the work of **BSMC**;
- v. Produce or commission publicity for **BSMC's** activities;
- vi. Establish and maintain a website and other new media platforms to promote the aims of **BSMC** and facilitate its powers;
- vii. Hold events that bring together representatives of and advocates for current and emerging social, economic, environmental and human rights justice campaigns to promote the advancement of **BSMC's** aims;
- viii. Do such other reasonable things within the values and ethics implicit in the aims of **BSMC** to further their realization;
- ix. Organise the Annual General Meeting (AGM) and such other Special General Meetings (SGM) as are required;
- x. Create and delegate specific appropriate duties and powers to sub-groups. These remain subordinate to the powers of the organising committee;
- xi. Keep a register of member's names and contact details of each of the four categories of membership. This shall not be used for purposes other than to keep the membership informed and enable a proper voting process.

**7.3. Ordinary Members shall have the power to:**

- i. Participate on an equal basis with Organising Committee members on the basis of one vote per member in the election at AGMs of the Organising Committee and in the business of SGMs
- ii. Subject to Art 7.4 below, stand for election to the Organising Committee;
- iii. Participate freely and equitably with members of the Organising Committee in organising and carrying out its activities.
- iv. Participate freely and equitably with members of the Organising Committee in organising and carrying out the activities of sub-groups formed by the Organising Committee to carry out specific tasks.

7.4. No ordinary member shall be nominated to or serve on the Organising Committee unless they have been a member in good standing for at least 12 months prior to the date of the relevant AGM.

**8. ACCOUNTS**

7.1. The funds of BSMC including all donations, contributions and bequests, shall be paid into a bank or building society account operated by the Organising Committee. All cheques drawn on the account must be signed by at least two members of the Organising Committee.

- 7.2. The funds belonging to BSMC shall be applied only to further the aims of BSMC. A current record of all income, funding and expenditure shall be kept by The Treasurer.
- 7.3. Funds shall not be used to pay Organising Committee members, including Trustees, except to refund legitimate and documented expenses.

**9. DISSOLUTION**

- 9.1. **BSMC** may be dissolved by a resolution passed by a two-thirds majority of those present and voting at a Special General Meeting.
- 9.2. If confirmed, the committee shall distribute any assets remaining after the payment of all bills to other charitable group(s) or organisation(s) having aims similar to BSMC or some other charitable purpose(s) as BSMC may decide.

Signed by Trustee ..... Date .....

**Bernadette McAliskey**

Signed by Trustee ..... Date .....

**Liam Wray**

Signed by Trustee ..... Date .....

**Kate Nash**

Signed by Trustee ..... Date .....

**Eamonn McCann**

Signed by Chair..... Date.....

Signed by Secretary..... Date.....

**Stephen Gargan**

Signed by Treasurer ..... Date.....

**Jim Doherty**