

CONSTITUTION FOR THE ASSOCIATION OF GARDA SERGEANTS AND INSPECTORS AS ADOPTED AT THE 2002 CONFERENCE, AMENDED IN 2004 AND LAID BEFORE THE HOUSES OF THE OIREACHTAS BY MEANS OF STATUTORY INSTRUMENT NO. 706 OF 2004. Further amended in 2005 (replacement clause 16 (c)) and in 2009 (additional clause 16 (e) and amendments to Clause 7(c)). Further amended in 2012 (addition to Clause 4(c)). Further amendment in 2013 additional Clause 16(a) (11).). Additional Amendments made in 2014 to: 9(b) amendment to 13(g) and 15(f). New rule 15(h). New rule 7(e)(vi). Additional Amendment made in 2016 to Clause 19 by adding a new ss (e).

THE ASSOCIATION

The Association of Garda Sergeants and Inspectors was established in 1978 under the terms of the Garda Síochána Act 1977 and the Garda Síochána (Associations) Regulations 1978 to 1994. It represents the interests of Sergeants, Station Sergeants and Inspectors in An Garda Síochána.

The Association is organised through Branches who elect a Branch Committee. From these Committees a thirteen member National Executive is elected by Postal Ballot from amongst whom the President is elected at the Annual Delegate Conference. All elections take place every three years.

Constitution of the Association

1. The Association shall be known as :

The Association of Garda Sergeants and Inspectors. (Cumann Sairsintí agus Cigirí de'n Gharda Síochána).

2. The headquarters of the Association shall be at such place as the National Executive of the Association may, from time to time, decide.

3. OBJECTIVES

The objectives of the Association shall be:

(a) To organise in one Association all Garda Síochána sergeants, station sergeants and inspectors.

(b) To protect and promote the interests of its members and in particular to secure improvements in conditions of service, remuneration, training, equipment and accommodation.

(c) To safeguard its members' interests in connection with legislative measures and to secure the effective administration of existing laws' which may affect the general and material, health safety and welfare of its members.

(d) To resolve issues between members.

(e) To provide benefits for members in accordance with Association policy.

(f) To provide a means through which the members, acting as a body can influence and promote the development of the Garda Síochána and contribute to greater administrative efficiency in the service, while having regard to the welfare of each member and the opportunities to enable them to realise their own potential.

(g) Generally to do anything or to promote or participate in any activities as may be considered beneficial to, or advisable in, the interests of the Association and its members.

(h) To liaise with other garda associations and other representative bodies.

- (i) To promote an industrial relations educational policy for the members of the Association.
- (j) To promote and seek improvements in the welfare and well-being of members.

4. MEMBERSHIP

- (a) Membership of the association shall be open to all members of the Garda Síochána who hold the rank of Sergeant, Station Sergeant or Inspector.
- (b) Every application for membership of the Association, other than as provided for at subsection (d), shall be made on a prescribed form to the relevant Branch Committee. The Branch Committee at its discretion may decide to accept or reject the application for membership but an appeal shall lie against its decision to the National Executive and from the National Executive to the Annual Delegate Conference.
- (c) Each member of the Association shall be attached to the Branch appropriate to the division to which the member is permanently assigned. A member of the Association who has been transferred permanently from one division to another shall automatically transfer to the Branch appropriate to that member's new division. In cases where members are on Temporary Transfer to another station or section for a period which is likely to exceed 12 months, or which has already reached or exceeded 12 months, such members may apply to the National Executive for transfer to that branch. In cases where the Temporary Transfer has ceased, such members to revert to the appropriate branch for their station or section. In cases where members are affected by organisational changes within An Garda Síochána, such members may apply to the National Executive for transfer to an appropriate branch. All decisions in such cases shall be subject to the absolute discretion of the National Executive, after making appropriate enquiries with the members and branches involved.
- (d) Applications for re-admission to membership shall be made to the relevant Branch Committee, on the prescribed form, who shall forward same with recommendations to the National Executive for determination. An appeal to the decision of the National Executive shall lie with the Annual Delegate Conference.

PROPOSED NEW CLAUSE FOR CONSIDERATION BY THE NATIONAL EXECUTIVE

- (e) An applicant appealing a decision of the National Executive to the Annual Delegate Conference must give due notice to the National Executive of the grounds on which they intend to rely in their appeal. Such notice and grounds must be provided to the National Executive in writing no later than two weeks prior to the date of the opening of the Annual Delegate Conference.

IF THE ABOVE IS ACCEPTED, THE FOLLOWING TWO CLAUSES MUST BE RENUMBERED.

- (e) A member who leaves the Association shall not be reinstated unless arrears of subscriptions, levies and fines due are paid.
- (f) Members of An Garda Síochána who become eligible for membership of the Association must apply for membership on the prescribed form within one calendar month of becoming so eligible. If the application is not made within this period, members shall only be entitled to avail of the benefits of the Association for the period prior to their application for membership if such a member has paid subscriptions for the said period, subject to the absolute discretion of the National Executive.

5. STANDARDS OF MEMBERSHIP

(a) Any individual member or Branch Committee may make a complaint of misconduct against a member of the Association. All complaints must be in writing and must be sent to the Secretary or Deputy General Secretary of the Association.

(b) A Complaint of misconduct against a member of the Association shall be investigated by a person or persons nominated by the National Executive.

(c) The person or persons nominated shall conduct an initial investigation having first notified the member against whom the complaint is made of the nature of the complaint.

(d) Unless the person or persons nominated to conduct the investigation is satisfied that the complaint is of a frivolous or vexatious nature, that person or persons shall forward the complaint to the Standards Committee together with a report of the investigation.

(e) The Standards Committee will consist of five members nominated by the National Executive and shall hold office for the same period as the National Executive. Not less than three members of this Committee will adjudicate on any issue. Vacancies as they arise will be filled by the National Executive. No person who has investigated a particular complaint shall be a member of the Standards Committee dealing with the said complaint.

(f) Upon receipt of the complaint the Standards Committee shall notify the member in writing by registered post that the complaint against such member is to be the subject of an Inquiry by the Standards Committee and shall notify the member of the hearing date for the said Inquiry. The member shall be notified of their right to attend at the hearing; to be represented at the hearing; to call evidence, examine witnesses and make submissions at the hearing; and/or to submit an explanation in writing. The hearing date shall be a date which is not less than fourteen days from the date of the Notice served on the member. A copy of the investigation report received by the Standards Committee shall be attached to the Notice to the member.

(g) Misconduct by a member of the Association shall include the following: -

(i) Falling into arrears of subscriptions for a period in excess of thirteen weeks.

(ii) Willfully or persistently acting in a manner calculated to prejudice the interests, objectives or policy of the Association as an officer, trustee or agent of the Association;

(iii) Converting to their own use, retaining or failing to account for any monies, securities, documents, papers or property of the Association;

(iv) Improperly disclosing any confidential information regarding the activities, purposes or deliberations of the Association to the detriment of the interests, objectives or policy of the Association;

(v) Willfully or persistently refusing, failing or neglecting to observe any conditions, restrictions or instructions of the Association which the Association could legitimately require the member to observe;

(vi) Engaging in behaviour which renders the member's continued membership detrimental to the interests, objectives or policy of the Association;

(vii) Such other act or omission which in the opinion of the Standards Committee amounts to misconduct;

(h) Where the Standards Committee is satisfied that a member has been guilty of misconduct within the meaning of sub-paragraph (g) it may impose one or more of the following sanctions:-

(i) Reprimand the member;

(ii) Debar the member from holding office with the Association for such period as may be decided;

(iii) Suspend the member from the Association for such period as may be decided.

(During the term of suspension the person shall not be deemed to be a member of the Association and shall not be entitled to avail of benefits of the Association);

(iv) Expel the member from the Association. (Any member expelled from membership shall forfeit absolutely and unconditionally all rights and benefits deriving from membership or participation in the property or funds of the Association).

(j) A member expelled from the Association shall only be re-admitted following application under 4(d) above accompanied by a submission in writing from the member to the National Executive outlining the reasons why the member should be re-admitted.

(k) An appeal against a decision or sanction of the Standards Committee shall lie to the National Executive. Such an appeal shall be by way of a full rehearing. Members of the Standards Committee who have heard the said complaint or any person who has been nominated to investigate the said complaint shall be excluded from the appeals process. The National Executive may affirm, reverse or vary the decision of the Standards Committee. The decision of the National Executive shall be final, conclusive and binding on all parties.

6. FINANCE

(a) Each member shall forward or cause to be forwarded a subscription to the Treasurer of the Association at its Headquarters. The amount of the subscription shall be determined from time to time at the Annual Delegate Conference.

(b) The National Executive shall be empowered to enter into an arrangement with the Accountant of the Department of Justice under which a member may have their subscription deducted from their salary at source and forwarded to the Treasurer of the Association on their formally authorising the Accountant to do so.

(c) Each Branch shall be entitled to receive quarterly from the Association's funds a sum of money for the purpose of meeting local expenses. The sum shall be expressed as a percentage of the aggregate of subscriptions received from members attached to a Branch and shall be approved in respect of each ensuing year by the Annual Conference on the recommendation of the National Executive. The refund to Branches shall be determined by the number of members attached to each Branch.

(d) The National Executive may make general provisions for those on leave without pay with regard to the amount of subscription which is payable.

(e) On the recommendation of the National Executive, a Special or an Annual Delegate Conference may vary the subscription from time to time.

(f) A special levy may, on the recommendation of the National Executive be imposed by a Special or Annual Delegate Conference.

(g) The Association shall have the power to receive funds or property at the discretion of the National Executive.

(h) The National Executive shall have overall responsibility for the financial affairs of the Association and all funds whether in the possession of committees or sub-committees shall be the property of the Association.

- (i) The Association shall have power to acquire, hold or dispose of real or leasehold property; it shall have the power to raise funds by borrowing money on any real or personal property of the Association.
- (j) The financial year of the Association shall end on 31st December.
- (k) The accounts of the Association shall be audited annually by a public auditor appointed by the Annual Delegate Conference who shall prepare together with the National Executive Committee proper accounts with notes to same fully explaining all Association income and expenditure for the previous financial year which shall be circulated to delegates prior to the Annual Delegate Conference and presented to them for their approval at the Annual Delegate Conference.
- (l) Each member of the Association shall at any reasonable time and on giving due notice, have the right to inspect the books of the Association.

7. TRUSTEES

- (a) There shall be three Trustees in the Association.
- (b) The Trustees shall be members of the Association for not less than five years on the closing date for receipt of nominations.
- (c) Any qualifying member of a Branch Committee may be nominated by that Branch to stand for election as a Trustee of the Association, the nomination to be submitted by a date determined by the National Executive
- (d) Trustees shall be elected by delegates at the Annual Delegate Conference by the proportional representation, single transferable vote system. Trustees shall serve for a three year term, save those elected at the first election following adoption of this section who shall serve as follows:
 - the candidate declared first elected - 3 years
 - the candidate declared second elected - 2 years
 - the candidate declared third elected - 1 year
- (e) (i) A Trustee who ceases to be a member of the Association shall cease to be a Trustee of the Association.
 - (ii) A Trustee who is elected as a member of the National Executive shall cease to be a Trustee from the date of such election.
 - (iii) A member of the National Executive who is elected a Trustee shall cease to be a member of the National Executive from the date of such election.
 - (iv) In the event of a vacancy arising for the office of Trustee, the next succeeding candidate not elected at the previous election of Trustees shall be deemed to be elected as Trustee for the duration of the term of the office holder whose vacancy is filled.
- (v) Where no succeeding candidate remains at the previous election the National Executive shall co-opt a qualifying member as Trustee of the Association until the next Annual Delegate Conference when the Delegates shall elect a Trustee by the proportional

representation, single transferable vote system, to fill any such vacancy arising. The Trustees so elected shall remain in office for the duration of the term of the elected office holder whose vacancy they fill.

(vi) A Trustee who is elected as a member of the Standing Orders Committee shall cease to be a Trustee from the date of such election.

(f) The Trustees or any of one or more of them may be removed from office at any time by a resolution signed by not less than six Branches of the Association or by the National Executive and passed by two-thirds majority of those present and voting at an Annual Delegate Conference or Special Delegate Conference.

(g)(i) The Association shall have power to acquire, hold or dispose of real, leasehold, or personal property, which shall be vested in the Trustees of the Association. They shall sue or be sued on behalf of the Association.

(ii) The Trustees shall on the direction of the National Executive enter into any contract, bond or undertaking on behalf of the Association which is consistent with the rules of the Association and is otherwise lawful.

(iii) All deeds, documents of title and securities belonging to the Association shall be held by the Trustees and they may take such measures for the safe control and preservation thereof as they think fit and shall produce them when so required by a resolution of the Annual Delegate Conference or a Special Delegate Conference or when they are required by the National Executive or the Auditors of the Association.

(iv) The Trustees shall, should the necessity arise and on the direction of the National Executive, be empowered to borrow, by way of overdraft or otherwise, sufficient funds to meet liabilities incurred by the Association and to offer any deed or document of title held in their name as collateral security.

(v) The Trustees shall have access to the books of the accounts of the Association and shall have access to the relevant extracts of the minutes of the National Executive of the Association for the purpose of verifying authority for any financial transaction.

(vi) The Trustees shall meet with the National Executive on at least two occasions during each year to deal with matters pertaining to their duties and responsibilities. The Trustees shall also meet with and review the report of the Treasurer of the Association prior to the Annual Delegate Conference.

(vii) The Trustees shall report to the Annual Delegate Conference, or Special Delegate Conference called for that purpose, and may address Conference on matters pertaining to their duties but they shall not act as Delegates at Conference or vote at Conference.

(viii)(a) The Trustees shall be indemnified out of the funds of the Association against all expenses, damages, costs and claims whatsoever incurred by them in the proper execution of their functions.

(b) No Trustee shall be held liable for the act or default of any other Trustee to

which the Trustee was not privy.

8. AREA AND BRANCH ORGANISATION

For the purpose of the organisation of membership, the State shall be divided into four Areas as follows: the Leinster Area, the Connaught/Ulster Area, the Munster Area and the Dublin Metropolitan Area.

- (a) The Leinster Area shall consist of all divisions, (apart from those in the Dublin Metropolitan Area), the headquarters of which are located in the province of Leinster.
 - (b) The Connaught/Ulster Area shall consist of all divisions, the headquarters of which are located in the province of Connaught or Ulster.
 - (c) The Munster Area shall consist of all divisions, the headquarters of which are located in the province of Munster.
 - (d) The Dublin Metropolitan Area shall consist of all divisions in the Dublin Metropolitan Region.
 - (e) Garda Headquarters shall be deemed to be a division.
 - (f) The Garda College at Templemore in the County of Tipperary shall be deemed to be a division.
 - (g) All detective units attached to Dublin Castle and Harcourt Square shall be deemed to be a division.
 - (h) There shall be a branch of the Association in each division which has a minimum of 25 members and the Branch will consist only of members of the Association permanently assigned to the division.
 - (I) Where a new division is formed or where an existing division is abolished, reduced or enlarged in area, or where the minimum criteria set out as (h) above is not attained, the National Executive may make such arrangements as are deemed necessary for appropriate representation within the areas affected.
9. (a) An Annual General Meeting of the members of each Branch shall be held in the month of January each year for the purpose of:
- (i) Receiving the report of the Branch Committee on the activities of the branch for the year.
 - (ii) Making nominations for the National Executive, triennially only.
 - (iii) Making a nomination for the position of Trustee of the Association.
 - (iv) Submitting motions and/or Amendments to the Association's Constitution for the Annual Delegate Conference of the Association.
 - (v) Electing delegates to the Annual Delegate Conference.
 - (vi) Transacting such other business as it is empowered to deal with.
- (b) (i) The National Executive of the Association shall decide on a branch's request to postpone an Annual Delegate Meeting to the month of February

(ii) All functions, actions and decisions of the postponed Annual General Meeting shall be valid as if held in the month of January.

(iii) All functions, actions and decisions of the postponed Annual General Meeting shall be valid as if held in the month of January.

(c) Special general meetings of a Branch shall be held whenever the Branch Committee deem it necessary, or in accordance with the directions embodied in a resolution passed by a majority of the members present at a previous Branch general meeting, or on a request signed by not less than one-fifth of the members of the Branch or on the instruction of the National Executive.

(d) The affairs of the Branch shall be conducted by a Branch Committee in accordance with the rules and policy of the Association.

10. (a) The Branch Committee shall be elected by postal ballot vote of members of the Association attached to that Branch. Elections shall take place triennially and shall be completed not later than a date determined by the National Executive.

(b) A candidate for election to a Branch Committee must be nominated by a member of the Association attached to that Branch. On acceptance of the nomination by the nominee, the nomination shall be submitted on or before a date to be determined by the National Executive.

(c) The counting of votes shall be conducted by auditors appointed by the Annual Delegate Conference.

(d) A member of the Association shall only be eligible for election to the Branch Committee appropriate to the division to which that member is permanently assigned.

(e) If subsequent to nomination for election to a Branch Committee (and prior to the date of issue of the ballot papers as determined by the National Executive) a member is assigned to a division to which a different Branch is appropriate the nomination of the member shall lapse.

(f) If a member of the Association has been notified prior to the nomination closing date, that the said member is to be permanently assigned to a division to which a different Branch relates, such assignment to take effect on a date prior to that on which the Branch Committee for the member's new division formally take up office (that is the date of the AGM), then the said member may seek nomination and may be nominated for election to the Branch Committee for the division to which the member is to be permanently assigned, as if the member was already permanently assigned to that new division.

(g) The Branch Committee shall consist of the six members who receive the highest total number of votes in the result of the postal ballot vote, subject however, to the condition that one place at least of the six places on the committee shall be filled by the Inspector who receives the highest total number of votes (received by Inspectors) in the postal ballot whether or not that person is among the six who received the highest total number of votes

(provided always that an Inspector has been nominated). In the event of a tie for a place it shall be filled by drawing lots.

(h) In the event of insufficient nominations being received to fill a Branch Committee of six members, the National Executive may make such arrangements as it thinks fit to ensure the members are fully represented until the next elections.

(i) A member of a Branch Committee shall cease to hold office on ceasing to be a member of the Association or on being transferred permanently to a division for which there is a separate Branch, or on failure, without good and sufficient cause, to attend three consecutive meetings.

(j) Where a vacancy occurs on a Branch Committee the next highest remaining candidate, as is appropriate, under (g) above, in the postal ballot vote shall be co-opted to fill the vacancy. In the absence of such a candidate the Branch Committee shall have the power to co-opt another person from among the members attached to that Branch to fill the vacancy.

(k) Each Branch Committee shall elect from among its members a chairperson, a treasurer and a secretary.

(l) Where a member of a Branch Committee is absent from the Branch and such absence is likely to exceed 3 months, the Branch Committee may co-opt a replacement Committee member for the duration of that absence.

11. (a) Matters affecting members individually or generally may be raised with the National Executive only through a Branch and for that purpose the Branch may delegate action in this regard to the Branch Committee who may in turn delegate it to the Branch Secretary.

(b) Where the Branch receives monies, whether by way of subscription or otherwise, on behalf of the Association, they shall transmit these monies in full to the Treasurer of the Association except where, by agreement with the National Executive, they are permitted to retain a specified sum.

(c) Where a Branch Committee fails to hold the Annual General Meeting or ceases to function, the National Executive may dissolve that Branch Committee and arrange for the election of a new Branch Committee.

12. MANAGEMENT OF THE ASSOCIATION

The management of the Association shall be vested in:

1. Delegate Conference.
2. A National Executive.

13. DELEGATE CONFERENCE

(a) The supreme authority of the Association shall be vested in the Annual Delegate Conference or any Special Delegate Conference.

(b) The Annual Delegate Conference shall be held on or before the last day of the month of May in each year.

(c) Delegates to the Annual Delegate Conference shall be appointed at the Annual General Meeting of each Branch and delegates to a Special Delegate Conference shall be appointed at

a Special General Meeting of each Branch.

(d) Each Branch shall be entitled to appoint one delegate in respect of each 15 members of the Branch, provided that each Branch shall be entitled to a minimum delegation of three. The determining date shall be 1st January of each year. The delegates selected to go forward to the Annual Delegate Conference shall be drawn from the Branch Committee where available and where the number to be appointed exceeds six the additional delegates shall be selected from the members of the Association attached to the Branch.

(e) The members of the National Executive the General Secretary and the Deputy General Secretary shall, in addition to the delegates, be full members of the Delegate Conference. They shall have the right to speak on all issues and, with the exception of the General Secretary and the Deputy General Secretary shall have the right to vote on all issues. No other person may address the Delegate Conference except at the discretion of the chairperson.

(f) The expenses of a Branch Delegate shall be met by that delegate's Branch.

(g) Motions for the Annual Delegate Conference may be submitted either by a branch or by the National Executive and shall be submitted not later than a date to be decided by the National Executive. The National Executive shall circulate to the Branches the preliminary agenda containing all such motions not later than a date which it will decide and shall require that all amendments be submitted not later than a date which it will decide. The National Executive itself may also place amendments to motions on the order paper. Where motions and amendments are put forward by a Branch they must be certified as having been passed at a duly convened meeting of the Branch concerned. A final agenda shall be circulated for the information of all delegates at least two weeks before the opening of the Annual Delegate Conference. The final agenda shall contain all motions and amendments for discussion, the Annual Report of the National Executive and the Statement of Accounts duly audited. It shall also contain nominations for the position of Trustee and contain the nominations for the office of President in a presidential election year. Notwithstanding the foregoing one emergency motion for the Annual Delegate Conference can be submitted either by a branch or the National Executive at least 4 hours before the start of business on either the second day or third day of that conference but not both. Whether the motion so presented will be accepted on to the clár of that Conference will be decided by the National Executive and on their satisfaction that such a motion was passed at a duly convened meeting of the proposing branch. Notice of such a motion when accepted will be circulated to each Delegate present at Conference before its presentation on the order of business of conference.

(h) The President of the Association shall act as chairperson at all Delegate Conferences. In the absence of the President, however, the National Executive shall appoint one of the two Vice-Presidents to act as chairperson. In the absence of the President and both of the Vice-Presidents, the National Executive shall nominate from amongst its members a person to act as chairperson.

(i) A quorum for the purposes of a Delegate Conference shall consist of one quarter of the total number of delegates to Conference who are eligible to vote.

(j) Unless otherwise provided amendments to rules will take effect from the day following their adoption by the Annual or Special Delegate Conference.

14. A Special Delegate Conference of the Association may be summoned at any time on the request of one-quarter of the total membership of the Association or may be summoned at any time at the discretion of the National Executive. Only the business set out on the notice paper convening a Special Delegate Conference shall be dealt with at that meeting, but other business of an urgent nature may be dealt with at the discretion of the chairperson and with the consent of two-thirds of the delegates present and voting.

15. STANDING ORDERS COMMITTEE

- (a) The Annual Delegate Conference shall elect each year a Standing Orders Committee of three members for the next following years' Annual Delegate Conference or for any Special Delegate Conference prior to the next Annual Delegate Conference. Where a vacancy occurs on the Standing Orders Committee the next highest remaining candidate in the ballot shall fill that vacancy. Where no such candidate remains, the National Executive shall co-opt a member.
- (b) Members of the Standing Order Committee shall attend the Annual Delegate Conference or Special Delegate Conference at the expense of the Association.
- (c) Members of the Standing Order Committee shall not be delegates of their Branch and shall not have voting rights on matters at Conference. They shall have the right to address Conference on issues relating to Standing Orders matters only.
- (d) The Standing Orders Committee shall endeavour to expedite the business of Conference by making recommendations as they deem necessary and shall for this purpose issue Standing Orders for each Conference. They shall meet prior to each Conference.
- (e) The Standing Orders Committee shall elect its own chairperson.
- (f) Nominations for the Standing Orders Committee shall be made from the delegates, Trustees and the members of the current Standing Orders Committee at the Annual Delegate Conference.
- (g) The Standing Orders Committee shall be elected by secret ballot by means of the proportional representation, single transferable vote system.
- (h) A members of the Association shall not be a member of the Standing Orders Committee and a Trustee at the same time

16. NATIONAL EXECUTIVE ELECTION

- (a) (i) The National Executive shall consist of 13 members. A candidate for election to the National Executive shall be a member of a Branch Committee.
 - (ii) Each Branch shall be entitled to nominate only one Branch member for election to the National Executive.
 - (iii) Candidates must be nominated by their own Branch.
- (b) The following provisions shall apply to the election of the National Executive.
- (i) Each Area shall elect to the National Executive the following:
 - (a) The Inspector with the highest number of votes.
 - (b) The Sergeant or Station Sergeant with the highest number of votes.
 - (ii) In addition to those elected under sub-paragraph (i) above the following shall also be elected:
 - (a) In the Areas of Connaught/Ulster, Leinster and Munster the candidate who receives the highest number of votes (excluding those candidates elected under sub-paragraph (i)(a) or (b));
 - (b) In the Dublin Metropolitan Area the two candidates who received the highest number of votes (excluding those candidates elected under sub-paragraph (i)(a) or (b)).
 - (iii) Where only one candidate is nominated or is remaining under subsection (b)(i)(a) or (b)(i)(b) above, that candidate shall be deemed to be elected. However the votes of a candidate who has been deemed to be elected in this way and who has not reached the quota shall not be distributed.
 - (iv) The National Executive shall be elected by postal ballot vote of the association members attached to the appropriate Area. The election shall be by the proportional representation,

single transferable vote system. The counting of votes shall be conducted by auditors appointed by the Annual Delegate Conference and shall be completed not later than a date determined by the National Executive.

(v) The election of the National Executive shall be held triennially in the month of February.

(c) A member of the National Executive shall cease to hold office on ceasing to be a member of the Association, ceasing to serve on a branch committee in the Area wherein the member was elected save where the member is completing a term of office on the National Executive following the election of a Branch Committee at the triennial Branch Committee elections, or on promotion.

(d) Where a vacancy occurs on the National Executive the following provisions apply:-

(i) A vacancy arising under subsection (b)(i)(a) above will be filled by the next remaining Inspector or in the absence of such a candidate the next remaining Sergeant.

(ii) A vacancy arising under subsection (b)(i)(b) above will be filled by the next remaining Sergeant or in the absence of such a candidate the next remaining Inspector.

(iii) A vacancy arising under subsection b(ii) above will be filled by the next remaining candidate.

(iv) Where a vacancy cannot be filled under subsection (i) (ii) or (iii) above the National Executive shall arrange for the holding of an election in that Area provided the remaining period of office of the National Executive is greater than six months from the date on which the vacancy arises. For the purpose of this election each Branch in the Area shall be entitled to nominate not more than one Sergeant or Station Sergeant and not more than one Inspector who are members of a Branch Committee. The election under this Section shall be by postal ballot vote. The election shall be by the proportional representation, single transferable vote system. The voting shall be conducted by Auditors appointed by the Annual Delegate Conference and shall be completed not later than a date to be determined by the National Executive.

16(e) In the event of a situation arising where, having sought nominees for election to any vacancy on the National Executive and no candidates are forthcoming, the National Executive may co-opt a member from within that region and currently serving on a branch committee to fill such vacancy following consultation with branch committees in the specific electoral area.

17. ELECTION OF PRESIDENT

(a) Following the election of the National Executive as set out in Section 16 above, the Annual Delegate Conference shall elect a President from among the 13 members of the National Executive so elected.

(b) A candidate for the office of President shall be nominated by their own Branch Committee and at least one other Branch Committee prior to the Annual Delegate Conference not later than a date to be specified by the National Executive.

(c) An election for the purpose of (a) above shall be held triennially.

(d)(I) In the event of the office of President becoming vacant, or on the failure of the President, without good and sufficient cause, to attend three consecutive meetings of the National Executive, the National Executive may elect one of its members to act as President until the next Annual Delegate Conference.

(ii) Following the appointment of a President at 17 (d) (i) above, any member of the National

Executive, nominated by their own Branch Committee and at least one other Branch Committee, not later than a date to be specified by the National Executive, may be a candidate for the office of President at the following Annual Delegate Conference where elections for the office of President would not otherwise be held. The President so elected will hold office until the next round of triennial Elections as at (c) above.

(e) The election of President shall be by the proportional representation, single transferable vote system, and the counting of votes shall be conducted by Auditors appointed by the Annual Delegate Conference.

18. FUNCTIONS OF PRESIDENT

(a) The President of the Association shall be the chief officer of the Association. The President's responsibilities shall include: ensuring that the rules of the Association are upheld; and ensuring that the interests of the Association are advanced.

(b) The President of the Association shall act as chairperson of the National Executive.

19. FUNCTIONS OF NATIONAL EXECUTIVE

(a) The National Executive shall be responsible for the implementation of the objectives of the Association and policy as handed down at Annual Delegate Conference or Special Delegate Conference and for the management of the Association funds and property.

(b) In the absence of the President the National Executive shall elect one of the Vice-Presidents to act as chairperson. In the absence of the President and both the Vice-Presidents, the National Executive shall elect a chairperson from amongst its members.

(c) The National Executive shall appoint the following officers: -

(i) Two Vice Presidents

In the absence of the President, a Vice President should be available to act as President.

(ii) An Honorary Secretary

It shall be the duty of the Honorary Secretary or other members of the National Executive temporarily appointed for that purpose by the President to keep proper, accurate and permanent minutes of the transactions of all meetings of the National Executive and every other meeting involving Association representation. The said minutes shall be presented to the next meeting of the National Executive for approval and signature by the appropriate officers.

(iii) An Honorary Treasurer. The Honorary Treasurer shall:-

(a) Report to the National Executive and Annual Delegate Conference upon the financial records of the Association and ensure that correct accounts of the receipts and payments of the Association are kept.

(b) Ensure that the monies of the Association are deposited with the Association's bank or other financial institution, as determined by the National Executive, without delay.

(c) Ensure that a current statement of the Association's finances shall be available for presentation to meetings of the National Executive.

(d) when required at the Annual Delegate Conference and at meetings of the National Executive, to answer all questions pertaining to the funds of the Association to the best of their ability and to obtain and deliver such further detail in relation to such matters as may be required.

(e) Liaise with the Trustees of the Association as required under Section 7 of this constitution.

(d) The National Executive may appoint sub-committees as it deems necessary. Such sub-committees will carry out functions as assigned to them and report to the National Executive.

(e) In the event of a member of the National Executive failing without good and sufficient cause to attend a properly convened meeting of the National Executive for a period of three months, the matter will be forwarded to the Standards Committee under Rule 5(e), and on unfavourable finding they can recommend the matter be dealt with under Rule 16(d).

((e) Added to constitution after being passed at 2016 annual delegate conference).

20. SECRETARIAT

(a) There shall be a full time General Secretary who shall be a member of the Association and who shall be appointed by the National Executive.

The General Secretary shall: -

(i) conduct the business of the Association in accordance with the Constitution, the decisions of the Annual and Special Delegate Conferences, and the directions of the National Executive.

(ii) be responsible for the day-to-day supervision and the running of the office of the Secretariat at the Association's Headquarters and for the deployment and management of the staff therein.

(iii) be responsible for the custody and maintenance of all records of Association business.

(iv) report to the National Executive on the business and affairs of the Association.

(v) keep the President of the Association informed of all matters affecting the interests of the Association.

(vi) attend meetings of the National Executive and Delegate Conference but shall not have the right to vote.

(vii) be employed on such contractual terms and conditions as shall be determined by the National Executive.

(b) The National Executive may also appoint a Deputy General Secretary who will assist the General Secretary in the provision of the secretariat function to the Association. In the absence of the General Secretary, the Deputy General Secretary shall perform the functions and duties assigned to the General Secretary. The Deputy General Secretary shall attend meetings of the National Executive and Delegate Conferences but shall not have the right to vote. The Deputy General Secretary shall be employed on such contractual terms and conditions as shall be determined by the National Executive.

(c) The National Executive may also appoint such other staff as may be required to discharge the business of the Association.

21. GENERAL BALLOT

(a) A general ballot of the members may be held to assist in determining the policy of the Association on any matter. Such ballot shall be held:

(i) At the direction of a Delegate Conference or of the National Executive.

(ii) Within 28 days of the receipt by the General Secretary of the requisition of such a ballot from at least one-fifth of all Branches, representing at least 15% of the membership, provided each such request has been approved by general meetings of the members attached to the Branches concerned.

(iii) Within 28 days of the receipt by the General Secretary of a requisition from one-fifth of the entire membership.

(b) The National Executive may decide to hold a Special Delegate Conference instead of a general ballot within 28 days of receiving a request under (ii) or (iii) above.

22. INTERPRETATION

Questions of interpretation shall be determined by the National Executive.

23. REVISION

This Constitution may be amended by resolution adopted by two-thirds of the delegates present and voting at a Delegate Conference after due notice has been given.

24. DISSOLUTION

The Association may be dissolved at any time by means of a general ballot of the members provided that such dissolution is approved by two-thirds of the membership.