

## **Constitution**

1. The Association shall be known as the Staff of the Health Service Executive (Cork and Kerry) Association for the Relief of Poverty (SHARP.), hereinafter referred to as the Association in this Constitution.

2. The main aims of the Association shall be:

In memory of those who suffered and died in the Irish Famine, to seek to relieve poverty and suffering both in Ireland and abroad by the grant of Financial Assistance to Charitable Bodies regarded as being established for charitable purposes only within the meaning of Section 207 of the Taxes Consolidation Act 1997 and by direct contributions to individual projects benefiting the needy where clear need and accountability have been established.

### **3. Collection of Funds**

With the consent and cooperation of the Health Service Executive (HSE) management, members may contribute a regular agreed sum by way of deduction from their pay for such period as they wish.

### **4. Membership**

Current and retired staff of the HSE South, employed in the functional area of the former Southern Health Board (SHB) and retired former SHB staff contributing to this fund shall be deemed to be members of the Association.

### **5. Payment of Funds**

Funds may only be paid out in the manner approved by the Constitution.

Funds shall be apportioned as follows each year:

- Minimum of 85% for the relief and prevention of famine overseas and
- Maximum of 15% for the relief of poverty and suffering in Ireland.

In the first year of the existence of the fund, not more than 5% towards projects commemorating those who died in the Irish Famine. Funds apportioned may be allowed to accumulate for a period of not more than two years before payment must be made for specific projects as decided by the Management Committee. In making payment to any agency or charitable organisation, the Association must be assured that no part of the money being paid by the members is being used for administrative expenses of the agency being assisted. Submissions for projected use of the funds to be donated must:

- (a) Clearly identify the purpose for which the funds are to be used.
- (b) Include an undertaking to provide confirmation and evidence that the funds have been used for the purpose approved.

### **6. Income and Property**

The income and property of the Association, whencesoever derived, shall be applied solely towards the promotion of the main objects of the association as set forth in this Constitution and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit, to the members of the Association.

No officer appointed to any office of the body shall be paid by salary or fees. No member of the Association, including Committee members, may be paid any sum or receive any benefit from the funds of the Association for any reason whatsoever.

Information on payments from the fund shall be freely available to members both by way of circulated information, and on request.

**7. Keeping of Accounts**

Annual audited accounts shall be kept and made available to the Revenue Commissioners on request.

**8. Inaugural General Meeting**

There shall be an inaugural meeting of members for the following purposes:

- (a) Election of officers and committee members as specified in Article 9.
- (b) Considering and approving the draft constitution.

**9. Annual General Meeting**

There shall be a General Meeting of members once yearly, the date and time to be decided by the management committee, for the purpose of:-

- (a) Electing a Chairman and Vice-Chairman who will also be Chairman and Vice-Chairman of the management committee.
- (b) Electing four (4) other persons to the management committee.
- (c) Approving auditors report and annual account for expenditure during the previous year.
- (d) Approving of the appointment of auditors for the forthcoming year.

At least 1 in 4 of these meetings may be held in Kerry.

The Chairman shall have the authority to convene an extraordinary general meeting of the members; or must convene such meeting at the written request of not less than thirty (30) members. Seven clear days notice of general meetings must be given.

**10. Management Committee**

- (a) There shall be a committee consisting of eight persons, six of whom shall be elected by Ballot (Single non-transferable vote) at the Annual General Meeting.
- (b) The Regional Director of Operations of the Health Service Executive South shall be entitled to appoint two members to the management committee on an annual basis.

- (c) No member of the committee shall serve more than five successive years, but may thereafter resume membership after a lapse of one year.
- (d) The function of the committee shall be to ensure the implementation of the policies of the Association, including the proper management of funds, and to conduct generally the affairs of the Association.
- (e) The Committee shall have the authority to approve of applications for funding from charitable organisations, subject to the conditions set out elsewhere in the Constitution and in the rules for the conduct of business and approval of payments set out in the Appendix attached hereto, which forms part of the Constitution.
- (f) If a vacancy arises on the Management Committee, the Committee shall co-opt a replacement within one month of the vacancy arising. The Regional Director of Operations of the Health Service Executive South's nominees are exempt from this requirement.

#### **11. Additions, Alterations or Amendments**

No amendment to the Constitution may be made without due notice to all members of the proposed amendment; and without a two thirds majority of those members present and voting at an annual or extraordinary general meeting being in favour.

No addition, alteration or amendment shall be made to or in the provisions of this Constitution for the time being in force unless the same shall have been previously approved in writing by the Revenue Commissioners.

#### **12. Winding-Up**

If upon the winding up or dissolution of the Association there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Association but shall be given or transferred to some other charitable institution or institutions having main objects similar to the main objects of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as imposed on the Association under or by virtue of Clause 5 hereof, such institution or institutions to be determined by the members of the Association at or before the time of dissolution, and if, and so far as effect cannot be given to such provisions, then to some charitable object.