

Operational Framework

IMAC Martial Arts Ireland - Official Guide Part 1



4 Whitefriars Aungier Street Dublin 2

T +353 1 476 2008 | F +353 1 476 2008 | admin@imac.ie | www.imac.ie

Operational Framework of

IMAC Martial Arts Ireland Limited

Trading as: Irish Martial Arts Commission.

This Operational is taken to be in furtherance of all of the relevant sections of the Memorandum & Articles of Association of IMAC Martial Arts Ireland;

Title and Objectives

1. The organisation shall be called the Irish Martial Arts Commission (hereafter to be referred to as the Commission) and registered with the Companies Registration Office as **IMAC Martial Arts Ireland Limited - Company Registration # 515075**.

Primary Objective:

2. The sole purpose of the Commission is the promotion of Martial Arts.

Secondary Objectives:

The secondary Objectives of the Commission include the following;

3.1. To provide the public with a clearly identifiable and trustworthy quality mark for Martial Arts - where Safety, Standards and Accountability are prioritised.

3.2. To provide Martial Arts organisations and clubs with a structure through which they can be fairly represented and through which they can democratically express their ambitions and concerns.

3.3. To provide the Irish Sports Council with a reliable and trustworthy structure through which they can be advised on matters relating to Martial Arts and through which they can channel advice, encouragement, safety regulations, development procedures, and funding to support the various Martial Arts within the Commission.

Further Objectives

3.4. To promote and encourage the development of the subtle and less published aspects of Martial Arts training and make them more accessible by the general public. These include;

- The potential for nurturing the development of focus and cognitive skills.
- The promotion of responsible citizenship, confidence building and personal development.
- The exploration of conflict resolution techniques and processes.
- The building of community participation and social interaction - inside and outside Martial Arts clubs.
- Safeguarding of the interests of the various Martial Arts Systems represented within the Commission

Martial Arts:

In furtherance of the relevant sections of the Memorandum & Articles of Association of IMAC Martial Arts Ireland;

4.1. The Martial Arts (and Styles) that may be represented and promoted by the Commission shall be;

- | | |
|--------------|--------------|
| 1 Aikido | 7 Taekwon-Do |
| 2 Ju-Jitsu | 8 Ninjutsu |
| 3 Karate. | 9 Wrestling |
| 4 Kendo. | 10 Tai Chi |
| 5 KickBoxing | 11 Muay Thai |
| 6 Kung-Fu | 12 Savate |

4.2. The Commission shall also represent and promote any additional Martial Arts (or Styles) which are accepted into membership of the Commission at a Commission Annual General Meeting (hereafter called an AGM) or Special General Meeting (hereafter called a SGM).

New Martial Arts (and Styles):

5.1. If deemed appropriate by the Executive* Committee, or if agreed by a majority of the Membership of the Commission present at an A.G.M. or S.G.M, a Committee may be set in place, made up of one representative from each Martial Art represented at that time by the Commission, to explore any application made to expand the Commission list of sanctioned Martial Arts (or Styles).

5.2. It shall be the task of such a Committee to investigate any such proposal on the following basis.

- a Is the Martial Art (or Style) internationally recognised in its own right?
- b Is the Martial Art already included in the Martial Arts (& Styles) listed in Sec 4?
- c Is there a need for a further category?
- d Can the applicants be satisfactorily represented under a present System?
- e If there is a need, are the applicants sufficiently qualified to represent the System?
- f If they are qualified, is there anyone currently within Commission or within Ireland, significantly more qualified to represent the Martial Art in question?
- g Is there a case for a "Transitional Grouping" to be formed and, if so, what should it be called?
- h How well will the organisation applying to join the Commission fit with the overall ethos of the Commission?

5.3. This Committee will answer to, and report to, the Executive Committee. The Executive Committee will, in turn, report to the full Commission Membership at an AGM or SGM

5.4. The final decision to list a new Martial Art (or Style) shall require a two-thirds majority vote in favour from those present and entitled to vote at any such meeting.

5.5. New Martial Arts duly adopted by the Commission Membership shall be listed in Section 4 of this Operational Framework.

5.5. New Styles duly adopted by the Commission Membership shall be listed in Section 4 of the Operational Framework (in brackets) after the name of the associated Martial Art.

6. All Organisations, Associations, Federations or Clubs (here-after referred to as Organisations) affiliated to the Commission, shall be set out in a membership register, to be held by the Secretary, together with such additional Organisations that have applied to join and may be accepted into the Commission in the future.

**All References to the Executive Committee refer to the Board of Directors of IMAC Martial Arts Ireland plus any other Representatives appointed by an IMAC Advisory Boards, or Officer assigned by the Board of Directors, but not yet registered as a director of the Company.*

Membership:

In furtherance of the relevant sections of the Memorandum & Articles of Association of IMAC Martial Arts Ireland;

7.1. Organisations wishing to join the Commission, (including each new club or new instructor joining an organisation that is already a member of the Commission) shall apply to the Executive Committee in writing. Such an application must be proposed and seconded by a minimum of 2 Registered Organisations and accepted into membership by a majority of the Executive Committee present at that meeting.

7.2. Any new club - or new instructor - apply to the Executive Committee to join an organisation that is already a member of the Commission must be responded to by the Executive's within 28 days of their application.

7.3. Before making a final decision on whether or not an application to membership of the Commission is to be accepted, or otherwise, the Executive shall seek the particular advice of the Advisory Board / National Governing Body (hereafter to be called the Commission NGB) of the Martial Art to which the applicant is applying to be affiliated. Notwithstanding such advice, the final decision of the Executive Committee shall be final.

7.4. The Commission NGB to which an organisation is applying to join shall, notwithstanding exceptional circumstances, deliver their decision on any new membership application, to the Executive Committee, within two calendar months of receiving the initial application.

7.5. No organisation or Club can be accepted into membership of the Commission without first being cleared for membership by the Commission's NGB of the System to which they apply.

7.6. For any Association to remain within the Commission it must at all times be affiliated to, and fully paid up to, the Commission's designated NGB of the Martial Art through which they have applied to join the Commission.

7.7. In the case of there being a conflict of priorities between section 7.3 and section 7.5, section 7.3 shall supersede section 7.5

7.8. In the case of any such application being turned down by the Commission Executive, the applicant shall have the right to appeal to the membership of the Commission at the next AGM. The membership shall have the right to over-rule the decision of the Executive in this matter.

7.9. In the case of such an application being accepted, the Executive Committee shall inform the applicant Association in writing of its decision and initiate the Garda Vetting process required by the Commission's Garda vetting Policy.

9. Any new organisation or club joining the Commission shall be required to undergo a 3-year probationary period of membership. This probationary period can be reduced or extended at the Executive's discretion.

10. It shall not be a condition of Commission membership that any applicant to, or member of, the Commission be affiliated to any other specified national or international governing body - outside of the Commission - other than international bodies specified by an IMAC Advisory Board and presented to, and agreed by, the IMAC Executive.

11.1. The NGB of any Martial Art within the Commission shall have the right to recommend, for the Executive's approval, an individual as an Associate member of the Commission.

11.2. Such an Associated member would have no voting rights and would be bound by all the rules and regulations of the Commission at the discretion of the Executive Committee.

12.1. All registered and paid up members of registered, and paid up, Organisations shall be deemed to be full members of the Commission - once they, or their instructor/s, have been cleared for membership by the Executive.

13.1. Membership of the Commission is incompatible with membership of any other non-government recognised body that seeks to displace the Commission's current position as a NGB for Martial Arts with the Irish Sports Council.

13.2. The hosting by Commission members of events run by organisations deemed to be incompatible with Commission membership under section 13.1 shall, in itself, be deemed to be in conflict with Commission membership.

13.3. Member Organisations of the Commission must register all of their affiliated clubs with the Commission within the annual timescale.

13.4. An organisation does not become a full member of Commission until all of its clubs are registered with the Commission. Organisations or Clubs placed in Northern Ireland are excluded from this ruling as long as they comply with any requirements laid down by the Northern Ireland Sports Council.

13.5. Two or more clubs from the same Organisation cannot be registered as separate Organisations within the Commission.

13.6. It shall be the parent Organisation's responsibility to ensure that section 13.3 is adhered to and that all due Club fees are paid within the required timescale. Failure to do so will invalidate the parent Organisation's membership of the Commission until such time as all due fees are paid.

Youth Membership:

14. Members under the age of 18 shall not be entitled to vote or engage in the management or control of the Commission. However, the Executive may, if it so wishes, set up a Youth Advisory Committee, to give the young members of the Commission a voice within the Commission.

Expulsion/ Suspension:

In furtherance of the relevant sections of the Memorandum & Articles of Association of IMAC Martial Arts Ireland;

15.1. The Executive Committee shall have the power to expel or suspend from Commission activities any member, or member Organisation, of the Commission whose actions are, in the opinion of the Executive, intentionally, prejudicial to the interests of the membership - or - any member whose action brings the Martial Arts into disrepute.

15.2. Any member of the Commission charged with an offence of an abusive nature, against a young person, will be automatically deemed to be suspended from the Commission, pending the final verdict of the courts.

15.3. In the case of an abuse-related dispute involving an adult member of the Commission and a minor - where charges have been made, or if charges are pending, or if a civil action has been initiated, - the member involved will be suspended pending the outcome of the case.

15.4. Any member of the Commission found guilty in a court of law of an offence of an abusive nature, against any person, shall be automatically expelled from the Commission.

15.5. There is an onus on Commission members who become aware of any such abuse, to report it to their NGB, or to the Commission Executive and, in serious cases, to the relevant statutory authorities.

15.6. Any member suspended or expelled under part - 1,2,3 or 4 of Section 15, shall have the right of appeal to the next scheduled A.G.M. - or an S.G.M. called to discuss this matter.

15.7. Such a meeting shall have the authority, by vote of two thirds of those entitled to vote, to reinstate the said member as a full, or probationary, member of the Commission.

16.1. The NGB of any Martial Art within the Commission may suspend any Organisation, pending an appeal to the Executive Committee.

16.2. If the Executive agrees to suspend or expel an Association on the request of a Commission NGB, they shall have the right of appeal to the membership as laid out in Section 15.7.

16.3. If the Executive votes to refuse to expel an Association, the Commission NGB of that Martial Art must accept and abide by the Executive's decision. The Commission NGB shall also have the right of appeal to the membership as laid out in Section 15.7.

17. "Actions liable to bring the Martial Arts into disrepute" shall be understood to include;

- a* Unfairly and purposefully hindering or interfering with the growth or development of another Commission Club or Organisation.
- b* Attempting to place unfair restrictions on the practise of a particular Martial Art to the detriment of another Commission Club or Organisation.
- c* Failing to report to the Commission conduct within the Martial Arts Community, and in particular within Commission Clubs or Organisations, that is illegal, or is detrimental to the successful development of Martial Arts.
- d* Wrongfully and publicly criticising another Commission Organisation, Club or member.
- e* Deliberately and quantifiably trying to undermine the good name and character of a Commission Club, Organisation or instructor.

18.1. Member Organisations will be expected to resign from any Body or Organisation that is deemed by the Executive Committee to have brought Martial Arts into disrepute.

18.2. Any such decision as referred to in section 18.1 would have to be ratified by the next AGM or a SGM called to discuss the matter, before such a resignation would be expected to take place.

Subscriptions:

In furtherance of the relevant sections of the Memorandum & Articles of Association of IMAC Martial Arts Ireland;

19.1. The annual subscription to be paid by each member Organisation (and any clubs fees) shall be decided by the Commission's AGM. Subscriptions shall be due for payment on the 1st of January each year.

19.2. Any organisation that has not fully paid the required membership fees prior to the 28th February of the year they are due, will cease to be a member of the Commission and shall only be entitled, on payment of those fees, to probationary membership for the rest of that year.

19.3. Any organisation that fails to pay their full membership fee during the current year will lose their membership rights and will have to reapply to join the Commission and undergo a minimum of one year's probationary membership on rejoining (may be extended at the discretion of the Executive Committee).

Structure of the Irish Martial Arts Commission.

Organisations, Associations, Federations & Clubs:

In furtherance of the relevant sections of the Memorandum & Articles of Association of IMAC Martial Arts Ireland;

20.1. The membership of the Commission shall consist of any Organisation, Association, Federation or individual Club, (hereafter referred to as Organisations) that applies to a Commission NGB to join and are accepted by the Commission Executive.

20.2. For an Organisation to qualify for new membership of the Commission it must have a minimum of either five registered clubs and/or 200 registered members. (This only applies to Organisations that apply to join after 2 December 2001).

20.3. All Organisations that are accepted into membership of the Commission shall organise themselves within the Martial Art to which they are registered or assigned by the Executive.

20.4. Any doubt as to what System a particular Organisation should belong, shall be referred to the Executive for a decision. The Executive's decision shall be final on this matter.

20.5. When applying to join the Commission, if an instructor's certificate refers to any System other than the Martial Art to which they are applying - then the applicant must apply to the System most closely associated to what is indicated on the certificate.

20.6. If the applicant instructor is no longer practising the Martial Art indicated on their certificate, he/she may apply to that System for written permission to apply to join the NGB representing the Martial Art that they are now practising.

20.7. It is the responsibility of each Commission NGB to ensure that this ruling is enforced in regard to any application made to join their Martial Art.

20.8. Any instructor, Black belt, Back Sash or Dan Grade moving from one System to another must, at least, drop back to pre Instructor / Dan Grade level (i.e. maximum of Brown Belt level) and, after a period of no less than two years, may undergo a full Dan grading / Instructor assessment under the normal syllabus and/or practise within that System.

20.9. Any transfers from one Martial Art to another below the level of Instructor, Black belt, Back Sash or Dan Grade must be defined as part of a written inter-System agreement.

20.10. Any decision made by any Commission NGB under Section 20 may be appealed to the Executive Committee and then, if the applicant is still not satisfied with the decision, to the next Commission AGM. The decision of the AGM is final in this regard.

Representative Structure of the Irish Martial Arts Commission

In furtherance of the relevant sections of the Memorandum & Articles of Association of IMAC Martial Arts Ireland;

Martial Arts:

21.1. Martial Arts, as listed in Section 4 form the basic unit of representation within the Commission.

21.2. A Commission recognised NGB will be created by;

- 1 The coming together of all the members clubs of the individual Martial Art under which they have registered with the Commission (including the associated Styles).

- Or -

- 2 The coming together of all the members clubs of two or more smaller Martial Arts (& associated Styles) under a temporary Transitional Grouping- until such time as they reach the required minimum membership quota. (See Section 20.2.)

21.3. The title adopted to identify any Transitional Grouping should honestly reflect the Martial Arts incorporated there under.

21.4. Each Commission NGB will submit a list of their Executive members, their contact information and their responsibilities within NGB.

21.5. Any System that fails to provide the Executive Committee, or any of the Commission Officers, with specific information requested by the Executive within a reasonable specified timeframe - shall lose their eligibility to funding or access to other support services or resources (unless an acceptable reason is presented to the Commission Executive) for a period of time to be determined by the Executive Committee.

21.6. Such a request (Section 21.5) will have been deemed to have been officially made when sent once, in writing, (followed by one further phone call or E Mail) to the relevant Officer or Executive Member of the NGB in question, or if it is requested and minuted once at an Executive Meeting.

22.1. The responsibilities of a Commission NGB shall include the following;

- To set in place fair and reasonable criteria (including fees) for entry into the System for which they are the Commission's NGB.
- To maintain accounts (not necessarily audited) of any financial business carried out on behalf of the Commission NGB.
- To operate in a democratic fashion at all times.
- To address any health & safety issues that arises within their system.

22.2. No member can sit on the NGB, or other Committee, or be involved in any decision-making role, within two different Martial Arts within Commission. (See also section 62)

22.3. Notwithstanding any specific funds a Commission NGB may decide to collect amongst their own members - the membership /entry fee to any System / Advisory Board / National Governing Body shall not exceed the current Annual membership fee to join the Commission.

23. The Commission Secretary will keep an up to date register of all Martial Arts and Transitional Groupings formed and sanctioned within the Commission.

24.1. The Martial Arts and Transitional Groupings formed and sanctioned by the Commission to date are listed in Section 4 of this Operational Framework.

24.2. The term Martial Art will be deemed to mean Martial Art and/or Transitional Groupings.

New Systems:

25.1. Any new Martial Art accepted into membership of the Commission shall be required to go through a minimum period of 3 year's probationary membership, without voting rights at Executive Meeting.

25.2. If, by the end of this period, the System has not put in place an NGB, a Constitution and any other appropriate requirements laid down by the Executive - the probationary period shall be extended at the discretion of the Executive.

26. Each Martial Art within a "Transitional Grouping" may set up an Advisory Board within their own Martial Art but such a body will not have full NGB status within the Commission until the required membership levels are reached.

27. All member Organisations of Commission NGBs must be fully paid up members of the Commission or members of a currently paid up Organisation within the Commission.

28. All registered Instructors of individual member Organisations shall be given the opportunity to participate in the election of their representatives onto the Commission NGB of their Art.

Advisory Boards / National Governing Bodies of Individual Systems:

29. Each paid up member Organisation within the Commission will elect (or appoint) two representatives to sit on the Commission NGB of their Art. The Commission NGB will then set up a representative structure that best suits and facilitates the needs of their Art.

30.1. The Commission NGB of each Martial Art will then represent, promote and monitor the needs of their membership. They will also deal with any Commission matters that are of particular interest to their Martial Art. The NGB of each Martial Art will be deemed to be the authority on the Martial Art they represent within the Commission.

30.2 The following bodies are recognised by the Commission as System Advisory Boards / NGBs - within the Commission's Operational Framework

Kung Fu Ireland (Formally Chinese Section)

Karate Ireland (formally Irish Karate Advisory Board)

Aikido Advisory Board

Kick-Boxing Ireland

Irish Muay Thai Council

TaeKwon-Do Advisory Board

This list will be amended from time to time by the Executive Committee or Annual General Meeting - in consideration of section 29 and 30.1 of this Operational Framework.

30.3 There can only be one recognised Advisory Board at any one time for each Martial Art represented by the Commission.

30.4 All Advisory Boards must submit to the Executive Committee a detailed criteria against which any membership applications to join the Advisory Board will be accessed and adjudicated upon.

30.5 Any Advisory Board considered by the Commission's Executive not to be carrying out its function can have its recognition withdrawn by a majority vote at a scheduled Executive Meeting.

30.6 A meeting may be called of all paid up member organisations under the remit of that Advisory Board - to set in place an alternative representative structure to be assigned Advisory Board status by the Commission.

30.7 Any such decision to withdraw recognition from an Advisory Board made by the IMAC Executive can be appealed to a full AGM or an EGM called for that purpose.

30.8 A majority vote at such an AGM / EGM will overturn the Executive decision.

30.9. Not-with standing section 30.7, any new Advisory Board recognised under section 30.6 shall maintain its Advisory Board status until a decision to the contrary is made under section 30.8.

System Representation on Executive Committee:

31.1. Each Commission NGB with over 200 members will elect two representatives to sit on the Commission Executive.

31.2. Each Commission NGB with between 100 and 200 members will elect one representative to sit on the Commission Executive.

31.3. Each Commission NGB with less than 100 members shall come together in a temporally alliance in a Transitional Grouping with one or more other small Advisory Boards to reach the minimum quota of 100 members. They shall then elect from amongst themselves one representative to sit on the Commission Executive.

32. Each Commission NGB will appoint a 'Shadow' representative for each of their Executive members, as Non Executive Officers, to assist in representation of the Martial Art within the Commission.

33. Representatives appointed under Section 31 can be replaced at any time if their Commission NGB feels it is in their best interest to do so.

34. A system does not have to avail of its right to be represented on the Executive - as long as its interests are represented by another nominated and participating System.

35. To avoid vote rigging or bloc accumulation of votes at Executive meetings, the voting rights of one system are not transferable to another system.

36.1. The size of an organisation shall be measured by its registered membership with the Commission during the previous year.

36.2. Membership shall mean all those who have paid the required association fee, and filled in the required membership forms, and trained at least five times during the previous calendar year (January 1st - December 31st).

36.3. The Executive Committee may request reasonable proof to support any Organisation's membership numbers.

37. Each Commission NGB must inform the Executive, in writing, of the appointment of their representatives and any subsequent changes in their representation.

38. Once a Commission NGB has been created, nominated or elected, within a Commission recognised Art, it will require two-thirds of the paid up Organisations within that System to change the Commission NGB.

39. Each Commission NGB shall appoint the following Officers to sit on the associated Commission's sub-committees: Anti-Doping Officer, Children's Officer, Coaching Officer, Health & Safety Officer, Referee Officer, Equality, Development Officer, PR Officer.

40. The Commission Executive shall appoint the Chairperson of any sub-committee set up under its authority.

41.1. In the absence of regular attendance at Commission sub-committees by appointed Officers from a Commission NGB such sub-committees will not be expected to represent the interests of that Martial Art in its decision making process.

41.2. Notwithstanding this, all members and Commission NGBs will be bound by the decisions made by such sub-committees.

41.3. Advisory Board Officers' attendance at a minimum of two annual meetings, called by the National Officer (with at least one months notice) is mandatory for any Advisory Board to maintain their NGB / Advisory Board status within IMAC.

This section applies primarily, but not solely, to the following Officers: Children's Officers, Coaching Officers, Anti-Doping Officers

41.4. The loss of NGB / Advisory Board Status on the basis of section 41.3 may be determined by the Executive Committee, and then ratified, or reversed, by the next Commission AGM / SGM on the basis of a report presented by the relevant National Officer to that meeting.

The Board of Directors / Executive Committee:

42.1 The business and affairs of the Commission shall be conducted under the management of the Board of Directors of IMAC Martial Arts Ireland which will be referred to as the Commission's 'Executive Committee'

42.2 Members appointed under Sections 31.1, 31.2 or 32.3 shall be required to become Directors of IMAC Martial Arts Ireland and will therefore be nominated as Directors at the next Board of Directors / Executive Committee meeting.

Posts:

43.1. The membership present and entitled to vote at AGM shall elect from amongst the membership the following positions, - President, Vice President, Chair, Vice Chair, General Secretary & Registrar, Public Relations Officer, National Coaching Officer and Treasurer.

43.2. The A.G.M. shall elect the following non-Executive Officers; Insurance Officer, Medical Officer, Children's Officer, Anti-Doping Officer, Development Officer, Public Relations Officer, Referees Office and Equality Officer - and any other positions that it deems necessary for the smooth running of the Commission. These Officers will be entitled to attend all Executive meetings in a non-voting capacity and, must do so, when requested by the Chairperson or by the Executive.

43.3. The Executive shall have the right to co-opt 2 members of the Commission onto the Executive, if it deemed appropriate to support the smooth and efficient running of the Commission.

44. No Executive Member shall have the power to enter into negotiation or contract on behalf of the Commission, unless specifically authorised to do so by a meeting of the Executive. (Minuted record of such a decision shall be deemed as evidence of authority.)

45.1. Membership of the Executive Committee of the Commission is incompatible with membership of any other non-government recognised body that seeks to displace the Commission's current position as a Government Recognised body for those Martial Arts by the Irish Sports Council.

45.2. The outgoing Secretary, Chair and Treasurer may sit on the Executive Committee ex-office for a period of one year following their stepping down from office.

46. Deadline for Nominations for Officer Posts.

All nominations for Officer Posts to be elected at AGM must be signed by the nominee and lodged with the Secretary at least 18 days prior to the AGM. In the absence of any person being nominated prior to the AGM, nominations may be accepted from the floor and voted upon.

47. Any Commission NGB not represented at at least 50% of Executive meetings may lose their voting rights at Executive meetings for a period of one year (or a lesser period agreed by the Executive Committee). The period shall commence from the time such a decision is made by the Executive Committee.

48.1. Any Commission NGB that fails to provide the Executive Committee, or any of the Commission Officers, with specific information requested by the Executive within the specified timeframe, may lose their eligibility to funding or other support services or resources (unless an acceptable reason is presented) for a period of time to be determined by the Executive Committee.

48.2. Such a request (48.1.) will have been deemed to have been officially made when sent once, in writing, (followed by one further phone call or E Mail) to the relevant Officer or Executive Member of the relevant Commission NGB, or Executive Member, or if it is requested and minuted at an Executive Meeting.

Administrator/Secretary:

49.1. The Executive Committee may decide that it needs to employ an Administrator and/or Secretary.

49.2. Any full time post must be filled by open, advertised, competition within the membership of the Commission. If such a competition fails to provide suitable candidates for the posts, the Executive may then consider applications from outside the membership of the Commission.

49.3. The Executive Committee shall define the job description of any such positions and ensure that any-one who secures such a position shall reflect the agenda and ethos of the Executive Committee at all times.

50. No Administrator/Secretary shall have the power to enter in negotiation or contract on behalf of the Commission, unless specifically authorised to do so, in writing, by the Executive Committee. (minuted record of such a decision shall be deemed as evidence of authority.)

Executive Committee and Sub-committees:

51.1. The Executive Committee shall have the right to appoint sub-committees as required and outline their brief and limitations as required.

51.2. (As stated in section 40) The Executive Committee shall have the power to nominate the Chairperson of such sub-committees

52.1. The Executive Committee may prepare byelaws for the proper control and management of the Commission, which shall then be submitted for ratification to a Commission AGM or SGM.

52.2. Alterations, deletions or additions to such byelaws may be made only at the following Annual General Meeting or at a Special General Meeting called for that purpose.

53. The Executive Committee shall meet at least once every two months.

54. The presence of 50% of those elected and entitled to vote, as Commission NGB Representatives will constitute a quorum at a meeting of the Executive Committee.

55. The Executive Committee shall administer the business affairs of the Commission and the property under its control in accordance with the aims and objective specified in the articles of memorandum & association and this Operational Framework and shall have all such administrative powers as may be necessary to properly carrying out those aims and objectives.

56. Each member of the Commission shall have the right to be heard by the Executive Committee upon any complaint sent by him/her in writing to the Secretary.

57. A special meeting of the Executive Committee may be called by the Secretary.

58. A special meeting of the Executive Committee must be called by the Secretary, or the Chairperson, on receipt of a requisition, duly signed by four members of the Executive Committee, or on behalf of two Commission NGBs. Such notice shall set out the purpose for which the Executive Meeting is required.

59. The Chairperson shall preside over all meetings of the Executive Committee. In his/her absence, the Vice-Chairperson shall preside. In the event of both their absences, the Committee shall elect another Executive member to Chair the meeting.

60. If any member of the Executive Committee is absent for three meetings in a row without apology, a request may be sent from the Executive to the Advisory Board / National Governing Body of the System they represent, asking that a replacement representative be elected forthwith.

61. The Executive Committee shall have the right to instruct a System to appoint a replacement Representative if the appointed Representative is not fulfilling their responsibilities as defined in the Commission rules and regulations.

62.1. To ensure the best possible representation for the membership; to pre-empt any conflict of interests arising; and to avoid any unfair burden being placed on any NGB Representative, a NGB may not put a member forward to the Executive if s/he plays an active or major role in the affairs of another system - as determined by the Executive Committee.

62.2. If such a dynamic arises, the Executive Committee may ask the Commission NGB in question to raise the issue with the representative, and, if necessary, replace the representative.

63. Should any member of the Executive Committee resign, or their position otherwise lapse, a request will be sent from the Executive to Commission NGB of the Martial Art they represented, asking that a replacement representative be elected or appointed forthwith.

Voting:

64. A Chairperson of a General Meeting, Executive, or any sub-committee of IMAC, in the event of a tie, has a casting vote- in addition to their own vote as a member.

65. An Elected representative of each paid-up Association shall be entitled to attend at any General Meeting or Special General Meeting or Annual General Meeting of the Commission and may cast one vote, per motion, (by secret ballot - if requested).

66. All registered members of each individual Association shall be given the right to participate in the election of their representatives onto the Advisory Board / National Governing Body of their particular System.

67. All elected representatives sitting on the Advisory Board / National Governing Body of each system shall have the right to participate in the election of their representatives onto the Executive Committee of the Commission.

Annual General Meetings & Special General Meetings:

In furtherance of the relevant sections of the Memorandum & Articles of Association of IMAC Martial Arts Ireland;

68. Not less than **twenty-one** days final notice of all Annual General Meetings and not less than **fourteen** days final notice of all Special General Meetings shall be given, in writing, from the Secretary, to all members of the Commission eligible to vote at such a meeting.

69. The Annual General meeting of the Commission shall be held on or before 31st December each year as arranged by the Executive Committee.

70. In the case of the Annual General Meeting, all motions and nominations must be in the hands of the Secretary not less than fourteen days before the date of the Annual General Meeting.

71. Any fully registered and paid up member may inspect all motions and nominations in the hands of the Secretary on request.

72. The following business shall be transacted at the Annual General Meeting.

- a Minutes of previous Annual General Meeting.
- b Annual report submitted by the Chairperson.
- c Financial statement by Treasurer.
- d Annual report from Advisory Board / National Governing Body of each System.

e General business.

73.1. A **Special General Meeting** of the Commission shall be called by the Secretary if directed to do so by the Executive Committee, or demanded in writing by not less than 20 registered Members, or the Commission NGB of two Martial Arts who, in their requisition, shall state the object of the meeting.

73.2. No other business shall be transacted at that Special General Meeting.

73.3. A minimum fee of €70 shall accompany the requisition from members wishing for such a Special General Meeting to be called. This fee shall be forfeited to the funds of the Commission if the agenda is considered to be frivolous by the majority of those present and voting.

74. The presence of one third of those Member Organisations entitled to vote shall constitute a quorum at an AGM or SGM of the Commission.

Assets and Trustees:

In furtherance of the relevant sections of the Memorandum & Articles of Association of IMAC Martial Arts Ireland;

75. The Commission shall have the power to acquire and hold, and to sell, lease, mortgage, or charge real and personal property. Real property shall not be transferred, sold, leased, conveyed, mortgaged or otherwise charged or dealt with without the consent of the Commission as set out in any declaration of trust.

Income & Property:

In furtherance of the relevant sections of the Memorandum & Articles of Association of IMAC Martial Arts Ireland;

76. The income and property of the association shall be applied solely towards the promotion of its main object(s) as set forth in this Operational Framework. No portion of the association's income and property 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 shall be appointed to any office of the association paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the association. However, nothing shall prevent any payment in good faith by the association of:

- a Reasonable and proper remuneration to any member of the association (not being an Officer) for any services rendered to the association;
- b Interest at rate not exceeding 5% per annum on money lent by Officers, or other members of the association, to the association;
- c Reasonable and proper rent for premises demised and let by any member of the association (including any Officer) to the association;
- d Reasonable and proper out-of-pocket expenses incurred by any Officer in connection with their attendance to any matter affecting the association;
- e Fees, remuneration or other benefits in money or money's worth to any company of which any officer may be a member holding not more than one hundredth part off the issued capital of such company.

77. The Executive Committee shall open a bank account/s on behalf of the Commission and all cheques drawn on the same account shall be signed by at least 2 Executive Officers and other requirements as agreed from time to time by the Executive Committee and the Company's Financial Procedures.

78. The private property of the Commission shall be vested in the current Chairperson, Treasurer and Secretary of the Commission who shall hold the same in trust for the Commission. The said Trustees shall invest the funds of the Commission in accordance with the directions of the Executive Committee, of which an acknowledged entry in the minutes book of the Commission shall be sufficient evidence.

Keeping of Accounts:

In furtherance of the relevant sections of the Memorandum & Articles of Association of IMAC Martial Arts Ireland;

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

80. Any registered and paid-up member of the Commission may examine these accounts on reasonable notice given, in writing, to the Treasurer or Secretary.

Operational Framework

In furtherance of the relevant sections of the Memorandum & Articles of Association of IMAC Martial Arts Ireland;

80.1. Alterations and additions to the Operational Framework of the Commission may be made at any Annual General Meeting or at a Special General Meeting of all Organisations individually registered as members of the Commission and called for the purpose.

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

81.3. A change in the Operational Framework shall require a minimum vote of two-thirds of the Organisations present and entitled to vote.

81.4. Motions to propose alteration or additions to the Operational Framework of the Commission shall be submitted, in writing to the Secretary, not later than 14 days before the Annual General Meeting.

81.5. Alternatively, twenty members, or the Commission NGBs of two Systems, may request of the Secretary that a Special General Meeting be called to vote on such proposals, (see section on Special General Meetings.)

Dissolution

In furtherance of the relevant sections of the Memorandum & Articles of Association of IMAC Martial Arts Ireland;

82. A motion to dissolve the Commission may only be made at an Annual General Meeting or a special General Meeting called for the purpose and shall, to succeed, require the approval of at least two-thirds of the Representatives of the Organisations present and entitled to vote.

Winding-up

In furtherance of the relevant sections of the Memorandum & Articles of Association of IMAC Martial Arts Ireland;

83. If upon the winding up or dissolution of the association there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the association. Instead, such property shall be given or transferred to some other institution or institutions having main objects similar to the main objects of the association. The institution or institutions to which the property is to be given or transferred shall prohibit the distribution of any of their income and property amongst its or their members to an extent at least as great as is imposed on the association under or by virtue of Clause 56.a. Members of the association shall select the relevant institution or institutions at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object.

Interpretation of the Commission's Operational Framework

Interpretation of Commission Operational Framework & Rules & Regulations:

84.1. Between Commission AGMs, the Commission's Board of Directors / Executive Committee shall be the sole authority for the interpretation of the Operational Framework, Rules, Byelaws and Regulations adopted by the Commission.

84.2. The decision of the Board of Directors / Executive Committee upon any question of interpretation or upon any matter affecting the Commission's Operation Framework, Rules and Bye laws and Regulations shall be final and binding on the members - subject to appeal to an AGM or SGM.

84.3. The Commission may provide an arbitration process to deal with any conflict that arises within the Commission.

84.4. The Commission recognise Just Sport as a suitable source of recourse and resolution for any conflict that arises within the Commission and where it has not been possible to resolve the matter within the Commission.

84.5. The Commission does not consider it appropriate, or in the best interests of Martial Arts, to appeal such matters to a court of law.

Anti-Doping Rules:

In furtherance of the relevant sections of the Memorandum & Articles of Association of IMAC Martial Arts Ireland;

85. The anti-doping rules of the Commission are the Irish Anti-Doping Rules as amended from time to time.

(see <http://www.irishsportsCouncil.ie/antidopepub.asp>).

Irish Martial Arts Commission

Complaints Procedure

Unless a complaint received concerns the immediate or on-going safety of a Young Person or an IMAC member - the IMAC should not be the first port of call in resolving local or Organisational disputes.

1. It is the policy of the Irish Martial Arts Commission that it will not intervene unless it has checked, and is satisfied, that every effort been made to deal with any complaint at Club level, at Organisational level and at Advisory Board level before undertaking the responsibility to initiate any Mediation process or Investigation.
2. Once the Commission has become involved in any Mediation Process or Investigation - the Commission's involvement will be suspended should solicitors become involved on behalf of any party.

If the IMAC Executive does, according to procedure, become engaged in responding to a complaint the following procedures shall be strictly adhered to

3. The Complainant will be asked to put the details of the complaint in writing and to forward this to the Secretary, or relevant Officer, of the Commission - without delay.
4. Strict confidentiality, in relation to both the complainant and the person / body complained about, shall be maintained at all times.
5. The Secretary shall immediately inform the Chairperson or President, if the Chair is not available (or if the complaint is against - or associated with - the Chair) one other member of the Executive, of the details of the complaint.
6. The matter shall be brought to the attention of the IMAC Executive at the next Executive meeting (or an emergency Executive Meeting called to deal with the issue raised) and,

f If the person complained about is a member of the Commission:

- The Executive will appoint a four person Committee, from the Executive Committee (including Shadow Executive members) and representing different Systems) to investigate the complaint. This Committee will report back to the Executive at its earliest convenience (no longer than three months from when the sub-committee is assigned the task).

g If the person complained about is not a member of the Commission:

- The details of the complaint, as they are then known and without further investigation will be forwarded by the IMAC Executive to the Irish Sports Council.

7. In exceptional circumstances, when the investigation of the complaint could lead to criminal proceedings, the Secretary and Chairperson, (or the two relevant officers) at their discretion and in the interests of safeguarding a thorough investigation, may decide to with-hold the identity of the complainant, or the person being

complained about, from the full Executive until such time as the Committee has reported back.

8. The Executive Committee will then, and only then, (operating on a two-thirds majority basis) on the basis of the Investigating Committee's report determine if the complaint is justified, whether or not it warrants disciplinary action and what action shall be taken.
9. The full membership of the Commission must be informed of any disciplinary action taken against any member at the next scheduled AGM - or an EGM called for that purpose.
10. The Executive, at their discretion and in exceptional circumstances, may withhold the identity of the complainant, or the person being complained about, from the full membership.
11. If any member is found to be misusing this Complaints Procedure by initiating a false complaint / allegation or exaggerating a valid complaint / allegation - such will be dealt with under the section of the Commission Operational Framework relating to 'bringing the Martial Arts into disrepute' (section 15.1).
12. The Commission considers the starting or perpetuating of rumours as reprehensible and, if proven, as grounds for initiating serious disciplinary action - as outlined in the Commission Operational Framework (section 15.1).
13. The Executive may appoint a committee to look into an anonymous complaint - with a view to determining whether or not there are sufficient grounds for the Commission Complaints Procedure to be initiated.
14. The Commission Executive may offer an arbitration process to deal with any conflict that arises within the Commission - so long as the option, at every level, have been exhausted. As outlined in Section 1 of this Complaints Procedures.
15. The Commission recognise organisations such as **Just Sport** as a suitable source of recourse and resolution for any conflict that arises within the Commission, or within Martial Arts organisations affiliated to IMAC, where it has not been possible to resolve the matter within the Commission.

Irish Martial Arts Commission

Policy Statement on Disability & Personal Limitation

1. The Commission affirms that, as a matter of policy, everyone, regardless of disability or personal limitation, should have fair and equal access to Martial Arts training (within realistic and appropriate personal boundaries) as long as their participation does not endanger their health or safety, or that of others (to be determined by a professional/ doctor if in doubt).
2. The Commission - whilst recognising that facilitating students with special needs often involves a greater allocation of personal attention, effort and resources - undertakes to begin to develop and encourage instructors to make Martial Arts participation accessible to all such students.
3. The Commission undertakes to hold an internal seminar on the subject of disability and personal limitation - (calling on the experiences of such students already training within the Martial Arts, those who have shared in their instruction and professionals outside the Martial Arts) - to explore and develop a mature overall policy and approach towards disability.
4. The Commission also undertakes to build up the necessary communication and advice for clubs training disabled or personally limited students.
5. Acknowledging that many clubs are already teaching students with disabilities and special needs, without access to the necessary facilities, resources or back-up - the Commission undertakes to investigate and access information and resources towards reinforcing these clubs and making even more Martial Arts clubs accessible to such students.

Definition of Probationary Membership:

1. A Probationary Member HAS the right to attend the meetings of the Advisory Board / National Governing Body of their Art.
2. A Probationary Member HAS the right to speak, but NOT the right to vote, at the meetings of the Advisory Board / National Governing Body of their Art.
3. A Probationary Member CANNOT vote during the election of the System Executive Representatives.
4. A Probationary Member MAY be nominated, by full members of the System Advisory Board / National Governing Body, to sit on the Executive as the System Representative.
5. A Probationary Member CANNOT, in their own right, initiate a proposal at an AGM or SGM.
6. A Probationary Member CAN, if nominated to do so on behalf of the Advisory Board / National Governing Body of their System, initiate a proposal at an AGM or SGM.
7. A Probationary Member CANNOT vote at an AGM or SGM
8. Any new System created or acknowledged by the Irish Martial Arts Commission must also under-go a period of Probationary membership.
9. During this period, two System Representatives MAY attend and speak at Executive meetings, but will NOT have the right to vote.
10. When a current member of Commission decides to move from one system to another, it will be the prerogative of the System they are joining to impose a probationary period, to a maximum of one year.

N.B. This does not affect the right of any System to object to an Organisation, current or otherwise, joining that System.

2011 AGM - Passed Unanimously: