



The European Law Students' Association
IRELAND

Statutes & Standing Orders

In force at the end of the XV National Council Meeting of ELSA Ireland,
held at Trinity College Dublin on
11-13 November 2016

Authenticated by

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Secretary-General
ELSA Ireland
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Preamble

WHEREAS the European Law Students' Association (ELSA) is an independent, non-political and non-profit making international organisation of law students and young lawyers which was founded on 4th May 1981 in Vienna, Austria;

RECALLING that the aims of ELSA are to develop professional and student relations of an international character in the field of law, to prepare its members for professional life in an international environment, to contribute to the exchange of scholarly experience and to stimulate mutual understanding and friendship on the principle of equality of all its members;

CONSCIOUS that continually expanding international relations in the fields of trade and industry, legislation and state administration make growing demands on all professionals, especially lawyers;

REALISING that the European legal professions not only have to recognise the importance of growing international co-operation, but also have to prepare themselves for the demands created by this development;

CONVINCED that in order to satisfy all these demands and to broaden and improve the international aspect of education, practice and exchange, the existence of an international organisation of law students and young lawyers is recommended;

EXPRESSING that within this competence, the supreme aims of ELSA are to encourage and facilitate direct contacts and co-operation, individually and collectively, whether informally or officially, between persons from different states involved in the field of law and to promote the usefulness of foreign legal experience by expanding the knowledge and understanding of the different concepts and solutions to legal questions developed in the member states;

REAFFIRMING, moreover, that ELSA hopes to encourage initial understanding and peaceful co-operation between member states in the spirit of the final act of the OSCE Conference concluded in Helsinki;

THEREFORE the following statutes and standing orders are adopted by ELSA Ireland in order to further these above-mentioned principles and aims, in the spirit of the Statutes and Standing Orders of ELSA.

Scope of Association

Section I – Name

Article 1

This association shall be known as the European Law Students' Association – Ireland, and shall be abbreviated to ELSA Ireland.

Section II – Official Seat

Article 2

The official address of ELSA Ireland is: ELSA Ireland C/O Room 302, New House, Department of Law, Room 14, Rye Hall Extension, School of Business, Maynooth University, Maynooth, Co. Kildare, Ireland.

Section III – Aims & Activities

Article 3

ELSA Ireland, in accordance with ELSA International, is a non-political, independent, non-profit making association the aims of which are to promote, establish and develop mutual understanding, co-operation and personal contacts between law students and young lawyers from different states and legal systems, thereby equipping them for professional life in an international environment.

Article 3.1

With respect to the realisation of the abovementioned aims, ELSA Ireland, in accordance with ELSA International, will be guided by the following philosophy statement:

Vision

A just world in which there is respect for human dignity and cultural diversity.

Purpose

To contribute to legal education, to foster mutual understanding, and to promote social responsibility of law students and young lawyers.

Means

To provide opportunities for law students and young lawyers to learn about cultures and legal systems in a spirit of critical dialogue and scientific cooperation.

To assist law students and young lawyers to be internationally minded and professionally skilled.

To encourage law students and young lawyers to act for the good of society.

Article 3.2

ELSA Ireland shall endeavour to achieve the aims laid down in the Preamble and Statutes of ELSA International by participating in any field that shall promote those aims. Moreover, the main fields of activity shall be the following, without any priority in order:

The Student Trainee Exchange Programme (STEP), providing opportunities for law students and young lawyers to gain work experience in a foreign legal system while learning about other cultures.

Seminars and Conferences (S&C), involving the acquisition of knowledge through exposure to professionals and foreign cultures.

Academic Activities (AA), involving the development of legal knowledge through guided practical activities.

Structure of Organisation

Section IV – Organisation

Article 4

To achieve the said aims and activities ELSA Ireland is organised on two levels: local and national.

On a local level, ELSA Ireland is organised in Local Groups, in conformity with the legal order permitted by Irish law and subscribing themselves to the aims and activities of ELSA. Local Groups are bound to respect any decisions taken in accordance with these Statutes.

On a national level, ELSA Ireland is organised in a National Group. The National Group shall represent ELSA nationally and represent Local Groups in the international network.

Section V – Organs of ELSA Ireland

Article 5

There are established as the principle organs of ELSA Ireland:

- (i) The National Council Meeting
- (ii) The National Board

The National Council Meeting

Section VI – The National Council Meeting

Article 6

The National Council Meeting is the supreme decision making organ of ELSA Ireland, the decisions of which are binding on the National Board and on the ELSA Ireland network as defined in Article 4 of these Statutes.

The Council shall decide on any questions or matters within the scope of the present Statutes & Standing Orders and the Decision Book except for those assigned to other organs by these same Statutes & Standing Orders.

A Council decision can only be overturned by a subsequent Council decision.

Article 6.1

The National Council Meeting in ordinary session shall convene twice a year, in spring and autumn, on the dates established by the National Board.

Article 6.2

The Spring National Council Meeting's main tasks are to:

- (i) discuss and decide about any questions or matters within the scope of the present Statutes & Standing Orders;
- (ii) review and approve the interim Activity Reports of the National Board members presented at that Council Meeting;
- (iii) approve the interim accounts presented by the Treasurer;

ELSA Ireland Statutes & Standing Orders

- (iv) review and re-approve the budget that was approved in the Autumn National Council Meeting;
- (v) elect the National Board members for the following term of office;
- (vi) appoint auditors for the purposes of Article 30 of these Statutes.

Article 6.2.1

The Autumn National Council Meeting's main tasks are to:

- (i) discuss and decide about any questions or matters within the scope of the present Statutes & Standing Orders;
- (ii) review and approve the annual Activity Reports of the National Board members presented at that National Council Meeting;
- (iii) approve the accounts and the auditor's report and relieve the outgoing National Board from their responsibilities;
- (iv) review and approve the budget presented by the Treasurer;
- (v) elect National Board members to vacant posts on the Board in accordance with the provision of Article 21 of these Statutes;
- (vi) discuss and approve the One-Year Operational Plan (OYOP) presented by the board-elect.

Article 6.3 – Summoning of the National Council Meeting

The National Board shall inform all members of ELSA Ireland that a National Council Meeting is to be held, by forwarding an agenda (by post or by electronic mail) of such meeting by not later than seven (7) running days prior to the established date.

It is provided that, together with the agenda of the National Council Meeting, there shall also be included a call for nominations for the elections to be held during that National Council Meeting.

Article 6.4 – Quorum

A National Council Meeting is only fully competent when it has been summoned in accordance with these Statutes and a quorum is reached whereby at least one-third of all members of ELSA Ireland are present.

It is provided that, where the number of members specified above is not reached, the

Council shall be fully competent within half an hour (30 minutes) of the appointed time.

Article 6.5 – Attendance Rights

All those who are members of Members or Observers of ELSA Ireland, in accordance with these Statutes, have the right to attend National Council Meetings, but only Members may vote at such Meetings.

All those possessing the right to attend National Council Meetings shall have the right of audience.

The National Board shall have the right to invite certain guests to attend the National Council Meetings.

Article 6.6 – Voting Rights

The National Board, the Activity Reports of which are being reviewed for approval, shall not be permitted to participate in any vote that is to be taken regarding such reports during the National Council Meetings.

Except in the cases where the contrary is indicated by these Statutes, decisions by the Council shall be determined by a majority of the votes cast.

Article 6.7 – Tied Vote

In the event of a tied vote, a simple majority of those National Board Members present at the National Council Meeting may cast one single vote. Where such vote relates to a National Board Member present at the National Council Meeting, he/she must abstain from voting. In the event of a tie within the National Board, the President shall have the casting vote.

Article 6.8 – Extraordinary National Council Meetings

There may also be Extraordinary National Council Meetings if requested by the National Board or by at least one-third of all members communicating such a need to the National Board, which will then be bound to convene an Extraordinary National Council Meeting within sixteen (16) days of such decision or request, in accordance with the procedures laid down for a Council Meeting, in Article 6.3 of these Statutes.

The National Board

Section VII – The National Board of ELSA Ireland

Article 7 – Role of the National Board

The National Board is to be the supreme executive body of ELSA Ireland, the tasks of which are to carry out the decisions of the Council Meeting, to promote the aims and efficiency of ELSA Ireland, to represent ELSA Ireland, and to ensure that all is run in accordance with these Statutes & Standing Order and with the guidelines and policies of ELSA International.

The National Board shall be accountable to the National Council Meeting for its actions and decisions.

Article 8 – Composition of the National Board

The National Board shall consist of the following positions:

The President

The Secretary General

The Treasurer

The Vice-President for Marketing

The Vice-President for Academic Activities

The Vice-President for Moot Court Competitions

The Vice-President for Seminars and Conferences

The Vice-President for the Student Trainee Exchange Programme

Article 9 – Rights to Sign Agreements

The President of the National Board or any other person nominated to that effect by the National Board, has the right to sign agreements on behalf of ELSA Ireland, where it has been agreed by the National Board that such agreement should be entered into.

The changeover of responsibilities, as well as the changeover of the ability to sign agreements on behalf of ELSA Ireland, shall take place on 1st August of each year as far as this is practicable. This changeover should take place in writing, signed by the members of the incumbent Board as well as the board-elect, and shall be kept on file by the Secretary General of the board-elect. Thereafter, the incumbent Board members are no longer considered to be officers of the Board of ELSA Ireland and the board-elect shall be deemed to be the sole and only Board of ELSA Ireland.

Article 10 – Appointment of Directors and Organising Committees

The National Board may appoint any person to carry out a specific task and will be

accountable to the National Council Meeting for the activities of this person.

The National Board may empower one of the Board Members to form an Organising Committee for the carrying out of a particular task; that Board Member shall possess discretion in the composition of that Organising Committee and the National Board will be accountable to the National Council Meeting for the activities of this Organising Committee.

Members & Observers

Section VIII – Observers

Article 11

An Initiator Group is a group present at a law faculty, or law students and young lawyers, that has formed within a third level institution in Ireland.

An initiator group, which supports the aims and activities of ELSA, may become an Observer of ELSA Ireland provided the following requirements are met:

- (i) in the University or institution of the initiator group that is applying for Observership there is no existing Member or Observer; and
- (ii) a written application for Observership is submitted to the National Board in which the local organisation states that it supports the aims and activities of ELSA; and
- (iii) the local organisation submits its Statutes & Standing Orders or Constitution to the National Board and these documents are compatible with those of ELSA; and
- (iv) the application for Observership is approved at a National Council Meeting with a two thirds majority.

An initiator group must submit an application for Observership to the National Board not less than the required amount of days, set by the National Board and found in Article 21 of the Standing Orders, prior to the National Council Meeting.

Section IX – Members

Article 12

Membership of ELSA Ireland is open to Observers of ELSA Ireland that have proved to support and work for the aims and activities of ELSA providing the following conditions are met:

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- (i) the Observer can apply for Membership no earlier than at the second National Council Meeting immediately following the Council Meeting where the status of Observership was attained; and
- (ii) a written application for Membership is submitted to the National Board in which the Observer states the methods and means by which it has been supporting the aims and activities of ELSA thus far; and
- (iii) the Observer submits its Statutes & Standing Orders or Constitution to the National Board and these documents are compatible with those of ELSA; and
- (iv) the application for Membership is approved by the National Council Meeting with a two thirds majority.

An Observer group must submit an application for Membership to the National Board not less than the required amount of days, set by the National Board and found in Article 21 of the Standing Orders, prior to the National Council Meeting.

Section X – Demotion

Article 13

Members of ELSA Ireland can be demoted to Observers of ELSA Ireland with a two-thirds majority vote by the National Council Meeting if that Member has either:

- (i) not paid any of the fees or amounts due to ELSA Ireland for two (2) consecutive National Council Meetings;
- (ii) not attended two (2) consecutive National Council Meetings; or
- (iii) ceased to support the aims and core activities of ELSA.

Section XI – Termination

Article 14

Membership or Observership immediately ends if:

- (i) an Observer did not apply for Membership or was rejected as Member for four (4) consecutive National Council Meetings following the National Council Meeting at which the Observer can first apply for Membership;
- (ii) a Member or Observer notifies the National Board in writing that it wishes to terminate its Membership or Observership;
- (iii) a Member or Observer is expelled in accordance with Article 15 of these Statutes.

Section XII – Expulsion

Article 15

A Member or Observer can be expelled from ELSA Ireland on a two-thirds majority vote by the Council if that Member or Observer has either:

- (i) violated these Statutes, the Standing Orders, decisions taken by National Council Meeting or the interests of ELSA; or
- (ii) not paid any fees or amounts due to ELSA Ireland referred to in Article 16 for four (4) consecutive National Council Meetings; or
- (iii) caused considerable harm to ELSA Ireland, any of its Members or Observers or anyone within their responsibility; or
- (iv) ceased to support the aims and activities of ELSA Ireland or to otherwise satisfy the requirements of Article 2 and 3 above; or
- (v) ceased to take appropriate measures in case anyone within the Member's or Observer's responsibility violates point (i), (iii), and (iv) above.

Section XIII – Fees for Observers & Members

Article 16

Observers and Members must pay fees, to be decided at the Autumn National Council Meeting, annually to ELSA Ireland.

These fees must be paid no later than one (1) month after the Treasurer sends out an invoice for fees.

The Treasurer must send out an invoice for fees no later than seven (7) days after the Autumn National Council Meeting.

Section XIV – Membership

Article 17

Members of ELSA Ireland shall constitute such Local Groups as have been successful in obtaining Membership of ELSA Ireland in accordance with these Statutes & Standing Orders.

Article 17.1

Each Member of ELSA Ireland, as outlined in Article 12 of these Statutes, will exercise three (3) votes in respect of any matter under these Statutes & Standing Orders calling for a vote, irrespective of the number of delegates or representatives attending the Council Meeting.

In the event of a tie in a vote on any matter concerning these Statutes & Standing Orders or the Decision Book, the Observer groups present at the Council Meeting shall cast the deciding vote.

The voting rights of a Member are suspended if that Member has not fulfilled its financial obligations towards ELSA Ireland.

Article 17.2

It is provided that no memberships shall be issued or renewed at any moment following the commencement of a National Council Meeting, and until it is brought to a close.

Article 18 – Honorary Membership

An invitation of honorary membership may be extended to a person so proposed if:

- (i) the proposal is submitted by any member of ELSA Ireland; and
- (ii) the proposal is passed by the National Council Meeting by way of vote; which
- (iii) is of not less than two-thirds majority.

The Electoral Process

Section XV – The Electoral Process

Article 19.1

To be eligible for a position on the National Board a person must be nominated and seconded in accordance with Article 11 of the Standing Orders of ELSA Ireland on a Nomination Sheet.

Article 19.2

In order to be eligible to run for the position of President of ELSA Ireland, a candidate must have served at least one full term as part of the National Team of ELSA Ireland in another position or as President.

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In the event that no such candidate chooses to run for the position of President of ELSA Ireland, this eligibility requirement can be waived. In such cases, nominations for President will be re-opened at the beginning of the National Council Meeting.

Article 19.3

Each candidate has the right to contest up to two positions on the ELSA Ireland National Board.

Article 20

Nominations of candidates contesting elections for the positions on the National Board, as stipulated in Article 22 of these Statutes, shall be submitted to the Secretary General of ELSA Ireland.

It is provided that if the Secretary General intends to contest elections, the National Board shall appoint any other person to receive such nominations, so long as such person is not contesting the elections.

Nominations will be received at any time between notification of the National Council Meeting according to Article 12 of the Statutes and 24 hours prior to the appointed time for this National Council Meeting.

Article 21

The elections will be held during the Spring National Council Meeting and will start with the reading out of all nominations by the Chairman of the National Council Meeting.

It is provided that if at the time of the Autumn National Council Meeting, a position on the National Board shall be vacant, an election may take place for the purpose of filling the vacant position, and in accordance with the statutory provisions regulating the election of the members of the National Board.

Article 22 – Voting Process

Each candidate shall be given time for a short presentation to the Council regarding the position(s) that such candidate is contesting. After each presentation, the Council shall be given opportunity to question the candidate.

Once all the presentations have been made, the Council shall proceed to vote on the various positions. The votes must be cast by way of secret ballot on ballot sheets purposely prepared by the Secretary General of ELSA Ireland.

One ballot sheet including all the positions on the board and the names of each candidate contesting these positions shall be handed over to each Member present and voting at the Spring National Council Meeting. Members shall then vote by indicating the candidate of

their preference for each respective position on the ballot sheet.

It is provided that, if a candidate is contesting more than one position, such person may only be indicated once on the ballot sheet. In default, the vote will be considered invalid.

A person will be elected to the National Board if he/she obtains a majority of the votes cast, subject to the procedure laid out in Article 17.1 of these Statutes.

Section XVI – Positions on the National Board

Article 23 – Vacancies Following Election

If a position on the National Board remains vacant after regular elections, the other newly elected National Board members will be jointly responsible for the activities of the vacant National Board position until the next National Council Meeting, whereupon an election for the position in question shall be held. Such election will last until the end of the current term of the National Board.

This does not, however, affect the right of the National Board to appoint a person to perform the said duties.

Article 24 – Resignation from National Board

If a National Board Member resigns from his or her place on the National Board, the vacated position shall remain vacant until the next elections and it will be the responsibility of the other National Board Members to perform the duties pertaining to the vacant position.

This does not, however, affect the right of the National Board to appoint a person to perform the said duties, as provided for under Article 10 of these Statutes.

Article 25 – Dismissal from the National Board

A National Board Member may be dismissed by a National Council Meeting by a majority of two-thirds of the votes cast, if either:

- (i) that Board Member does not satisfactorily perform his/her tasks; or
- (ii) that Board Member violates these Statutes, the Standing Orders or the interests of ELSA Ireland;
- (iii) that Board Member acts in any way that is detrimental to the name and image of ELSA as an international organisation.

Finance

Section XVII – Source of Funding

Article 26

The costs of running the activities of ELSA Ireland are to be funded by annual membership fees, sales and advertisements, any levies approved by the National and International Council Meetings, fund-raising from private and public bodies and organisations, public subsidies and donations, whether in cash or in kind, provided, however, that such funds must not be accepted if they are tied to conditions contrary to the aims and principles of ELSA and ELSA Ireland or if they are not in the interests of ELSA and ELSA Ireland.

Article 27 – Annual Membership Fee

Each Member of ELSA Ireland is obliged to pay an annual membership fee, established by the National Council Meeting and laid out in the Decision Book, valid from 1st November to 31st October.

Article 28 – Management of Funds

All funds raised for the benefit of, or payable to, ELSA Ireland, shall be managed by the Treasurer.

Without prejudice to the foregoing section, the Secretary General of ELSA Ireland shall be responsible for the administration of memberships, and together with the Treasurer, shall be jointly responsible for the collection of membership fees.

Article 29 – The Financial Year

The financial year of ELSA Ireland shall be from the 1st September to the 31st August.

Section XVIII – Account Management

Article 30 – Presentation of Accounts

Interim accounts are to be presented by the Treasurer to the Spring National Council Meeting.

Final accounts are to be presented by the Treasurer at the Autumn National Council Meeting and are to have been approved by the Auditor who is to have been appointed by the Spring National Council Meeting.

Article 31 – Presentation of Budget

The Treasurer of ELSA Ireland is to submit a budget for the following financial year to the Autumn National Council Meeting after having worked on it with the Treasurer of the board-elect.

The Autumn National Council Meeting is to decide upon this budget, which is to be revised in the following Spring National Council Meeting.

Section XIX – Bank Account

Article 32 – Bank Account Signatories

The bank account of ELSA Ireland is to have as signatories:

- (i) the President,
- (ii) the Secretary General, and
- (iii) the Treasurer.

In the event that a signatory on the account is unable to fulfil their duties as a signatory, the National Board has the right to appoint an alternative person from within the Board to take over this responsibility until such time as the correct board member can resume their duties.

Article 33 – Changeover of Signatories

Following the election of a National Board-elect at the Spring National Council Meeting, the changeover of signatories on the account is to be completed no later than 1st August following that Council Meeting.

The incumbent office-holders will be personally liable for any costs associated with a changeover of account after the expiration period.

Article 34 – Account Status

ELSA Ireland may hold only a checking account; it may neither have an overdraft facility nor a credit facility with any financial institution.

Article 35 – European Development Foundation

Local Groups and Observers Groups must submit European Development Foundation Funding applications to the National Board Treasurer, or to persons designated by the National Board Treasurer, 3 days before the deadline of the European Development Foundation Cycle the Local Group or Observer Group are applying within.

Failure to do so may result in an application not being processed by the National Board

Treasurer or persons designated by the National Board Treasurer.

Statutes & Standing Orders

Section XX – Standing Orders

Article 35.1

The National Council Meeting will further regulate the internal affairs of ELSA Ireland in its Standing Orders. In the event of any conflict, the Statutes are to take precedence over the Standing Orders.

Article 35.2

The Decision Book is an official record of all decisions currently in force taken by the Council. When taking new decisions Council must state which decisions are put out of force or amended. The updated Decision Book shall be made available to the Network no later than 60 days after the Council Meeting.

Section XXI – Amendment of Statutes & Standing Orders

Article 36

Any proposed amendment or addition to these Statutes or Standing Orders or to the Decision Book is to be sent to the National Board at least three (3) running days before the National Council Meeting.

Article 37

Any amendments or additions to these Statutes & Standing Orders may be made if supported by two-thirds of the members present and voting; with the exception of Article 7 and Article 10 of the Standing Orders which require a four-fifths majority of members present and voting in order to be amended.

Article 38

Any amendments to these Statutes & Standing Orders or to the Decision Book come into force at the end of the National Council Meeting during which they were accepted, unless the National Council Meeting decides otherwise.

Dissolution & Liquidation

Section XXII – Dissolution & Liquidation

Article 39 – Dissolution

ELSA Ireland may be dissolved by way of a unanimous decision of the National Council Meeting.

In order to be valid, a decision by the National Council Meeting to dissolve ELSA must be preceded by a proposal to that effect on the Council Meeting agenda.

It is provided that such dissolution and liquidation is communicated to the International Board of ELSA in due course; in this manner, ELSA Ireland will withdraw its membership from ELSA.

Article 40 – Liquidation

The National Council Meeting, upon a decision to dissolve ELSA Ireland, shall elect two liquidators and shall decide about the destination of the net assets and property of ELSA Ireland, if any.

Article 41

The liquidators appointed by the National Council Meeting as specified in the Statutes, shall make an inventory of all assets, property, debtors and creditors of ELSA Ireland, claim outstanding debts and pay debts due, they shall thereafter divide the net assets and property according to the directions given by the National Council Meeting.

Standing Orders

In order to clarify and explain the Statutes of ELSA Ireland, the members thereof agree to adopt the following Standing Orders:

The National Council Meeting

Section I – The National Council Meeting

Article 1

A National Council Meeting is opened by the President of ELSA Ireland, or any other person authorised by him/her to do so.

Article 2 – Appointment of Officers

After the opening of the National Council Meeting, the following officers are appointed:

- (i) Chairperson
- (ii) Secretary
- (iii) Two tellers

Article 3 – Roles of Officers

The role of the Chairperson of the National Council Meeting is to ensure that the National Council Meeting agenda is respected and adhered to, to invite persons to address the National Council Meeting, to decide when to put proposals to a vote, to supervise the voting process, to announce the result of the voting process, to bring the meeting to order and to resolve any question concerning the procedure of the National Council Meeting;

It is provided that he/she shall also possess, where it is necessary for him/her to fulfil the above-mentioned duties, the power to expel anybody from the National Council Meeting.

The role of the tellers of the National Council Meeting shall be to verify the number of members present and voting at any time during such meeting, to count the number of votes cast, to compare the results of the counting process and inform the Chairman of the result.

Article 4 – Adoption of Agenda

After the appointment of the officers of the National Council Meeting, the agenda as proposed by the national Board, shall be accepted and adopted, although it may, where necessary, be amended by a majority vote.

Where the National Council Meeting deems fit, by a simple majority, any reports or minutes may be taken as read.

Article 5 – Voting Procedure in Relation to Statutes & Standing Orders

The voting procedure for any proposals, motions, amendments or additions to the Statutes & Standing Orders or to the Decision Book shall be as follows:

- (i) the Chairperson shall ask for any arguments in favour or against the proposal, motion, amendment or addition to be presented, as well as any proposed amendments thereto; following a list of speakers, he/she shall possess discretion whether or not to call for speakers subsequently;
- (ii) if any amendments thereto are proposed, the Chairperson shall ask the Council to vote on the amendments. The Chairperson shall ask for votes in favour, against and abstentions, and will announce the result of the vote;
- (iii) the original proposal, motion, amendment or addition and any amendment thereto, which has been accepted, will then be proposed to the Council for voting, the same process as above being adopted.
- (iv) if there are two or more proposals, amendments, motions, or additions, regarding the same issue and none of them obtains an absolute majority in the first vote, the Chairperson may ask for a new vote on the two proposals, amendments, motions or additions that obtained the highest number of votes.

Any member present and voting at the National Council Meeting may request that a secret vote be taken. In all other cases, voting in the National Council Meeting will be carried out by a show of hands.

Article 6

No member of ELSA Ireland shall be permitted to enter or leave the National Council Meeting whilst any matter that is to be put to a vote is being discussed and during the vote thereon.

Article 7 – Effect of Council Decisions

Council decisions, including amendments to the Statutes & Standing Orders and to the Decision Book, come into force at the end of the National Council Meeting during which they were made, unless the National Council Meeting decides, by a four-fifths majority of members present and voting, to the contrary.

Article 8 – Working Materials

All reports by National Board members, as well as copies of these Statutes & Standing Orders, the Decision Book, and minutes of the previous National Council Meeting, are to be made available to all members during the National Council Meeting.

National Council Meeting Working Materials, which must be read at the beginning of every National Council Meeting, are to include:

- (i) National Board members' reports;
- (ii) any other report submitted to the National Council Meeting;
- (iii) all proposals, motions, amendments and additions submitted to the National Council Meeting together with the results of the voting process;
- (iv) any other documents deemed to be necessary by the Secretary General.

It is provided that in the Autumn National Council Meeting the minutes shall also include the Auditor's Report.

Article 9 – National Council Meeting Minutes

The National Council Meeting minutes are to be drawn up by the Secretary General in conjunction with the Secretary appointed by the National Council Meeting.

It is not permitted that the Secretary General be appointed Secretary of the National Council Meeting.

Article 10 – Extraordinary National Council Meeting

Where it appears necessary for the efficient running of ELSA Ireland, the National Board shall call an Extraordinary National Council Meeting for the purposes of the stipulations mentioned hereunder, and if this necessity arises during a National Council Meeting, that National Council Meeting itself shall, by a majority of four-fifths of the members present and voting, be able to suspend these Statutes & Standing Orders for a specific period of time established by the National Council Meeting, in order to enable proceedings. Such a vote shall be called for at the discretion of the Chairperson.

The National Board

Section II – The National Board

Article 11 – Status of National Board Contestants

A person contesting for a position on the National Board must be nominated and seconded by any paid-up members of a Member or Observer of ELSA Ireland.

Such person contesting must have been a paid-up member of a Member or Observer of ELSA Ireland for a period of two months prior to the date of the nominations.

Article 12 – Non-Political Affiliation of Board Members

No person who holds an executive position on a board or committee of a political movement will be permitted to hold a position on the National Board of ELSA Ireland.

Article 13 – The President of ELSA Ireland

The President is in charge of the overall co-ordination of ELSA Ireland work, planning and direction of the work of the National Council Meeting and the National Board.

The President is the Chairperson of the National Board.

The President has the supreme right to represent ELSA Ireland. In default of this, the remaining Board Members will themselves appoint an acting President.

Where the President is to be temporarily unable to fulfil the functions of his/her office, he shall appoint another Board Member to fulfil these duties.

Article 14 – The Secretary General of ELSA Ireland

The Secretary General shall act as the Secretary of the National Board meetings.

The Secretary General is *inter alia* in charge of the Internal Management of ELSA Ireland, responsible for human resources and responsible for ensuring ELSA Ireland is fully compliant with these Statutes & Standing Orders.

Article 15 – The Treasurer of ELSA Ireland

The Treasurer is in charge of the finances of ELSA Ireland, being responsible for book-keeping, preparation of the accounts, property, payments and fund-raising, as is specified elsewhere in these Statutes & Standing Orders.

The Treasurer shall be responsible for billing and collecting the annual membership fees together with any other amounts due to ELSA Ireland.

Article 16 – Other Officers of the National Board

The other officers serving on the National Board are responsible for the overall planning, co-ordination and supervision of their fields of activity; they are responsible for the propagation and execution of the specific programmes and projects that the Council Meeting initiated within their field of activity.

Article 17 – Transition

The incumbent National Board and the National Board elect shall attend and participate in a Transition Weekend, which will take place in the July immediately following the Spring National Council Meeting. The exact date of the Transition Weekend will be agreed upon at the Spring National Council Meeting.

During the Transition Weekend, the National Board elect will be taught the ELSA work on the national level, such as NCM preparations, day-to-day running of the association, and responsibilities of the members of the National Board. Transition will also include social and team building events.

Attendance at the Transition Weekend shall be mandatory for all incumbent and elected National Board Members.

Article 18 – Attendance at International Meetings

Each elected ELSA Ireland Board Member shall attend at least one international meeting (i.e. International Council Meeting, Key Area Meeting, Supporting Area Meeting or International Presidents' Meeting) during the term for which they have been elected.

Article 19 – Appointment of Directors

When appointing a person in terms of Article 10 of the Statutes of ELSA Ireland, the Secretary General, in the name of the National Board shall deliver a letter to the appointee, which letter shall contain the following:

- (i) The name and surname of the appointee;
- (ii) The title of the post;
- (iii) A description of the tasks assigned;
- (iv) The term of duration of the office, whether it be in terms of time, or in terms of completion of the tasks assigned;
- (v) The name of the National Board member responsible for the appointee; the accountability of the National Board towards the National Council Meeting remaining unaffected.

Upon termination of office, appointees shall present the National Board with a written report of their performance.

Article 20 – Appointment of Organising Committee

When appointing an Organising Committee in terms of Article 10 of the Statutes of ELSA Ireland, the relevant Board Member shall present the National Board with a list of names and surnames of all the persons constituting this Organising Committee, together with a general description of the tasks assigned.

The relevant Board Member, in the name of the National Board, shall deliver a letter to the appointees, which letter shall contain the following:

- (i) the name and surname of the appointee;
- (ii) the title of the post;
- (iii) a description of the tasks assigned;
- (iv) the term of duration of the office, whether it be in terms of time, or in terms of completion of the tasks assigned;
- (v) the name of the Board Member responsible for the appointee; the accountability of the National Board towards the National Council Meeting remaining unaffected.

Upon termination of office, appointees shall present the National Board with a written report of their performance.

Members and Observers

Section III – Organisation

Article 21

Any application for Membership or Observership as referred to in Articles 11 and 12 of the Statutes must be submitted to the National Board at least seven (7) days prior to the opening of a National Council Meeting.

Article 22 – Observership Application Documents

An application for Observership must include the documents referred to in Article 11 (ii) and Article 11 (iii) of the Statutes.

The written application referred in Article 11 (ii) of the Statutes must include:

- (i) a declaration by means of which the applicant group expresses its commitment to the aims and activities of ELSA and its will to become an Observer;
- (ii) a report stating by whom the state of the organisation that is applying for Observership is recognised.

Article 23 – Membership Application Documents

An application for Membership must include the documents referred to in Article 12 (ii) and Article 12 (iii) of the Statutes.

The written application referred in Article 6 (ii) of the Statutes must include:

- (i) a declaration in which the applicant group expresses its commitment to the aims and activities of ELSA and its will to become a Member;
- (ii) a report stating the applicant group's activities during its period as an Observer;
- (iii) a report on the organisational structure of the Observer that is applying for Membership, including guarantees for continuity;
- (iv) a report stating by whom the state of the organisation that is applying for Membership is recognised.

Article 24 – Recommendations by the National Board

The National Board shall recommend to the National Council Meeting whether to accept or decline an application for Observership or Membership. The National Board shall consider the organisation's statutes' or constitution's compliance with the Statutes & Standing Orders of ELSA and shall present a report regarding this to the Council.

Article 25 – Termination of Membership

A termination of Membership as referred to in Article 8 (ii) of the Statutes shall be effective when the National Board receives either:

- (i) a written notification, signed by all elected Board Members, of the decision stating the intention of termination taken in accordance with the Member's or Observer's Statutes; or
- (ii) a notification of the Member's or Observer's dissolution, as decided by the Local Council of the Member or Observer in accordance with its Statutes; or
- (iii) a notification of the Member or Observer's dissolution, as decided by an administrative decision-maker whereby the dissolution takes effect according to the rules of the institution in which the Local Group is established.

Article 26 – Validity of Demotion or Expulsion

In order for a demotion or expulsion to be valid in accordance with Article 7 and Article 9 of the Statutes, the Member or Observer must be given adequate opportunity to explain its acts and to reply to any allegation made against it.

The National Board must prove to the National Council Meeting that a letter of invitation was sent to the Member or Observer no later than ten (10) days before the National Council Meeting, thereby giving it adequate opportunity to attend the Meeting and defend itself.

International Finance

Section IV – International Finance

Article 27

ELSA Ireland shall pay the annual membership fee as established from time to time by the International Council of ELSA at International Council Meetings.

Article 28

ELSA Ireland shall ensure that where fees or levies are due to ELSA International as a result of any of the members of ELSA Ireland participating in any international event, these fees or levies will be paid to ELSA International.