

Minutes of Extraordinary General Meeting (EGM) of the ICU.

Date and Venue: 4th October 2015 in the Ierne Sports and Social Club, Drumcondra, Dublin 9.

Attendance:

Name	Club	ICU Code
Pat Fitzsimons (Chair)	Elm Mount	1733
David Fitzsimons	Elm Mount	6236
Peter Scott	Elm Mount	1536
Ronan Murphy	Elm Mount	12328
Karol Marzec	Elm Mount	13546
Gerry MacElligott	Elm Mount	1078
Liam Porter	Elm Mount	1383
Colm Mooney	Elm Mount	5385
Eguene McMorrow	Elm Mount	1151
Andrew Peters	Elm Mount	4522
Sean Davoren	Elm Mount	307
Gerry Barry	Elm Mount	2651
Tristan Sheridan	Inchicore	2867
Chris Sheridan	Inchicore	1152
Eamonn Connolly	Inchicore	5249
Darragh Connolly	Inchicore	238
Stephen Joyce	Inchicore	10517
Pat McCabe	Inchicore	12598
Pat McGowan	Inchicore	3374
Richard Walshe	Inchicore	12359
John Dunne	Inchicore	10205
Darko Polimac	Enniscorthy	6141
Andrew Kildea	Enniscorthy	17448
Colm Daly	Bray	295
Tony Bregazzi	Finglas	95
Gerry Smith	Balbriggan	1536
Desmond Beatty	St Benildus	13381
Kevin Burke	St Benildus	4783
Eddie O' Connor	Dublin	1239
David O' Connell	Dublin	3647
Jonathan O' Connor	Dublin	1243
Carl Jackson	Gonzaga	4618
Gordon Freeman	Gonzaga	4153
John McMorrow	Gonzaga	
David Murray	Gonzaga	4941
Killian Delaney	Gonzaga	5104
Tom Fitzpatrick	Phibsborough	4587
Mick Crowe	Kilkenny	276
Eamonn Keogh	Kilkenny	731
Mark Quinn	Kilkenny	1402
Alex Baburin	Kilkenny	7085

Ivan Baburin		5587
Ted Jennings	Limerick	1875
Ray O'Brien	Limerick	1220
Gerry Graham	Sarsfield	0507
Rory Delaney	Dublin University	5160
Shane Sheedy	Dublin University	12772
Jacob Miller	Dublin University	13189
John Kelly	Cork	6066
Paul Carey	Unattached	174

Draft Constitution

Ted Jennings raised an issue about the draft document indicating that the proposed changes were not based on the Constitution as amended following the 2014 AGM. It omitted an amendment that had been made to Article 3 at the 2014 AGM.

The Chairperson pointed out that the changes proposed were based on the document published on the ICU website and that the proposed document had been published with the notification of the EGM in compliance with the timeframe set out in the Constitution. Accordingly, it was a valid document to be put before the EGM.

This was accepted by Ted Jennings and the Chairperson briefly outlined the main changes proposed (a reduction in the size of the executive and introducing a 2 year term of office for the executive from the 2016 AGM onwards).

The chairperson invited observations/questions from the floor and following some discussion, the proposed document was put to a vote. The meeting voted in favour of the new document by 23 votes to 22, but as a two thirds majority was required for an amendment to the constitution to be carried, the proposal did not pass.

Draft Disciplinary Process

Ted Jennings made some observations about the Code of Conduct and Disciplinary procedures that had been prepared for and discussed at the 2014 AGM. He also expressed concern, about a number of aspects of the new proposals being put forward to the EGM including the fact that:

- the executive committee would have a right to overturn the outcome of an appeal and revert to the original penalty if it saw fit; and
- the threshold of proof was “on the balance of probabilities” rather than “beyond a reasonable doubt”.

The Chairperson explained that the Executive had responsibility for Disciplinary matters under Article 13 of the Constitution and that the proposal before the meeting was intended to be included in Appendix A of the Constitution in accordance with the motion passed at the 2014 AGM. The

right of the executive committee to overturn a decision of the Appeal Committee was only to be exercised in entirely exceptional circumstances. The Chairperson pointed out that a previous executive had expressed its concerns about the perceived leniency of the penalty recommended by the disciplinary sub-committee dealing with a member who had been caught cheating at the Cork Congress in 2013. The executive had not acted to overturn the sub-committee's decision at the time. The proposed disciplinary procedure would enable the executive to address a similar situation if it considered that an appeal committee decision, for example, was incorrect.

The chairperson also explained that disciplinary processes in organisations generally operated on the basis of the "balance of probabilities" whereas the "beyond a reasonable doubt" test related to criminal matters only. He also highlighted the main provisions of the proposed procedure which had a number of "checks and balances" in it to ensure that fair procedures were followed throughout the process.

The perception that an appeal committee appointed by the Executive could not be considered impartial was also discussed as were suggestions from the 2014 AGM about the possibility of appointing an independent standing disciplinary sub-committee.

It was noted that as the draft disciplinary procedure was to be incorporated into an Appendix to the Constitution, it would require a two thirds majority to pass. The proposal was not put to a vote and the chairperson indicated that the executive committee would consider redrafting the proposal to incorporate suggestions about:

- the creation of a disciplinary sub-committee; and
- the status of an appeal committee decision as being final and binding on the executive.

A revised proposal would be brought forward for consideration at a later date.

Proposed Irish National Club Cup (INCC) Rules

It was noted that the revised rules were drawn up following difficulties that had occurred at the 2015 INCC where the previous rules were not adhered to by the organisers and illegal pairings had been made. As a result the event could not be rated as it was not run in accordance with FIDE rules.

The Chairperson indicated that the revised rules, if adopted, would oblige tournament organisers to use FIDE approved pairings software so that the problem encountered at the 2015 event would not recur. He also noted that the revised rules were intended to provide clarity about players and clubs eligible to compete in the event as well as including provisions (e.g., on tie break rules) that were consistent with FIDE requirements.

Any future revisions of the rules would continue to require an endorsement from members at a General Meeting of the Union, except where any new ECU/FIDE requirements had to be incorporated into the rules.

After some discussion on this item, the new rules were adopted by a large majority at the meeting subject to a minor amendment to the last sentence of rule 3 as follows (amended wording from the published draft in italics):

“The said members must not have represented any other club in the current year’s provincial leagues *or* must have played at least ten ICU rated games during the same year *in Ireland*”.

A copy of the revised rules as passed at the meeting is attached to these minutes.

Eligibility for International Selection

The draft revised rules were discussed in some detail. It was noted that the main revisions of the proposed rules involved:

- an increase in the minimum number of games required for consideration for selection;
- treating players who qualify for selection under rule 2 (i.e., players who were not born in Ireland and who don’t qualify under the parentage and citizenship criteria under rule 1), as if they have qualified under rule 1 once they have played in a representative international for Ireland; and
- providing clarity on how the rule governing the selection of the Irish Champion for Olympiads is interpreted.

The revised rules were adopted by a large majority subject to a number of minor drafting amendments which are reflected in the attached.

The meeting then concluded.