

## Irish Association of Counselling and Psychotherapy (“IACP” or the “Association”)

### Bye Laws

1. Membership shall be open to applicants who meet the requirements of one of the following categories, who subscribe in writing to the Code of Ethics and Practice of the IACP, who agree to be bound by the Constitution, the Bye Laws, the Committee, Sub-Committee and Working Group Regulations, the Standing Orders for General Meetings and Complaints Procedure of the IACP, where applicable, and who pay the appropriate annual fee on a timely basis.
  - 1.1 **Accredited Membership** is open to those who fulfil certain criteria laid down from time to time by the Board of Directors.
  - 1.2 **Supervisor Membership** is open to members who have: (1) been fully accredited members in supervised practice for a minimum of five years; and (2) have successfully completed a training in supervision that meets IACP eligibility criteria, as laid down from time to time by the Board of Directors.
  - 1.2 **Pre-Accredited Membership** is available to those who have successfully completed an IACP Accredited Course and who are actively working towards Accreditation. They may not represent themselves as Accredited Members of IACP but may represent themselves as Pre-Accredited Members.
  - 1.3 **Student Membership** is available to those currently attending an IACP Accredited Course.
  - 1.4 **Affiliate Membership** is open to persons interested in the field of Counselling and Psychotherapy. The category of Affiliate Member is not a certification of competence to practice as a Counsellor / Psychotherapist. Affiliate Membership does not entitle the holder to practice or to represent themselves as an expert in the field of Counselling / Psychotherapy.  
(Note: No new applications for this membership type are being accepted from 1<sup>st</sup> January 2018.)
  - 1.5 **Organisational Membership** is open to counselling / psychotherapy organisations concerned with training or practice of counselling, the aims and objects of which are consistent with the aims and objects of the IACP.
  - 1.6 **Accredited Course Membership** is open to those counselling and psychotherapy training courses awarded accreditation by the IACP.
  - 1.7 **Honorary Membership** may be conferred on certain individual members by decision of the Board of Directors.
  - 1.8 **Inactive Membership** is open to Accredited Members who have ceased practicing for a period of three months or more but plan to return to practice at a definite time in the future.
  - 1.9 **Retired Accredited Membership** is open to those accredited members that have retired from Counselling / Psychotherapy permanently, but who wish to stay in contact

with IACP.

### **Board of Directors**

2. The Board of Directors shall transact the business of the Association.
3. The Board of Directors shall determine from time to time the amount and duration of subscriptions payable by members.
4. The Board of Directors shall have the power to refuse membership status to, or withdraw membership status from, any individual or organisation within the above categories, as it sees fit.
5. The Board of Directors shall establish and administer a Complaints Procedure, the purpose of which is to provide a means of resolving, where possible, any complaint about an infringement of the IACP Code of Ethics & Practice on the part of all Members of the IACP.
6. The Board of Directors shall have the power to implement the recommendations or sanctions of the Complaints Committee in accordance with the Complaints Procedure.
7. The Board of Directors shall have the power to designate the IACP as a National Organisation body for the purposes of the European Association for Counselling.
8. The Board of Directors shall have the power to establish or dissolve Sub-Committees, Regional Committees and Divisions etc., as it sees fit and to appoint or remove from office, Members and Non-Members to these bodies.
9. The Board of Directors shall consist of not less than seven and not more than eleven members. A maximum of seven members in addition to a Cathaoirleach, Leas Cathaoirleach, Treasurer and Company Secretary (the "Officers") may be elected at the AGM by simple majority vote. While the company secretary role can be occupied by a Director, the Board may, at its discretion, choose to appoint an external third party to act as Company Secretary and in such circumstances, there will be no election to that role and the Board will instead determine the duration of that appointment.
10. At each Annual General Meeting (AGM), all the Directors shall retire from their directorship roles on Board of Directors and may be re-elected in accordance with Articles 12.1 – 12.7 of the Association.
11. Directors shall serve on the Board for no more than 6 consecutive years.
12. The Cathaoirleach, Leas Cathaoirleach, Treasurer and the Company Secretary serve for a term of two years only and must retire from those roles after expiry of the two-year term. If the Board of Directors is of the opinion that a retiring Cathaoirleach, Leas Cathaoirleach, Treasurer or Company Secretary is highly suited for carrying on in their particular officer role, then as an exception to the general eligibility term limit, the Board of Directors may nominate the retiring Cathaoirleach, Leas Cathaoirleach, Treasurer or Company Secretary for a second term in that role. No nomination for a third term in the same Cathaoirleach, Leas Cathaoirleach, Treasurer or Company Secretary role shall be permitted.
13. A retiring Officer shall be eligible for nomination and election to a different Officer role in

accordance with Articles 12.1 – 12.7 of the Association. A person may serve a maximum of 6 years as an Officer. By way of example a maximum 6-year limit could comprise 3 terms of 2 years in 3 separate roles, or in accordance with the exception at bye law 22 above, 2 terms of 2 years in one role plus one term of 2 years in another role.

14. A Member who is appointed Cathaoirleach in their sixth year on the Board of Directors shall be allowed to continue for another year in order to fulfil that role for a two-year term.
15. Nominations for the Board of Directors must have a Proposer and a Seconder in writing. Nominations must be in writing and submitted to the Board of Directors at least 35 days before an AGM and an EGM and circulated to all Members beforehand.
16. All elections to the Board of Directors shall be by simple majority vote.
17. Signed proxy votes are acceptable provided that they reach the office no less than five working days prior to the Annual General Meeting (AGM).
18. The Board of Directors shall have the power to remove any Board of Directors member, including officers, if it thinks fit, provided that there is a ratio of 75/25 in favour of so doing.
19. In the event of a Board of Directors officer being so removed or resigning, the Board of Directors shall elect from the remaining members of the Board of Directors a provisional temporary officer to serve until the next Annual General Meeting (AGM).
20. In the event of a Board of Directors member being so removed or resigning, the Board of Directors may co-opt an accredited member onto the Board of Directors to serve until the next Annual General Meeting (AGM).
21. The Board of Directors shall have the right to seek the resignation of an officer or an ordinary Board of Directors Member who has not attended three consecutive Board of Directors meetings and to co-opt as in bye laws 29 and 30 above.
22. The Board of Directors shall have the power to replace an officer or Board of Directors Member in the event of the loss of such Member through resignation, death or illness etc.
23. The Board of Directors shall have power to fund travel and expenses of the Cathaoirleach and one other Board of Directors Member for attendance at Conferences on submission of an application.
24. The role of the Company Secretary is recognised as an Officer of the Company as per the Companies Act 2014 (the “Act”).
25. Nominations for Elections to the Board of Directors shall be requested by the Company Secretary when sending out notice of the AGM. Nominations should be submitted by the same closing date as that designated for receiving Motions.

### **Regional Committees**

26. Regional Committees of the IACP may be established by the Board of Directors in response to a request from a number of members, or in response to a perceived need. Such Regional

Committees will comprise IACP Members in a particular geographical area.

27. The purpose of Regional Committees is to provide educational and support facilities to IACP Members and to represent the IACP at local level.
28. Regional Committees shall only be established in association with and in co-operation with the Board of Directors. The Board of Directors shall have the power to dissolve any such Committee at any time.
29. The aims of Regional Committees shall be in accordance with those of the IACP as set out in the Constitution and shall in no way conflict with these. In the case of disputed interpretation, the Board of Directors shall be the final arbitrator.
30. The title 'Regional Committee of the IACP' may not be used by any group without express permission of the Board of Directors.
31. Regional Committee Members shall conduct the business of the Regional Committee in accordance with the Constitution, Code of Ethics and Practice, Bye Laws and Regulations of the IACP.
32. The Board of Directors may offer financial assistance for the establishment of new Regional Committees or for the special needs or requirements of existing committees, on request.

#### **Office Staff**

33. The Board of Directors shall be responsible for ensuring that an appropriate number of office support staff are appointed to relevant roles in order to meet the operational needs of the Association.

#### **Finance**

34. The financial year shall be the 1st July to the following 30th of June each year (12 months).
35. The Board of Directors shall cause proper accounting records to be kept relating to all sums of money received and expended by the Association, and the matters in respect of which the receipt and expenditure takes place; all sales and purchases of goods by the Association; the assets and liabilities of the Association.
36. The records shall be kept at premises designated by the Board of Directors, and shall be open for inspection by any Directors, Officers or those entitled to inspect the books according to the Act.
37. The accounts shall be audited annually in accordance with the Act, and the accounts with the Auditor's Report shall be presented by the Treasurer at the AGM.
38. The annual audited accounts shall be maintained for submission to the Revenue Commissioners at their request.

1<sup>st</sup> February 2000, Compiled by Bye Laws, Sub-Committee: Damian Davy, Patricia Kennedy, Ursula O'Farrell

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