

Subject to approval by CIU

1. Name and Objects

The society (hereinafter called "the Club") shall be called the WALMLEY SOCIAL CLUB AND INSTITUTE LIMITED.

Its objects are to carry on the business of a club by providing for the use of its members, the means of social intercourse, mutual helpfulness, mental and moral improvement, rational recreation and the other advantages of a club.

2. Office

Its registered office shall be at Fox Hollies Road, Walmley, Sutton Coldfield, West Midlands B76 2RJ.

Notice of any change in the situation of the registered office shall be sent by the secretary within 14 days to the Registrar of Friendly Societies in manner and form provided by the statutory regulations.

3. Seal of the Club

The club shall have its name engraven in legible characters upon a seal, which shall bear the device of a circle having the word "Limited" in the centre and the remaining words of the name of the club in the margin. The seal shall be in the custody of the secretary, or such other officer as the committee appoint, and shall be used only under the authority of a resolution of the committee, the date whereof shall be mentioned on the instrument to which the seal is attached, and shall be attested by the signatures of two members of the committee and the secretary.

4. Use of Name

The registered name of the club shall be kept painted or affixed on the outside of the club premises, in a conspicuous position, in letters easily legible, and shall be in legible characters on its seal, and shall be mentioned in legible characters in all business letters, notices, advertisements, and other publications of the club, in all bills of exchange, promissory notes, endorsements cheques, and orders for money or goods, purporting to be signed by or on behalf of the Club, and in all bills, invoices, receipts and letters of credit of the club. The limited liability of the Club is evident from the title used in the above.

5. Powers

The club shall have full power to do all things necessary or expedient for the accomplishment of all objects specified in its rules, including the power to purchase, hold, sell, mortgage, rent, lease, or sub-lease, lands of any tenure, and to erect, lease, sub-lease, pull down, repair, alter, or otherwise deal with any building thereon.

6. Shares

Shares shall not be withdrawable, transferable, or refundable and shall be of the value of £0.13p. No member shall hold more than one share and no interest or dividend shall be paid upon it. A member shall forfeit that share on ceasing, for whatever cause, to be a member.

7. Admission of Members

In all cases candidates applying for membership must meet one of the following conditions:-

1) be proposed and seconded by two financial members (who have themselves been members for at least 12 months), and able from personal knowledge to vouch for the respectability and fitness to be a member, and must sign the application form affirming his concurrence with, and adherence to, the purposes of the club as shall be required by the committee.

Or

2) if unknown by any member of the club who is in a position to propose the candidate, the committee will accept a written application from the candidate and any such member as will vouch for the candidate as if proposing the candidate. The committee will then appoint an interviewing panel to assess the candidate's worthiness to be a member and will also ask for two references as to the candidate's character. The committee will then, upon the recommendation of its panel, accept the application into the process and the Chairman and Secretary will sign for the committee appending their title after their name to indicate a committee proposal and not a personal proposal.

The election procedure as given in the by-laws shall be by the committee and all candidates will ultimately appear before the management committee. No candidate shall be elected who is under 18 years of age. The name, address and occupation of the candidate, with

the names of his proposer and seconder, shall be prominently displayed in the principal club premises in a part frequented by the members, for at least seven days before the commencement of the election procedure. An application may be withdrawn or rejected at any time during the procedure. If rejected the committee is under no obligation to explain its reasons. Should an applicant be rejected that applicant may not enter the club house or grounds for any reason. Every candidate on election shall pay a joining fee equal to the annual subscription at that time, a subscription for the months remaining to 31st December, equal to one-twelfth of the annual subscription per month, the cost of one share in the club and shall be supplied with a copy of the rules at such cost, as the committee may determine from time to time.

8. Membership of the Union

The club may hold such fully paid share or shares in the Working Men's Club and Institute Union Limited, hereinafter referred to as "the Union" as is provided by the rules of the Union in order that each member of the club may be entitled to all the privileges of the Union, subject to its rules. A person on becoming a member of the club shall be supplied with an Associate Card on payment of the prevailing rate charged by the Union, and provided with a Pass Card for any period for which the member has paid a subscription on payment at the prevailing rate charged by the Union .

9. Subscriptions

Every member shall pay to the funds of the club an annual subscription which shall become due as soon as they are elected to membership and may not be paid until they are so elected. The annual subscription must be paid before the member is entitled to any of the privileges of the club. The rate of subscription shall rise annually in line with the annual increase in the cost of living index and taxes as levied by law; any other increases must be agreed by the members in an A.G.M or special meeting called for the purpose. All subscriptions are payable on the first day of January in each year.

In the case of a member having attained the age of 65 years and that member having completed continuous service as indicated below shall pay a reduced subscription which shall be a percentage of the full subscription.

40 years continuous service - FREE

35 years continuous service - 10% of the full subscription

30 years continuous service - 20% of the full subscription

25 years continuous service - 25% of the full subscription

20 years continuous service - 30% of the full subscription

15 years continuous service - 40% of the full subscription

10 years continuous service - 50% of the full subscription

10. Arrears of Subscriptions

Any member who has not paid the subscription 28 days after it has become due shall be considered in arrears, and if not paid within 28 days thereafter shall cease to be a member. No member in arrears shall be permitted to use the club, or be considered a financial member for the purposes of these rules. The committee, on receiving information that any member is unable to pay the subscription owing to want of work or other good cause, may at its discretion, excuse payment of such member's subscription for such period as they think fit and the member shall not forfeit the privileges of membership.

11. Register of Members

The club shall keep at its registered office a register of members in which the secretary shall enter the following particulars:

- (1) The names and addresses of the members,**
- (2) A statement that each member holds one share.**
- (3) A statement of other property in the club, whether in loans, deposits or otherwise, held by each member**
- (4) The date at which each person was entered in the register as a member, and the date at which any person ceased to be a member.**
- (5) The names and addresses of the officers of the club, with the offices held by them respectively and the dates on which they assumed office.**

For the purpose of this rule "an officer", includes every member of the managing committee.

The register of members of the club shall be constructed in accordance with the Data Protection Act; in such a way that it is possible to open to inspection the particulars entered in paragraphs (1), (4) and (5) without opening to inspection the other particulars entered.

In accordance with the Data Protection Act the Membership Secretary or if not appointed the Club Secretary shall be the sole named person.

Every member shall, within 14 days, give notice to the secretary of any change of address.

12. Cessation of Membership

Members shall cease to be members:

(1) By non-payment of subscription.

Any person whose membership has ceased from this cause shall not again be nominated for membership unless that person previously pays all arrears due as agreed, and such other additional fee or fine as the committee at its discretion may determine. In this case the term of continuous membership shall count.

(2) By expulsion

Any member that has been expelled may not re-enter the club house or its grounds for any purpose, except when invited by the committee.

(3) By resignation

Any member who resigns by letter to the secretary may be reconsidered for membership at a later date by applying to the committee in writing. In this case the term of continuous membership shall count from the date of re-instatement.

(4) By death.

The widow or deceased member's partner will be invited to continue to use the social elements of the club as a guest.

13. Misconduct of Members

The secretary, president or committee chairman or in their absence an elected Vice president or their nominee shall have power to order the withdrawal from the club premises of any member who misbehaves, and such members shall have no right of re-entry to the club premises until summoned to meet the committee, as provided in Rule 15. If the next ordinary meeting of the committee be within less than three days, such member may claim to appear before them, and to have the case dealt with waiving the length of notice required by the said Rule 15.

14 Misconduct of Guests of Members

Guests of a member who misconduct themselves will be removed from the club by the steward and any member of the management committee. The member responsible for that guest will then be called before the committee under rule 15.

15. Expulsion of Members

The committee shall have power to reprimand, suspend (for a period not exceeding 12 months) or expel any member who shall infringe any rule or bye-law, or whose conduct, whether within the club-house, or elsewhere, shall, in their opinion, render that member unfit for membership; but no member, unless convicted of an offence by a court of summary jurisdiction or other court, shall be reprimanded, suspended or expelled without being first summoned before the committee and given full opportunity to advance a defence nor unless two-thirds at least of the members of the managing committee then present and entitled to vote shall vote for his suspension or expulsion. Every member so summoned shall (unless he shall elect to waive his right to receive notice) receive at least three clear days' notice in writing from the secretary. Such notice shall contain a statement of the charge brought against the member. A suspended member shall not be entitled to use the club premises nor to attend any general meeting nor vote at any election nor hold any office during suspension, but shall remain liable to pay his subscription.

16. Right of Appeal

A member suspended or expelled shall have the right to appeal to the Executive of the Union , or the persons appointed by them who shall be deemed to be the arbitrators appointed by the club. No appeal shall be heard unless made within 28 days and in writing, addressed to the

General Secretary of the Union , together with a deposit as determined by the union, the disposition of which shall be at the discretion of the arbitrators. The arbitrators, or a majority of them, shall have full power to alter or rescind such suspension or expulsion as they may think fit, and may order the costs of the arbitration to be borne by either party or by both parties in such proportions as they think fit, and there shall be no appeal from their decision.

17. General Meetings

(1) Ordinary Meeting (AGM)

The annual general meeting shall be held as soon as possible after the 1 st. of January each year on a date to be fixed by the committee of which at least seven days' notice, with a copy of the agenda, shall be posted in the club. The business of each annual general meeting shall be to receive the account or accounts and balance sheet as audited, and the report of the auditor on the revenue account or accounts and balance sheet and to consider such other business as may be submitted by the committee or any Motion to be proposed by a member of which at least five days' notice has been given to the secretary in writing. On receipt of such notice the Secretary shall add it to the agenda posted in the club. At the annual meeting a report for the year shall be presented by the committee. The auditor shall be entitled to attend any general meeting of the club and to receive all notices of and other communications relating to any general meeting which any member of the club is entitled to receive and to be heard at any meeting which he attends on any part of the business of the meeting which concerns the auditor.

(2) Special Meetings (EGM)

A special meeting shall be called, with the object or subject of the meeting clearly stated by the secretary in the following cases:

(a) Upon the direction of the committee, and in accordance with such direction.

(b) On a requisition signed by one-fifth of the total number of members entitled to attend and vote at a general meeting or 70 such members, whichever is the lesser?

The meeting will be restricted to the subject of the notice only. see 17(4)

Such meeting shall be held within not less than 14 and not more than 21 days from the date of the receipt by the secretary of the requisition.

(3) Notice

Notice of any special meeting, and of the object for which it is called, shall be posted by the secretary in the club at least 14 days prior to the date of the meeting. Should the secretary not convene a special meeting in manner required hereby within 14 clear days after a duly signed requisition has been delivered and received by the secretary, any of the requisitionists may call such a meeting, giving such notice as is provided by this rule.

(4) Business

No business other than that named in the notice shall be brought before a special meeting.

(5) Quorum

A general meeting and a special meeting may proceed to business if 10 members are present within an hour after the time fixed for the meeting, otherwise the meeting, if convened on the requisition of the members, shall be dissolved, but if a meeting convened by order of the committee, it shall stand adjourned to the week following, at the same time, and the meeting so adjourned may proceed to business whatever be the number of members present. No meeting shall become incompetent to transact business from the want of a quorum arising after the chair has been taken.

The management committee shall have a quorum of one third of its committeemen and a chairman.

(6) Adjournment

Any general meeting duly constituted, may adjourn to such time as the members present direct, and may continue any such adjournment from time to time. No business shall be brought on at any adjourned meeting which could not have been transacted at the original meeting.

(7) Voting

Each financial member present shall be entitled to one vote on each motion.

(8) Action

Any motion passed at an ordinary or special meeting will be acted upon by the committee and reported back at the following AGM subject to rule 19 (7).

18. Rules

(1)supply

The secretary shall be supplied by the committee with copies of the rules and shall be bound to deliver a copy to any person, on demand, on such payment as the committee may from time to time determine.

(2)Amendment

These rules may be amended only at a special meeting called for that purpose. Notice of any proposed amendment shall be posted in the club for at least 14 days previous to the meeting to which the amendment is to be submitted. Any amendment shall require the votes of at least two-thirds of the members present at such meeting. No amendment of rules is valid until registered in accordance with the Industrial and Provident Societies Act. Written notice of any amendment of rules must be given by the Secretary to the Chief Officer of Police and to the Clerk of the local Authority within 28 days of the registration of the amendment in accordance with the said Acts.

(3)By-Laws

The committee shall have power to make such by-laws as it may consider necessary for the good government and order of the club, provided that no such by-laws shall conflict with any of the rules. A copy of all such by-laws shall be posted in a conspicuous place in the club-house.

19. Committee

Powers of Committee

(1)The managing committee shall consist of The President, three Vice-Presidents, A Treasurer and 10 Committeemen, all of whom shall be above the age of 21 years.

(2)The President, Vice-Presidents, and Treasurer will serve for one year and be eligible for re-election.

(3)A committeeman is normally elected to serve for two years, with half of the committeemen being elected each year.

(4)The committee shall appoint a chairman from their number who shall hold office until the first meeting of the new committee after the annual general meeting. The chairman is eligible for re-election.

(5)Each elected member of the committee shall have one vote on any issue. In the event of a tie the chairman shall have a casting vote. Only elected committeemen have a vote, Honorary, reporting and other invited members have no vote.

In this instance those members co-opted or invited to join the committee to fill vacated or vacant places will be voting members

(6)The committee shall control the management of the club and shall have exclusive power to engage or dismiss a steward and other employees. It shall have power to purchase such articles and do all such things as it may deem necessary for the carrying out of the objects of, and in the best interests of the club. It shall have due regard to any resolution or recommendation of any general meeting, but shall not be bound to give effect to the same if in its judgement such action would be injurious to the best interests of the club. It will call an E.G.M to explain to the members the reason for not complying with the resolution or recommendation.

(7)Nothing in these rules shall enable the committee to declare any dividend or make any monetary grants to the members, or to apply the club funds, except for the purposes of the club itself, and for the purposes specified in Rule 27.

(8)The committee shall not enter into any agreement that in any way conflicts with its absolute control and that of the club members over the supply of any goods and services to the club.

(9)It shall meet once a month for general business and not less than one-third of the total of the committeemen shall form a quorum. Resolutions of the committee shall be recorded and be binding on the committee and its sub committees.

(10)Those resolutions of the management committee that affect the membership shall be proposed as by laws and be posted conspicuously in the club.

(11) No resolution of the committee shall be rescinded unless notice to rescind has been given at the previous meeting of the committee.

Retirement, Vacation, or Cessation of Membership

The following will cease to be a committeeman:-

(1) Any committeeman not attending for three consecutive meetings shall, unless he writes a letter of explanation which the committee consider satisfactory.

(2) Any committeeman, or officer, who shall cease to be a financial member, or who is suspended under Rule 15.

(3) Any committeeman who shall cease to be a member of the club for any other reason.

(4) Any vacancy so occurring, or by any other cause, shall be filled by the committee, in such a manner as the committee may decide.

(5) The senior part of the committeemen which means all those committeemen who were elected before the date of the last election, shall retire at the elections held after the annual general meeting, but shall be eligible for re- election.

(6) Any committeeman selected to fill a casual vacancy shall hold office for the unexpired period for which his predecessor was elected. Where this rule does not apply and the retiring committee men do result in half of their number being available for re-election, the remaining retiring committeemen shall be selected by the committee by ballot.

Removal or Resignation

The committee, or any member or any of its members, may be removed by the votes of two thirds of the members present at a special meeting called for that purpose. In the event of the removal or the resignation of the whole or the majority of the committee, the secretary shall obtain nominations and appoint scrutineers and arrange for holding a ballot. Three days shall be allowed for nominations and the ballot shall be held on three successive days within the following seven days. The result shall be declared by the scrutineers by notice posted in the club.

Finance Committee

The committee shall, at the first meeting following each election, select a sub-committee, to be called the Finance Committee. It shall consist of the treasurer, chairman, vice presidents and up to three committeemen who may be appointed by the committee. It shall be the duty of the Finance Committee to take record of the stock of goods held on the first convenient day in each month, either by themselves or by an agent duly appointed by the managing committee for that purpose, check all demands for payment against the order book, and delivery notes and invoices, and to report to the whole committee whether such stock vouches for the correctness of the returns made by the steward, and whether the demands are in order and correct. It shall see that vouchers are produced by the treasurer for all payments made by the treasurer or by order of the committee. It shall report at each committee meeting that the amount shown as standing to the credit of the club appears also in the treasurer's book or books, and in the bank statement relating to the club's current drawing account. These books, duly made up to date, shall be available at each finance committee meeting. The proceedings of the Finance Committee shall be recorded by the secretary in a minute book kept for that purpose. All cheques drawn upon the club's account shall be signed by at least one member of the Finance Committee and the treasurer. The Finance Committee shall have the power to give orders for such goods to be supplied and work to be done as may be necessary for carrying out the purposes of the club; but nothing in this rule shall empower the committee to incur expenditure, except such as is consistent with the purposes for which the club is established.

Orders

Except where the committee agree that it is in the best interest of the club, its business and or its finances, no officer or committeeman of the club shall by virtue of his appointment have power to order goods or dispose of the funds of the club. No goods or labour shall be supplied, nor any contract entered into for work to be done for the club, nor any office of salary, profit or remuneration, held by any member of the committee, nor shall any honoraria be paid to committeemen, unless authorised by a general meeting.

20. Officers

The club shall have the following officers: A president, not more than 15 vice-presidents, three of whom shall be termed serving vice-presidents elected to serve on the management committee, treasurer and secretary. The president, serving vice-presidents and treasurer shall be elected each year by ballot at the elections held following the annual meeting and shall remain in office until their successors are appointed. The managing committee shall have power to elect (co opt) further vice-presidents (not exceeding 12 in number and termed 'Non-serving vice-presidents') who shall not be eligible to serve on the managing committee and who shall retire each year, but who shall be eligible for re- election. The secretary shall be appointed by the committee and shall remain in office until he resigns or is removed by the committee or by the membership. Any of the officers shall be removable at any time provided two-thirds of the members present at a special meeting called for that purpose shall vote in favour of such removal. In the event of a vacancy arising amongst the officers by death, resignation, or other cause, the vacancy shall be filled, the committee having power to appoint a member to fill the vacancy until the next election of committeemen. Any officer shall vacate his office if suspended from membership under Rule 15 or upon ceasing membership from any cause.

Any change in the office of secretary must be notified by the president or secretary within 42 days to the Magistrates Clerk. The officers of the club shall receive such honorarium, if any, or in the case of the secretary such salary, as the committee or a general meeting may from time to time determine. Every officer dealing with club moneys shall be insured with a recognised guarantee society for the due performance of his duties in such sum as the committee or a general meeting may determine.

The President

The president, or in his absence, the committee chairman, or in the absence of both such officers, one of the serving vice-presidents, or in the absence of such officers an elected chairman shall take the chair at all general meetings, and special meetings.

Treasurer

The treasurer shall ensure the steward records all cash received and paid out from any source whatever. The Treasurer will ensure a full cash reconciliation is reformed each month and that the steward has accounted for all monies. The treasurer shall keep such accounts and pay such debts of the club as the management committee shall direct, and shall, when required to do so, present to the management committee and a general meeting (and a special meeting if required to do so by the motion to be discussed, see rule 17(b)), an account of any monies received and expended by the club. Prepare accounts and balance sheet, and submit them to the auditor.

Secretary

The secretary shall keep upon the club premises a register of the names and addresses of the club members and a record of subscription in accordance with the data protection act, in which shall be recorded the payments of such members. He shall carry out the directions of the committee, and subject to such directions, shall receive moneys on account of the club, and pay them to the treasurer; and keep such accounts and minutes as the committee may direct. He shall attend all meetings of the committee and Finance Committee or any other sub-committee if so directed and take minutes of the proceedings.

21. Annual Return to Registrar

The secretary shall send to the Registrar once in every year, not later than 31st March, an annual return relating to the club's affairs for the period required by the Industrial and Provident Societies Acts, to be included in the return, together with a copy of the report of the auditor on the club's accounts for the period included in the return and a copy of each balance sheet made during that period and of any report of the auditor on that balance sheet The annual return shall be made up for the period beginning with the date to which the club's last annual return was made up, and ending with the date of the last balance sheet published by the club before 31 st. of March in the following year, or if the date of that balance sheet is earlier than 31 st August or later than 31st January, with 31st. of December. The annual return must be made in the form prescribed by the Chief Registrar and contain such particulars as may from time to time be required by the return.

Copies to Members

A copy of the last annual return, together with a copy of the report of the auditor on the accounts and balance sheet contained in the return shall be supplied on demand to every member or person interested in the funds of the club.

Balance Sheet

A copy of the account or accounts and balance sheets covering the period included in an annual return, as, audited, and the report of the auditor on the balance sheet and accounts, shall be posted in the registered office and shall be kept and be available at the said office.

22. Inspection of Books by Members

Any member or person having an interest in the club funds may at any reasonable time, inspect all books and accounts including the particulars in the register of members except those mentioned in paragraphs (b) and (c) of Rule 11, subject to the data protection act, at the registered office or any place where they are kept, and it shall be the duty of the secretary to produce them for inspection; but no person, unless an officer of the club or specially authorised by a resolution, may inspect the loan or deposit account of any other member without his written consent

23. Borrowing Powers

(1) The club shall have power to borrow money for the purposes of the club, and to issue loan stock and to secure the repayment of any money borrowed by mortgaging - charging any of its property, provided that the amount of money borrowed for the time being remaining undischarged shall not exceed £100,000 and that the interest paid or to be paid in respect of any money borrowed (except money borrowed by way of bank overdraft, or by way of mortgage of the club's premises) shall not exceed 5 per cent per annum, or 1 percent per annum above the HSBC PLC base lending rate, whichever is the greater.

(2) Subject to the provisions relating to loan stock contained in the next following rule, the committee shall have power to determine from time to time the terms and conditions upon which money is borrowed or loan stock is issued and to vary such terms and conditions

Deposits

The club may receive any sums of money within the total limit mentioned in Section (1) of this rule from members or others on deposit, repayable on such notice being not less than 14 clear days, as they arrange from time to time, provided that such deposits shall be received in instalments of not more than £5 in any one payment, or more than £250 in all from any one depositor.

24. Loan Stock

The following provisions shall apply to the loan stock referred to in the preceding rule-

(1) Loan stock shall be issued in multiples of 1 and shall be transferable as hereinafter provided;

(2) Application for loan stock shall be made in such form as the committee may determine, which shall contain a statement of the terms and conditions of issue of the loan stock;

(3) Payment may be made for loan stock by instalment or otherwise;

(4) Interest shall be payable thereon half-yearly at such rate as may have been agreed not exceeding the rate mentioned in the preceding rule;

(5) Loan stock shall not confer a right to demand repayment of the principal from the club unless interest thereon is in arrears for two consecutive years, or in the event of the dissolution of the club;

(6) Loan stock shall be secured by certificates of indebtedness under the hands of two members of the committee, who are nominated by the committee and the secretary stating the amount of the loan stock;

(7) The committee may, in its discretion, from time to time apply club moneys which it cannot profitably invest to pay off the loan stock holders in the order in which they are entered in the register, or in such other order as the committee may determine. If a loan stock holder who has received notice, or to whom notice has been sent at his address registered in the books of the club, that the committee is prepared to repay the amount of his loan stock, leave the sum to be thus repaid in the hands of the club, he shall not be entitled to any interest thereon after the expiration of the time named in the notice of repayment.

Transfer of Loan Stock

Loan stock may be transferred by a form containing such particulars as the committee direct. A fee shall be paid by the transferee upon each transfer. A register of all transfers, containing such particulars as the committee direct, shall be kept, but no transfer shall be registered unless it is properly stamped, or if made by a member indebted to the club, without special order of the committee; and until the transfer of loan stock is registered, no right shall be acquired against the club by the transferee, nor shall any claim of the club upon the transferor be affected.

25. Audit

(1) in Each year the club will appoint a qualified auditor to audit its accounts and balance sheet for that year. For the purposes of this rule "qualified auditor", means a person who is a qualified auditor under section 7 of the Friendly and Industrial and Provident Societies Act 1968.

(2) Save as provided in paragraph (3) of this rule every appointment of an auditor shall be made by resolution of a general meeting of the club.

(3) The committee may appoint an auditor to fill any casual vacancy occurring between general meetings of the club.

(4) An auditor appointed to audit the accounts and balance sheet of the club for the preceding year of account (whether by a general meeting or by the committee) shall be re-appointed as auditor of the club for the current year of account (whether or not any resolution expressly re-appointing the auditor has been passed) unless :-

(a) a resolution has been passed at a general meeting of the club appointing somebody instead of the auditor or providing expressly that the candidate shall not be re-appointed or

(b) The auditor has given to the club notice in writing expressing unwillingness to be re-appointed or

(c) The auditor is ineligible for appointment as auditor of the club for the current year of account or

(d) The auditor has ceased to act as auditor of the club by reason of incapacity. Provided that a retiring auditor shall not be automatically re-appointed by virtue of this rule if notice of an intended resolution to appoint another person in the auditors place has been given in accordance with paragraph (5) of this rule and the resolution cannot be proceeded with because of the death, incapacity or ineligibility of that other person.

(5) A resolution at a general meeting of the club

(a) Appointing another person as auditor in place of a retiring auditor or

(b) providing expressly that a retiring auditor shall not be re-appointed shall not be effective unless notice of the intention to move it has been given to the club not less than 28 days before the meeting at which it is moved. On receipt by the club of notice of the intention to move any such resolution the club shall give notice of the resolution to the members and to the retiring auditor in accordance with section 6 of the Friendly and Industrial and Provident Societies Act 1968, and shall give notice to the members in accordance with that section of any representation made or intended to be made by the retiring auditor.

(6) None of the following persons shall be appointed as auditor of the club:

(a) An officer or servant of the club

(b) A person who is a partner of or in the employment of, or who employs an officer or servant of the club.

(7) The auditor shall in accordance with section 9 of the Friendly and Industrial and Provident Societies Act 1968, make a report to the club on the accounts examined by the auditor and on the revenue account or accounts and the balance sheet of the club for the year of account in respect of which the auditor is appointed.

(8) The auditor shall have a right of access at all times to the books, deeds and accounts of the club and to all other documents relating to its affairs, and shall be entitled to require from the officers of the club such information and explanations as the auditor thinks necessary for the performance of the duties of the auditors.

26. Nominations and Proceedings on Death or Bankruptcy

Upon a claim being made by the personal representative of a deceased member or the trustee in bankruptcy of a bankrupt member to any property in the club belonging to the deceased or bankrupt member the club shall transfer or pay such property to which the personal representative or trustee in bankruptcy has become entitled as the personal representative or trustee in bankruptcy may direct them. A member may in accordance with the Industrial and Provident Societies Act 1965, nominate any person or persons to whom (subject to the provisions of the Act as to amount and the persons to whom a valid nomination may be made) any of the members property in the club at the time of his death shall be transferred. On receiving satisfactory proof of death of a member who has made a nomination the club shall if and to the extent that the nomination is valid under the said Act either transfer or pay in accordance with the Act the full value of the property comprised in the nomination to the person entitled there under.

27. Application of Profits

The profits of the club may be applied in any of the following ways:

- (1) In promoting mutual intercourse and united action between members and others interested in improving the conditions of the people of the United Kingdom .**
- (2) In promoting education by the establishment of lectures, classes, examinations, and scholarships.**
- (3) In maintaining or supporting the Union Convalescent Homes or other convalescent homes, hospitals, infirmaries, or any other charitable or provident institution, or in supporting or maintaining circulating and reference libraries and reading-rooms with the best works in all departments of literature, science and art, for the use of the members.**
- (4) For any other lawful purpose determined by the committee or any general or special general meeting subject to Rule 28.**

28. Application of Funds

Except by the dissolution of the club, no profits or funds of the club shall be distributed amongst the members.

29. Investments

The committee may invest the funds of the club at such rate of interest and on such terms as they see fit in any of the following investments:

- (1) With its members or others upon the security of real property.**
- (2) In the shares or in the security of any society registered under the Industrial and Provident Societies Acts, or under the Building Societies Act, or of any company registered under the Companies Acts or incorporated by Act of Parliament or by charter provided that such society or company has its liability limited.**
- (3) In any investment in which trustees are, for the time being by law, authorised to invest funds.**

30. Statutory Applications to the Registrar

- (1) Any 10 members of the club, each of whom has been a member for not less than 12 months immediately preceding the date of the application, may apply to the Registrar in the form prescribed by the Treasury Regulations to appoint an actuary or accountant to inspect the books of the club and to report thereon, pursuant to section 47 (1) of the Industrial and Provident Societies Act 1965.**
- (2) One-tenth of the whole number of members, or if the number of members shall at any time exceed 1,000 then 100 members may by an application in writing to the Chief Registrar, signed by them in the forms respectively prescribed by the Treasury Regulations:**
 - (a) Apply for the appointment of an inspector or inspectors to examine into the affairs of the club and to report thereon; or**
 - (b) Apply for the calling of a special meeting of the club.**

31. Dissolution of the Club

The club may at any time be dissolved by the consent of three-fourths of the members, testified by their signatures to an instrument of dissolution in the form provided by the Treasury Regulations, or by winding up in a manner provided by the Industrial and Provident Societies Acts.

32. Conduct of Elections

Nominations

The election of officers and committeemen shall be by ballot.

At least three weeks before the day fixed for any ballot a nomination sheet shall be posted in the club by the secretary, on which the names of all candidates for any office must be entered, and such sheet shall remain open until the expiration of at least 24 hours following the general meeting.

No member shall be eligible for nomination unless he has been a financial member for at least two years prior to nominations closing, and has been proposed and seconded by two financial members, who must themselves sign the sheet.

No member under suspension at the date of closing of the nomination sheet shall be eligible for nomination.

No candidate shall be nominated for more than one position.

No member of the managing committee whose term of office is not about to expire may become a candidate unless he first resigns from the position he holds.

Scrutineers

The ballot shall be carried out under the direction of the committee by no less than two scrutineers appointed by the general meeting, who shall not be candidates, committeemen or officers. Ballot slips shall be deposited into a box for the sole purpose of elections and sealed by the scrutineers.

Ballot When Held

Ballots shall be held during the week following the annual general meeting or in the succeeding week. Ballots shall remain open for no less than three hours on the evenings of no less than two consecutive days to be fixed by the committee, and the result shall be made known by the posting of a notice in the club signed by the scrutineers, recording the number of votes polled by each candidate, and indicating which of the candidates are elected.

Who May Vote

Each financial member shall have one vote for each vacancy but no member may give more than one vote to any one candidate.

Tie

The candidates receiving the highest number of votes shall be declared duly elected. In the event of two or more candidates receiving an equal number of votes for the last vacancy or vacancies, the names of such candidates shall be written on slips of paper, which shall be placed so that the names are concealed, and the Scrutineers, in front of witnesses who themselves are not candidates in the election for any post and are financial members of the club, shall then draw as many slips as there are vacancies to be filled, and the members whose names are so drawn shall be declared duly elected.

Scrutiny

The scrutineers shall, at the conclusion of the ballot, seal up the ballot papers and hand them to the secretary, who shall retain them for seven days. A scrutiny shall take place if a written demand be presented to the secretary within seven days from the close of the ballot, signed by not less than one-tenth of the financial members, and the scrutiny shall be carried out by three fresh scrutineers, to be named by the committee and their decision shall be final.

33. Settlement of Disputes

(1) Disputes between a Member and an Officer of the Club

All disputes between a member and an officer of the club shall unless the committee elect to refer the matter directly to a special meeting, be settled by the committee. The decision of the committee shall be final, unless any party aggrieved thereby shall within seven days produce to the secretary a requisition satisfying the conditions mentioned in Rule 16. Whereupon the decision shall be reviewed by a special meeting.

(2) Disputes between a Member and the Club

All disputes between a member or ex member who's membership ceased no more the six months previous to the registering of the dispute, or any person claiming through such a member which the committee cannot resolve, shall be referred to the Executive of the Union or the persons appointed by them, who shall be the arbitrator or arbitrators of the club and whose decision shall be final.

34. Introduction visitors

A member may personally introduce friends into the club as his guests, in accordance with the by laws set in place by the committee and posted in the club, at a fee set by the committee. The following shall not be admitted as visitors:

- (a) Former members who have been expelled.**
- (b) Former members who have ceased to be members through non-payment of subscriptions.**
- (c) Persons who, having been nominated for membership, have been rejected.**
- (d) Members who are under suspension.**

The Members must accompany the guests introduced by them during the period of their stay in the club.

The committee may debar a member introducing any particular person as a visitor if they so think fit, and that bar will remain in place until the committee are convinced of the case to remove it,

It is prohibited for any member to introduce visitors during the hours when licensed premises in the locality are not open for the sale of intoxicants to the public.

35. Guests and Excisable Articles

Excisable articles may not be provided to anyone who is not a member of the club, or bona fide guest of a member of the club, or an officially recognised visitor to the club.

For example

Bona fide guests of a member of the club or of the club who have been formally signed in the official guest book or on officially accepted forms as provided.

Members of visiting teams from other clubs, their officials and bona fide guests.

36. Hours of Opening and Closing of the Club Premises

The club shall be opened and closed at such hours as may from time to time be fixed by the committee, and as posted in the club.

37. Permitted Hours for Supply of Intoxicants

The permitted hours shall be such as may from time to time be determined by the committee in accordance with the provisions of the Licensing Act 2003 and subsequent acts, and as notified to the licensing authority, shall apply.

38. Life Members

The committee may, in their discretion, grant life membership to any member who has rendered special service to the club, or who in their opinion is deserving of the distinction or to a member who has completed at least 40 years continuous membership of the club. Life members shall not be liable to pay subscriptions under Rule 9, but shall be entitled to all the rights and privileges of club membership, including the right to attend meetings, vote at elections and be nominated for committee or other office, introducing guests. A certificate of life membership shall be signed by the president and issued to each life member.

39. Value Added Tax

Where under any of the provisions of these rules or any amendment, being in force any sum of money that is payable to the club by a member whether by way of subscription or otherwise and such payment attracts Value Added Tax then, unless any rule specifically provides to the contrary, a member shall in addition pay to the club such further sum as shall be equal to the amount of Value Added Tax at the rate for the time being in force attributable to such sum.

40. Young Persons (Visitors)

Any person under the age of 16:-

Must be accompanied by a responsible Adult.

Will be restricted to those areas of the club as designated by the management committee.

Must have vacated the club premises by a time designated by the management committee.

No person under the age of 18 may be supplied directly or indirectly with alcohol.

(In pursuance of the Protection of Children From Harm as required by the Licensing Act 2003).