

24 SEP 1996

144523 £400.00
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Fee payable see F.823

Form E (modified by the authority
of the Chief Registrar)

Industrial and Provident Societies Act 1965

*Application to Register a Complete Amendment of Rules
pursuant to section 10 of the Act*

Name of Society CONWY AND DISTRICT ROYAL BRITISH LEGION CLUB Limited
Register No. 11596 R

To the Central Office

1. Application is hereby made for the registration of an amendment of rules, being a substitution of an entire set of rules for the existing set of rules.
2. The rules contain provision in respect of the matters mentioned in Schedule 1 to the Act as follows:-

| Matters to be provided for | Number of rule |
|--|--------------------|
| (a) The name of the society. | (a) 1 |
| (b) The objects of the society. | (b) 1 |
| (c) The registered office of the society, to which all communications and notices to the society may be addressed. | (c) 2 |
| (d) The terms of admission of the members, including any society or company investing funds in the society under the provisions of the said Act. | (d) 7, 8, 9, 10 |
| (e) The mode of holding meetings, the scale and right of voting, and the mode of making, altering or rescinding rules. | (e) 5, 16 |
| (f) The appointment and removal of a Committee of Management, (by the name of) and of managers or other officers, and their respective powers and remuneration. | (f) 17, 18, 19, 20 |
| (g) The maximum amount of interest in the shares of the society which may be held by any member otherwise than by virtue of section 6(1) (a) (b) or (c) of the said Act. | (g) 9 |
| (h) Whether the society may contract loans or receive money on deposit subject to the provisions of the said Act from members or others; and, if so, under what conditions, under what security, and to what limits of amount. | (h) 30 |
| (i) Whether the shares or any of them shall be transferable, the form of transfer and registration of the shares, and the consent of the committee thereto; whether the shares or any of them shall be withdrawable, and the mode of withdrawal, and the payment of the balance due thereon on withdrawing from the society. | (i) 9 |
| (j) The audit of accounts by one or more auditors appointed by the society in accordance with the requirements of the Friendly and Industrial and Provident Societies Act 1968. | (j) 31 |
| (k) Whether and, if so, how members may withdraw from the society, and provision for the claims of the representatives of deceased members or the trustees of the property of bankrupt members, or, in Scotland, members whose estate has been sequestrated, and for the payment of nominees. | (k) 12, 32 |
| (l) The mode of application of profits. | (l) 27, 28, 29 |
| (m) The custody and use of the society's seal. | (m) 3 |
| (n) Whether and, if so, by what authority, and in what manner, any part of the society's funds may be invested. | (n) 29 |

3. There accompany this application:-

- (a) two printed copies of the amendment of rules, one marked^A..... and each headed "All previous rules rescinded" and signed at the end by three members and the secretary of the society;
- (b) a statutory declaration of an officer of the society that the amendment now submitted for registration has been duly made by the society.

Signed on behalf of the Society

Date16/9/96.....

.....D Edwards.....

Secretary

Where a (reduced) fee is to be paid because the rules accompanying this application are the model rules of a promoting body organisation and the application is being made through the organisation, that organisation should endorse this form in the space below before it is sent to the Central Office.

Approved for and on behalf of
The Royal British Legion
Mary Berry
CLUBS DEPARTMENT

Form G

Industrial and Provident Societies Act 1965

*Declaration in support of an Amendment of Rules pursuant to regulation
4 of the Industrial and Provident Societies Regulations 1965*

Name of Society CONWY AND DISTRICT ROYAL BRITISH
REGION CLUB.....Limited

Register No 11596..... R

I, ARTHUR DAVID EVANS
of 3 VICTORIA TERRACE, CONWY LL32 8LA
an officer of the above-named society, do solemnly and sincerely declare that the
amendment of the rules of the said society, a copy of which is appended hereto marked
A, has been duly made by the society in the manner provided in the rules
of the society for the making, altering or rescinding of rules.

And I make this solemn declaration conscientiously believing the same to be true, and
by virtue of the provisions of the Statutory Declarations Act 1835.

Declared at Conwy
.....
the 17 day of September
one thousand nine hundred and
twenty six
before me,
Jedoch
A solicitor*
Signature of Declarant
AD Evans

* or Commissioner for Oaths or Notary Public or Justice of the Peace.

24 SEP 1996

RULES OF THE
CONWY AND DISTRICT
ROYAL BRITISH LEGION

CHUB
LIMITED

~~ALL~~ PREVIOUS RULES RESCINDED

RULES OF THE
CONWY AND DISTRICT
ROYAL BRITISH LEGION
Club
LIMITED



1. Conditions, Name and Objects

1.1 Conditions

The Society (hereinafter called the "Club") is affiliated to The Royal British Legion (referred to as the 'RBL') as an officially recognised Royal British Legion Club and shall comply with such conditions as may be prescribed from time to time by the RBL for the issue of a Licence to use the words "The Royal British Legion" in the Club's name.

1.2 Name

The Club shall be named

CONWY AND DISTRICT ROYAL
BRITISH LEGION CLUB Limited.

1.3 Objects

The objects of the Club shall be:—

1.3.1 To advance the charitable aims laid down in the Royal Charter and Schedule of Rules of the RBL and to contribute to the Benevolent Funds of the RBL.

1.3.2 To carry out the business of a bona-fide Members' Club providing the means of social activity, mutual helpfulness, mental and moral improvement, recreation, and other advantages of a Club.

1.3.3 To promote comradeship amongst members of the RBL and liaison with other Ex-Service Organisations.

1.3.4 To organise fund-raising in support of the 'Poppy Appeal' and other RBL sponsored appeals.

1.3.5 To hold regular meetings with the parent Branch to discuss matters of mutual interest.

2. Office

The Registered Office shall be at

CHURCH STREET, CONWY
GWYNEDD

Post Code LL32 8AF

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

3. Seal of the Club

The Club shall have its name engraved in legible characters upon a Seal.

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 thereof shall be mentioned on the instrument to which the Seal is attached, and shall be attested by the signatures of two Officers and by the Secretary.

4. Use of the Club's 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 engraved in legible characters on its Seal, and shall be mentioned in legible characters on all business letters, notices, advertisements and other official 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 on all bills, invoices, receipts and letters of credit of the Club.

5. Rules

5.1 Supply

The Secretary shall be supplied by the Committee with copies of the registered rules, and shall be bound to deliver a copy to all members on their election (see rule 8) and to any other person, on demand, together with copies of registered partial amendments on such payment (not exceeding 10 pence), as the Committee may from time to time determine.

5.2 Amendment

No amendment of these rules is valid until registered by the Registrar of Friendly Societies.

An application to the registrar to amend registered rules must have the prior endorsement of The National Council of the RBL, having first been considered by the appropriate County/Region, and at a subsequent general meeting of the Club called for that purpose. Notice of any proposed amendment must be posted prominently in the Club for at least fourteen days previous to the meeting to which the amendment is to be submitted and any amendment shall require the assent of at least two-thirds of the members present and voting at such a meeting.

Any proposals to amend rules 1, 7, 17.1, 18.1 and 34 may only be voted upon by (a) members (see rule 7).

6. Bye-Laws

The Committee shall have power to make such bye-laws as it may consider necessary for the good order and management of the Club, provided that no such bye-laws shall conflict with any of the rules. A copy of all such bye-laws shall be posted conspicuously on the Club notice-board.

7. Eligibility for Membership

All members of the Club must be at least 18 years of age.

7.1 *Financial Membership*

Financial Membership of the Club shall consist of three categories of fully paid-up RBL members, namely, Ordinary or Life, Women's Section and Associate as defined by the following provisions of the Royal Charter of the RBL who shall for the purpose of these rules be designated (a), (b) and (c) members.

7.1.1 Ordinary or Life members of the RBL [(a) members] shall comprise:—

(a) any man or woman who is currently serving as a Regular, Reserve or Auxiliary Member of the Royal Navy, Army or Royal Air Force and who has attained the age of 18 years and has received 7 days' pay;

(b) any man or woman who has previously received 7 days' pay as a Regular, Reserve or Auxiliary member of the Royal Navy, Army or Royal Air Force, and who has obtained an honourable discharge and has attained the age of 18 years;

(c) any man or woman who served with the Mercantile Marine afloat in hostile waters or as a full time member of Allied Civil Police Forces or who is entitled to the campaign medal issued to the Royal Navy, Army or Royal Air Force in direct support of or under command of whom he or she was at the time;

(d) any Member of Voluntary Aid Societies who has served full time and in uniform in direct support of the United Kingdom Armed Forces;

(e) any British subject (whether by birth or otherwise) who has served at least 7 days in:—

(i) the Forces of an Allied nation and received 7 days' pay;
or

(ii) a resistance organisation of an Allied nation during hostilities in which the United Kingdom Armed Forces were engaged.

(f) Any man who:

(i) served in the Home Guard for at least 6 months, or in a Bomb and Mine Disposal Unit for at least 3 months;
or

(ii) was awarded the Defence Medal in respect of service in the Home Guard or in a Bomb and Mine Disposal Unit.

(g) Or any subsequent category amending the Royal Charter and Schedule of Rules dated the first day of June nineteen hundred and ninety-three.

7.1.2 Women's Section Members of the RBL [(b) members] shall comprise all those women eligible for and admitted to membership in accordance with the Royal Charter and Schedule of Rules. These members, except as otherwise hereinafter provided, shall enjoy the same rights and privileges as other financial members and be subject to the same rules and bye-laws.

7.1.3 (Non-ex-Service) Associate Members of the RBL [(c) members] shall comprise all men and women having attained the age of eighteen years other than those eligible for Ordinary or Life membership or admitted to Women's Section membership who accept and support the policy, aims and objects of the RBL and who have applied for and been admitted to Associate membership. These members, except as otherwise hereinafter provided, shall enjoy the same rights and privileges as other financial members and be subject to the same rules and bye-laws.

7.2 *Temporary Membership*

A serving member of H.M. Forces who has not been admitted to

membership under section 7.1 of this rule, or a fully paid-up member of the RBL temporarily resident in the locality of the Club, or a member of a team attending the Club in connection with a sports or other contest, or a person specially invited by the Committee, or any person engaged by the Club for a social event, may become a temporary member for the period of such attendance, residence or engagement only. Persons may only be admitted to temporary membership for a period or periods which together do not exceed thirty days in any one calendar year. A period of two clear days shall elapse between the nomination and admission of a temporary member and a list of names and addresses of such persons shall be posted in the Club at least two clear days before admission in their own right and shall remain posted throughout the whole period of the temporary membership. The total number of temporary members in membership at any one time must not exceed 10% of the total Club membership. Temporary members shall have all

7.3. Ex-Officio.

Other than appointed officers, any employee of the Club shall ex- officio be a member of the Club, except that he may not hold any office in the Club or be a member of the Committee and may not vote at any meeting of the Club.

8.1 *Financial Membership*

Applications for financial membership shall be made to the Club Secretary.

Applicants must submit evidence of membership of the RBL.

Applicants must sign an application form for one share and provide a deposit of one pound which will be returned in the event of non-acceptance as a member.

The application form must contain present name, address and occupation of each applicant signed by a proposer and a seconder who must each be a financial member of the Club. This form shall be posted in the Club for at least two clear days prior to the proposed member's name being considered by the Committee.

The Committee has the sole authority to admit applicants to membership or to reject them. The decision of the Committee shall be final. The reasons for the decision shall not be conveyed to the applicant.

Immediately upon admission the new member shall:—

- (a) receive one share valued at one pound;
- (b) be provided with a copy of the Club's registered rules. If a charge is made it must not exceed 10 pence;
- (c) pay the current joining fee and subscription;
- (d) receive a RBL Club membership and affiliate card.

Until this admission procedure is fully completed, applicants are not entitled to enter the Club in their own right or to enjoy the privileges of membership.

8.2 *Temporary Membership*

Application for temporary membership shall be made to the Secretary. Where applicable, applicants must submit evidence of RBL membership.

The names and addresses of applicants for temporary membership shall be posted in the Club for at least two clear days before the membership becomes valid.

The Committee may authorise the admission of temporary members from a date being two clear days from the date of receipt of the relevant application.

Membership shall only become valid after the payment of a subscription in accordance with Rule 10.1, the receipt for which shall constitute the temporary membership card.

9. Shares

Shares shall not be withdrawable or transferable and shall be of the value of one pound. No member shall hold more than one share, and no interest or dividend shall be paid on it. A member shall forfeit the share value of one pound on ceasing from whatever cause to be a member.

A share held by members prior to the registration of these rules shall remain as one valid share irrespective of price paid.

10. Subscriptions and Joining Fees

10.1 *Who Pays*

All financial members shall pay an initial joining fee together with a subscription as may from time to time be determined by the Committee, and ratified by the members at an Annual General Meeting.

Temporary members shall pay a joining fee and subscription as determined by the Committee.

Subscriptions are applicable to Club membership only and do not include the subscription payable for membership of any Branch of the RBL (including the RBL affiliation fee).

10.2 *Payments Due*

The subscription for the current financial year becomes due as soon as an applicant is admitted to membership (see rule 8.1) and subsequently

on the first day of OCTOBER..... being the beginning of the Club's financial year.

10.3 *Arrears*

Any member who has not paid his subscription within ~~eight~~ FOUR weeks after it has become due shall be considered to be "in arrears".

The Secretary shall post in the registered office a list of the names of members in arrears within the five days of their becoming in arrears and no member in arrears shall be permitted to use the Club or to take part in its affairs.

10.4 *Lapsed Membership*

Any member whose subscription is still not paid within four weeks of becoming in arrears shall cease to be a member. The Secretary shall post in the registered office a list of the names of persons who, for this reason, have ceased to be members.

10.5 *Excused Club Subscriptions*

The Committee, on receiving information in writing addressed to the Secretary that any member has been unable to pay the Club 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 it may think fit, in which case such member shall not forfeit the privileges of membership, nor shall the member's name be included in the lists in 10.3 and 10.4 above.

11. Register of Members

11.1 *Register*

The Club shall keep at its registered office a register in which the Secretary shall enter the following particulars:—

- (a) the names and addresses of all the members;
- (b) a statement of the number and value of shares held by members;
- (c) a statement of property in the Club; (whether in loans or otherwise held by each member);
- (d) 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;
- (e) the names and addresses of the Officers and Committee with the offices held by them respectively and the dates on which they assumed office.

11.2 *Address Change*

Any member changing his address must notify the Secretary of such change within fourteen days thereafter.

11.3 *Duplicate Register*

The Club shall also keep at its registered office a duplicate register of members in which the Secretary shall enter all the particulars in the original register of members other than those mentioned in paragraphs 11.1(b) and (c) above.

12. Cessation of Membership

A member shall cease to be a member:—

- (a) By non-payment of subscriptions (see rule 10);
- (b) By expulsion;
- (c) By resignation;
Any member wishing to resign must send written notice to the Secretary and have his resignation formally accepted by the Committee;
- (d) By ceasing to be a member of the RBL as required by rule 7;
- (e) By suspension or expulsion of membership of the RBL under rule 2.14 of the Royal Charter and Schedule of Rules (or as amended);
- (f) Upon death.

13. Admission of Non-Members to the Club

In addition to members, the following may be admitted to the Club premises at the discretion of the Committee. Persons under the age of eighteen years shall not be sold or allowed to consume intoxicants on the Club premises.

13.1 *Affiliated Club Visitors*

Provided that the Club accommodation is not full, members of any club which is in receipt of the licence to use the name of the RBL in its title may (normally) be admitted to use the Club facilities upon production of their current RBL Club membership and affiliate card. The Committee may make special arrangements regarding the admission of affiliated club visitors to special events organised at or by the Club.

The name and address of the visitor and the name of the club to which they belong must be entered in a book kept for that purpose and the doorkeeper or other appointed official, being satisfied that they are eligible may admit them.

Affiliated club visitors shall enjoy the same facilities as financial

members except that they may not attend any meeting of the Club or vote on any resolution.

13.2 *Guests of Members*

Any financial member or affiliated club visitor may be accompanied by their spouse (or nominated partner) and children under the age of 18 years as guests when the Club is open, subject to any restrictions under rule 6.

In addition to their family (see above) any financial member or affiliated club visitor may introduce friends as guests provided that no financial member (or affiliated club visitor) may introduce more than two guests at any one time and no individual (who is eligible for membership) may be introduced as a guest more than once in any one calendar month.

Guests and the member (or affiliated club visitor) introducing them shall sign their name in a book kept for that purpose.

Members shall be responsible for the good behaviour of guests introduced by them during the period of their stay in the Club and in the event that a guest is removed from the Club premises for misconduct or other cause, the member introducing such a guest may be subject to disciplinary procedures. The member must be present throughout the period his guests are in the Club.

13.3 *Guests Approved by the Committee*

Persons attending the following functions organised by the Committee or organised by a member and approved by the Committee may be admitted to the Club and pursuant to section 49 of the 'Licensing Act 1964' (or subsequent legislation) intoxicants sold to them, provided that such sales shall be limited by any conditions imposed on the Club's certificate of registration by the Magistrates' Court:—

- (a) sporting teams and their officials and supporters engaged in sporting fixtures in which a representative team from the Club is participating; or
- (b) occasions of a member's personal or family nature including parents, grandparents and descendants, not organised for profit and which are customarily celebrated, e.g. weddings, retirements, silver and golden wedding anniversaries, etc.; or
- (c) functions organised to entertain exclusively members of the RBL or members of other ex-Service organisations or units of Her Majesty's Forces or employees of the Club; or
- (d) in any twelve month period up to 12, other functions organised to further the objects of the Club (see rule 1);
- (e) By agreement with the Club, the RBL parent Branch, women's section and youth section shall be able to use such parts of the Club premises and at such times as are reasonable for the purpose of meetings and other functions.

13.4 *Exclusions*

Notwithstanding rule 13.1, 13.2 and 13.3 the following may not be admitted as guests:—

- (a) former members who have ceased to be members under rule 12 (a), 12 (b), 12 (d) and 12 (e);
- (b) persons whose application for membership has been refused;
- (c) members who are suspended under rule 22;
- (d) members who have been ordered under rule 21 to withdraw and who have not subsequently met the Committee.

14. Hours of Opening and Closing 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.

15. Permitted Hours

The permitted hours for the supply of intoxicants shall be fixed by the Committee within (and in accordance with) section 62 of the 'Licensing Act 1964' and schedule 1 of the 'Licensing Act 1988' (or subsequent legislation) and the total general licensing hours applicable to the Petty Sessions Division within which the Club premises are situated. The permitted hours shall be incorporated in a bye-law which shall be displayed in the Club and be notified to the Clerk to the Justices and the Chief Officer of Police.

Insofar as these rules allow for the sale of intoxicants such sale shall also be limited to the permitted hours fixed by the Committee.

The permitted hours may be extended only by application to the relevant Magistrates' Court pursuant to the 'Licensing Act 1964' (or subsequent legislation).

16. General Meetings

16.1 Ordinary General Meetings

Ordinary general meetings shall be held as directed by the Committee.

The agenda for the meeting must be posted prominently on the Club premises for at least fourteen days prior to the meeting. It shall also be advertised in a local newspaper at least fourteen days prior to the meeting. Notice of a motion submitted in writing by any member at least seven days before the date of such meeting shall be added to the agenda by the Secretary. No matters other than those which appear on the agenda shall be discussed at an ordinary general meeting.

16.2 Annual General Meeting

The annual general meeting of the members shall be held in the month

of **NOVEMBER** in each year, on a date to be fixed by the Committee. The date and time of the meeting together with an agenda of the business to be conducted shall be posted prominently in the Club by the Secretary for at least fourteen days prior to the date of the meeting. It shall also be advertised in a local newspaper at least fourteen days prior to the meeting. The business of the meeting shall be to receive a report by the Committee for the previous financial year, to receive a statement of accounts and balance sheet and the report of the auditor for the previous financial year, to appoint the auditor, appointment of Arbitrators and such other business as may be included in the agenda. Notice of a relevant motion in writing submitted by any financial member at least seven days before the date of such meeting shall be added to the agenda by the Secretary.

16.3 Special General Meetings

16.3.1 How to be called

A special general meeting shall be called by the Secretary in the following circumstances:—

- (a) upon the direction of the Committee, and in accordance with such direction;

(b) on a requisition, signed by one-fifth of the financial members or thirty such members, whichever is the less, stating the special object thereof. The requisition should include both the printed name and signature of the member. Such meeting shall be held within not less than fourteen days and not more than twenty-one days from the date of the receipt by the Secretary of the requisition;

(c) as stated in rule 20 'Removal from Office'.

16.3.2 Notice to be given

Notice of any special general meeting, and of the objects for which it is called, shall be posted prominently in the Club by the Secretary for at least fourteen days prior to the date of the meeting. It shall also be advertised in a local newspaper at least fourteen days prior to the meeting. Should the Secretary not give notice of a special general meeting in the manner required within seven clear days after a duly signed requisition has been delivered to him, any of the requisitionists may call such a meeting, giving notice as is provided by this rule.

16.3.3. Business

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

16.4 Quorum

A general meeting may proceed to business if twenty qualified members as per rule 16.6 ~~or one twentieth of the total qualified membership (whichever is the greater)~~ are present within an hour after the time fixed for the meeting, otherwise the meeting, if a special general meeting convened on the requisition of the members, shall be dissolved; but if an ordinary, annual or special general meeting convened by order of the Committee, 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.

16.5 Presiding Officer

The President, or the Chairman, or the Vice-Chairman, or in the absence of all these officers, a member elected by the meeting shall preside at all general meetings.

16.6 Voting

All financial members may attend and speak at any general meeting. All financial members shall be entitled to vote on any resolution other than a resolution under rule 34 or to amend rules 1, 7, 17.1, 18.1 or 34, where the right to vote shall be restricted to (a) members. Voting shall be decided by simple majority of those present except as otherwise provided in these rules and in the event of a tied vote the motion shall be deemed to be lost.

16.7 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 introduced at any adjourned meeting which could not have been transacted at the original meeting.

16.8 Rescinding

No resolution passed by a general meeting shall be rescinded, except by another general meeting called in accordance with rule 16.1, 16.2 and 16.3.

17. Officers and Honorary Posts

Two Vice-Presidents

17.1 Officers

Officers of the Club shall consist of a President, Chairman ~~and~~ Vice-Chairman who shall be elected annually and be members of the Committee (see rule 19), and the Secretary ~~and Treasurer~~ who shall be appointed by the Committee.

17.2 Honorary Vice-Presidents

Honorary Vice-Presidents may be elected at an annual general meeting but they shall not be officers of the Club nor members of the Committee. These people should be of standing in the community and able to enhance the reputation of the Legion and its Club.

17.3 Vacation of Office

Any elected Officer shall vacate his office: —

- (a) upon removal from office under rule 20;
- (b) upon cessation of membership of the Club under rule 12;
- (c) upon suspension under rule 22;
- (d) upon resignation submitted to the Secretary in writing and accepted by the Committee;
- (e) upon death.

17.4 Vacancies

In the event of a vacancy arising among the elected officers, the Committee shall have power to appoint an eligible member to fill the vacancy until the next ballot held under rule 19; the period of appointment not to exceed twelve months.

17.5 Honoraria

Officers other than the Secretary ~~and Treasurer~~ may receive such honorarium (if any) as the members in general meeting may from time to time decide.

17.6 Duties of Officers

17.6.1 The President

The President shall normally preside at general meetings of the members and act as the Club's ambassador. He will not normally participate in the day-to-day management of the Club.

17.6.2 The Chairman

The Chairman shall normally preside at all meetings of the Committee and shall have overall responsibility for the conduct of Club affairs as directed by the Committee.

17.6.3 The Vice-Chairman

The Vice-Chairman shall deputise for the Chairman as necessary.

17.6.4 The Treasurer

The Treasurer shall be responsible for the paying into the bank of all monies received by the Club from all sources, without any deduction for any purpose whatever, to the credit of an account opened in the name of the Club at such bank and in such manner as the Committee may direct, and further, shall keep such accounts and pay such debts of the Club as the Committee shall direct, and must render to the Committee or a general meeting an account of any monies received and expended by him. He will attend all general meetings (and all Committee meetings ~~in a non-voting capacity~~) as directed by the Committee.

17.6.5 The Secretary

The Secretary shall keep upon the Club premises a list of the names

and addresses of the members of the Club, and a subscription book (or books) 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 monies on account of the Club, and pay the same to the Treasurer, and keep such accounts as the Committee may direct.

He shall attend all general meetings (and all Committee meetings in a non-voting capacity) as directed by the Committee, take minutes of the proceedings, ensure the preparation of accounts and balance sheets and annual returns, and submit the same to the auditor.

Two Vice - Presidents

18. The Committee

Treasurer

18.1 Composition

The Committee shall be elected annually (see rule 19) and shall consist of the President, Chairman, Vice-Chairman and at least six other financial members. The Committee must include a majority of (a) members. On completing three years' continuous service as a Committee member, (b) and (c) members may stand for election as officers of the same Club.

18.2 Employees of the Club

The Committee shall have exclusive powers to appoint, dismiss, enter into a contract of employment with, and fix the remuneration of the Secretary, Treasurer, Steward and any other employee. The Secretary and Treasurer may be members of the Club. The Steward and other employees may not be members of the Club.

18.3 Management of the Club

The Committee shall be responsible for the management of the Club having regard to these rules and to any resolution of a general meeting called under rule 16.

The Committee, or any officers authorised by them, shall have the power to give orders for 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. No member shall by virtue of his appointment have power to order goods or dispose of the funds of the Club.

18.4 Payments to Members of the Committee

Unless specifically authorised by a general meeting held under rule 16, a member of the Committee may not:—

- (a) supply goods to the Club for payment;
- (b) enter into a contract for work to be done for the Club;
- (c) hold any office of salary or profit paid by the Club.

(Note: Honoraria may be paid to officers or other members of the Committee if specifically and individually authorised by the members at a general meeting called under rule 16).

18.5 Conduct of Meetings

18.5.1 Frequency

The Committee shall meet at least once per month for general business. The Chairman or in his absence the Vice-Chairman or in his absence a chairman elected by the members present shall take the chair at meetings of the Committee.

18.5.2 Voting

The quorum of the Committee shall consist of at least one-third of the total membership of the Committee.

Each member of the Committee shall have one vote only. Except where otherwise provided in these rules, motions shall be decided by a simple majority of those present and voting and in the event of a tie, the motion shall be deemed to be lost.

18.5.3 Rescinding a Resolution

No resolution of the Committee shall be rescinded unless notice to rescind has been given at the previous meeting and all members of the Committee informed accordingly.

18.5.4 Minutes

Minutes of all meetings of the Committee shall be taken by the Secretary (or in his absence a member appointed by the Committee). The Secretary shall cause the minutes of the meetings to be retained for at least ten years.

18.6 Vacation of Office

Committee members will vacate their office:—

- (a) upon removal from office under rule 20;
- (b) upon cessation of membership of the Club under rule 12;
- (c) upon suspension under rule 22;
- (d) upon resignation submitted to the Secretary in writing and

- (f) Any member of the Committee not attending for three consecutive meetings shall, unless he sends an explanation which the Committee considers satisfactory, cease to be a member of the Committee.

Committee, the Committee shall have power to appoint an eligible member to fill the vacancy until the next ballot held under rule 19; the period of appointment not to exceed twelve months.

18.8 Sub-Committees

The Committee may appoint sub-committees as occasion requires and such sub-committees shall be responsible to the Committee, and all monies voted for the use of or received by the sub-committee shall be dealt with in accordance with rule 17.6.

18.9 Finance Sub-Committee

The Committee shall, at the first meeting following each election, appoint a sub-committee, to be called the Finance sub-Committee. It shall consist of three members of the Committee exclusive of the officers but with the Secretary and Treasurer in attendance. The officers shall be eligible to attend meetings as ex-officio members of this Committee and take part in the proceedings but the Secretary and Treasurer shall not be eligible to vote. It shall be the duty of the Finance sub-Committee:—

- (a) to monitor the performance of the Club against budget projections;
- (b) arrange for stocktaking on the first convenient day of each month either by themselves or by an agent duly appointed for that purpose;
- (c) check all demands for payment with the order book of the Club, and with the delivery notes and invoices;
- (d) to report to the whole Committee whether such stock records agree with the returns made to the Club by the Steward, and whether the demands are in order and correct;
- (e) to see that the vouchers are produced by the Secretary for all payments made by him or by order of the Committee;
- (f) to check whether the Secretary's cash record has been duly made up each week and the amount shown is reconciled with the Treasurer's records and bank statements of the Club's accounts;

- (g) present to the Committee at each monthly meeting the records duly made up to date.

The proceedings of the Finance sub-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 two persons, one of whom shall be an officer and the other a member of the Finance sub-Committee.

18.10 *Fidelity Insurance*

All officers, committeemen and employees of the Club whose duties may involve them in handling Club money or stock must be insured under an insurance policy which protects the Club against dishonesty and fraud. The premium shall be paid by the Club.

19. Conduct of Elections

19.1 *Procedure*

The election of officers (other than the Secretary and ~~Treasurer~~) and Committee members shall be by ballot. No person may hold more than one office. Each financial member of the Club shall have one vote for each vacancy.

19.2 *Ballots*

Ballots shall be held either:—

- (a) during the annual general meeting;
- or
- (b) during the fourteen days following the annual general meeting. Such ballots shall remain open for at least three hours on the evenings of two consecutive days.

19.3 *Scrutineers*

19.3.1 Ballots shall be carried out under the directions of the Committee by three scrutineers appointed by the annual general meeting. Scrutineers shall not be candidates, committeemen, or officers.

19.3.2 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 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 of the Club, and a scrutiny shall be carried out by three fresh scrutineers, to be named by the outgoing Committee, and their decision shall be final.

19.4 *Eligibility*

Except as detailed in rule 18.1, any member (who must give his written consent) shall be eligible for election only after he has been a financial member of the Club for at least six months and must be proposed and seconded by two financial members who must sign the nomination sheet.

19.5 *Nominations*

At least three weeks before the day fixed for any ballot, a nomination sheet shall be posted prominently on the Club premises by the Secretary, on which the names of all candidates for any office must be entered, and such sheet shall remain open until twenty-four hours prior to the annual general meeting, if the ballot is to be held at that meeting, or until the expiration of at least twenty-four hours following the annual general meeting, if the ballot is to be held during the fourteen days following the date of the annual general meeting.

19.6 *Result of Ballots*

The result of ballots shall be made known within twenty-four hours of the close of the ballot, by posting a notice on the Club notice-board, attested by the signatures of the scrutineers recording the number of votes polled by each candidate and indicating which of the candidates are elected, the candidates receiving the highest number of votes being those elected, except as detailed in rule 19.7.3.

19.7 *Resolution of Difficulties*

19.7.1 In the event of a member being elected to more than one office he may choose which office he wishes to hold, the other office shall be filled by the nominated member receiving the next highest number of votes.

19.7.2 Should the ballot result in two or more candidates receiving an equal number of votes for the last or only vacancy or vacancies in a particular post, the names of such candidates shall be written on slips of paper, which shall be placed so that the names are concealed, and the President, or in his absence some person appointed by the scrutineers, 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.

19.7.3 In the event of the majority of non (a) members receiving more votes than the (a) members, then the (a) members with the next highest number of votes shall be deemed to be elected until the (a) members form the majority of the Committee.

20. Removal from Office

The Committee or any member or members thereof, including the elected officers, may be removed by the votes of two-thirds of the members present and voting at a special general meeting called for that purpose. In the event of the removal or the resignation of the whole or majority of the Committee, the Secretary shall obtain nominations and appoint scrutineers and arrange for holding a ballot, and the result shall be declared to a special general meeting to be called by the Secretary. The time and notices required by rule 16 for special general meetings shall not apply in this case, but three days shall be allowed for nomination, the ballot shall be held on the succeeding three days and the special general meeting held within three days of the close of the ballot.

21. Misconduct of Members

No gaming (other than that permitted by law), drunkenness, prohibited drugs, bad language or other misconduct shall be permitted on the Club's premises, including the grounds and appurtenances thereof of any premises belonging to or authorised to use the title of the RBL. Any officer or any member duly authorised by the Committee shall have power to order the immediate withdrawal from the Club's premises (including the aforesaid grounds, appurtenances and premises) of any member offending under the provisions of this rule and the member may be dealt with by the Committee under rule 22. Such a member shall have no right of re-entry to the Club premises or benefits of membership until requested and attending to meet the Committee except that the member may attend appropriate branch meetings. If the next ordinary meeting of the Committee be within less than three days the member may claim to appear before them at that meeting and to have his case dealt with, waiving the length of notice required by the said rule 22 if applicable.

22. Disciplinary Powers of the Committee

The Committee shall have power to reprimand, suspend (for not less than 3 months nor more than 12 months), or expel any member who shall infringe any rule, or whose conduct, whether within or without the Club premises, shall in their opinion, bring the name of the RBL into disrepute and render the member unfit for membership.

No member shall be suspended or expelled without being given an opportunity to be heard by the Committee and to advance a defence, nor unless a majority (of two-thirds of the Committee then present) shall vote for his suspension or expulsion.

Every member required to appear before the Committee under this rule shall receive at least seven clear days' notice in writing from the Secretary and the appearance shall normally be within 40 days of the alleged offence.

The decision of the Committee shall be notified by the Secretary in writing to the member within seven days.

A suspended member shall remain liable to pay his subscription, but shall not be permitted to use any of the facilities of the Club or take any part in the affairs of the Club except as may be provided by the Act. The Secretary shall hold the Club membership and affiliate card of suspended members.

23. Appeals

The decision of the Committee under rule 22 shall be final, unless any member who is suspended or expelled under this rule, shall, within twenty-eight days of having been notified in writing of the decision of the Committee, lodge an appeal to the Secretary. A member suspended or expelled shall have the right to appeal only to the independent Arbitrators appointed by the members at the annual general meeting. Arbitrators shall be people of standing in the community such as elected Councillors, J.P's or senior members of the police force. A single such Arbitrator may hear an Appeal.

Application for arbitration must be supported by a deposit of five times the RBL affiliation fee. The total costs of arbitration shall be attributed by the Arbitrators.

The findings of all disciplinary proceedings shall be reported to the RBL County/Region in the prescribed format.

24. Disputes

Disputes being the subject of disciplinary proceedings under rules 22 and 23 shall not be covered under this rule.

24.1 *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 general 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 general meeting.

24.2 *Between a Member and the Club*

All disputes between a member or person aggrieved who has for not

more than six months ceased to be a member, or any person claiming through such member or person aggrieved or under the rules (other than as provided for by rule 23) and the Club, shall be referred for arbitration to the three Arbitrators, (who shall be appointed by the National Council of the RBL) on application by the Committee or appellant to the RBL County/Region Committee and the decision of the Arbitrators or a majority of them shall be final.

Application for arbitration must be supported by a deposit of five times the RBL affiliation fee. The total costs of arbitration shall be attributed by the Arbitrators.

25. Inspection of Records by Members

25.1 Statutory

It shall be the statutory right of any member or person having an interest in the funds (having given seven days notice in writing to the Secretary), to inspect at the registered office, the records of account, and records containing the names and addresses of the members of the Club, including all the particulars in the duplicate register of members, at all reasonable times, and it shall be the duty of the Secretary to produce the same for inspection accordingly; but no person, unless an officer of the Club or specially authorised by a resolution thereof can inspect the loan account of any other member without his written consent.

25.2 Discretionary

A member may, at the discretion of the Committee, on giving seven clear days prior notice of his reason in writing to the Secretary, inspect the minutes of any meeting of the Committee.

26. Annual Returns

26.1 Statutory Returns

Every year not later than the thirty-first of March or where the return is made up to the date allowed by the registrar not later than three months after such date, the Secretary shall send to the Registrar the annual return in the form prescribed by the 'Chief Registrar of Friendly Societies' relating to the Club's affairs for the period required by the Act to be included in the return, together with:—

- (a) a copy of the report of the auditor on the Club's accounts for the period included in the return; and
- (b) a copy of each balance sheet made during that period and of the report of the auditor on that balance sheet.

26.2 Royal British Legion Returns

Annual returns to the National Council via the County/Region, shall be made by the first of February or within one month of the Club's annual general meeting and shall consist of:—

- (a) completed form C4 (Licence Application);
- (b) completed form C5 (Summary of Accounts);
- (c) copies of the audited Club accounts (as per standard RBL format);
- (d) the appropriate Licence fee;
- (e) copy of the Club bye-laws;
- (f) any other material that may be requested in accordance with the Act.

27. Surplus

An annual general meeting may resolve to apply the whole or any part of the surplus in any of the following ways:—

- (a) for providing for the redemption of the loan capital;
- (b) in the interests generally of the RBL and the welfare of ex-Service personnel;
- (c) in promoting mutual activities and united actions between members; or
- (d) for any other lawful purpose, subject to rule 28 and in support of the objects of rule 1.

28. Application of Funds

Except by the dissolution of the Club or as interest on loans, no profits or funds of the Club shall be distributed among the members other than in pursuance of the provisions of rule 27.

29. Investments

The Committee may invest the funds of the Club in or upon any security, being a security in which trustees are for the time being authorised by law to invest for which purposes sections 1 to 6 of the 'Trustee Investment Act 1961' or any Act or Acts amending or in substitution for the same and for the time being in force shall apply as if the Club were a trustee and its funds were trust property; but not otherwise.

30. Loans and Loan Stock

30.1 Loans

The Committee may obtain advances of money for the purposes of the Club from members or others on bonds, or agreements, or promissory notes, or from members only on certificates in respect of indebtedness of loan stock as provided hereafter. The total amount so obtained shall

not exceed £100,000. The Committee may take any such loan on such terms as to the rate and manner of repayment as it thinks fit; but terms as to the rate of interest agreed to be given on any such advance shall not exceed £5 per cent, per annum or £2 per cent, per

annum above the MIDLAND Bank plc base lending rate, whichever is the higher (except monies borrowed by way of a bank loan or overdraft or by way of a mortgage of the Club's premises). Any bond of the Club may be made a specific charge upon any property of the Club specified therein or in any schedule thereto, but a separate register shall be kept of all such bonds. All such bonds and other documents shall be made in such form, and shall be signed on account of the Club by such persons as the Committee may from time to time direct.

The Club shall not receive monies on deposit.

30.2 Loan Stock

Any amount of loan stock for sums of 50 pence, or multiples thereof, being within the total limit mentioned in the preceding rule, may be issued by the Committee to members only subject to the conditions following:—

30.2.1 It shall not confer a right to demand payment of the principal from the Club, unless the interest be not paid within one month of a demand made in writing.

30.2.2 It shall be evidenced by certificates of indebtedness under the hands of two members of the Committee and the Secretary, stating the amount of loan stock standing to the credit of the respective holders.

30.2.3 It shall bear interest at a rate not exceeding the rate prescribed in rule 30.1.

30.2.4 The Secretary shall keep a register of the holders of loan stock for the time being containing such particulars as the Committee may from time to time direct.

30.3 *Transfer of Loan Stock*

A certificate of loan stock may be transferred by a form containing such particulars as the Committee direct. A fee of 5 pence shall be paid by the transferor 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. 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.

30.4 *Repayment of Loan Stock*

Subject to the payment of, or a sufficient provision for, all subsisting claims on the Club, the Committee may from time to time apply any monies which they cannot profitably invest, to pay off the loan stock holders in the order in which they are entered on the register, or in exceptional circumstances in such order as the Committee may decide. If a loan stock holder, who has received notice that the Committee is prepared to pay him off, leaves 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.

31. Audit

31.1 *Appointment of Auditor*

31.1.1 There shall be appointed in each year of account a "qualified auditor" to audit the Club's accounts and balance sheet for that year. In this rule "qualified auditor" is one who is registered with any of the supervisory bodies recognised under the 'Companies Act 1989'.

31.1.2 None of the following persons shall be appointed as auditor of the Club:—

- (a) an officer or servant or member of the Club;
- (b) a person who is a partner of or in the employment of or who employs an officer or employee of the Club.

31.1.3 Except as provided in paragraph 31.1.4 every appointment of an auditor shall be made by resolution of a general meeting of the Club.

31.1.4 The first appointment of an auditor shall be made within three months of the registration of the Club and shall be made by the Committee if no general meeting of the Club is held within that time. The Committee may appoint an auditor to fill any casual vacancy occurring between general meetings of the Club.

31.1.5 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 reappointed as auditor of the Club for the current year of account (whether or not any resolution expressly reappointing him has been passed) unless:—

- (a) a resolution has been passed at a general meeting of the Club appointing somebody instead of him or providing expressly that he shall not be re-appointed; or
- (b) he has given to the Club notice in writing of his unwillingness to be re-appointed; or
- (c) he is not a “qualified auditor” or is a person mentioned in paragraph 31.1.2 of this rule; or
- (d) he has ceased to act as auditor of the Club by reason of incapacity.

Provided that a retiring auditor shall not be automatically re-appointed if notice of an intended resolution to appoint another person in his place has been given in accordance with paragraph 31.1.6 of this rule and the resolution cannot be proceeded with because of the death or incapacity of that other person or because that other person is not a “qualified auditor” or is a person mentioned in paragraph 31.1.2 of this rule.

31.1.6 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 twenty-eight days before the meeting at which it is to be moved. On receipt by the Club of notice of such an intended resolution the Club shall forthwith send a copy of the notice to the retiring auditor. If it is practicable to do so the Club shall give notice to its members of the intended resolution at the same time and in the same manner as it gives notice in accordance with these rules of the meeting at which the resolution is to be moved or, if that is not practicable, by advertisement not less than fourteen days before the said meeting in a newspaper circulating in the area in which the Club conducts its business. Where the retiring auditor makes any representations in writing to the Club with respect to the intended resolution or notifies the Club that he intends to make such representations, the Club shall notify the members accordingly as required by section 6 of the ‘Friendly and Industrial and Provident Societies Act 1968’.

31.2 *Auditor's Report*

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 him and on the revenue account or accounts and the balance sheet of the Club for the year of account in respect of which he is appointed.

31.3 *Display of Balance Sheet*

The Club shall keep a copy of the last balance sheet for the time being, together with the report of the auditor, always displayed in a conspicuous place at the registered office.

32. 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 Committee 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 Act 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 his 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 Committee 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 thereunder.

33. Statutory Applications to the Registrar

The requisite number of members may, in accordance with the provisions of the Act apply to the Registrar:—

- (a) for the appointment of an accountant or actuary to inspect the books of the Club and report thereon;
- (b) for the appointment of an inspector to examine into the affairs of the Club and report thereon;
- (c) for the calling of a special general meeting of the Club.

34. Disaffiliation

The Club may disaffiliate from The Royal British Legion only by the written consent of three-fourths of the (a) members defined in Rule 7, supporting evidence being supplied to the National Council for verification.

35. Dissolution

The Club may at any time be dissolved by the consent of three-fourths of the financial members, testified by their signatures to an Instrument of Dissolution in the form provided by the Statutory Regulations in that behalf, or by winding up in a manner provided for by the Act.

36. Interpretation

In these rules:—

- (a) words importing the singular or plural shall include the plural and singular respectively;
- (b) words importing the masculine gender shall include the feminine;
- (c) "the Act" shall mean the 'Industrial and Provident Societies Acts 1965 to 1968' or any Act or Acts amending or in substitution for the same and for the time being in force;
- (d) "records" shall mean books, or computer data;

- (e) "local newspaper" shall mean a newspaper circulating freely in or about the locality in which the Club's registered office is situated;
- (f) reference to the "National Council" shall include successor bodies appointed within the RBL;
- (g) reference to statutes shall include subsequent legislation.

(h) 'employee' shall mean any person who is required by statute to receive a written statement of employment particulars within two months of the start of employment.

Signatures of Three Members and Secretary for Registration

| | | |
|---------|--------------------|------------|
| 1. | <i>AD Evans</i> | PRESIDENT |
| 2. | <i>J Ward</i> | CHAIRMAN |
| 3. | <i>A Patterson</i> | TREASURER |
| 4. | <i>DEdwards</i> | Secretary. |

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INDUSTRIAL AND PROVIDENT SOCIETIES ACT 1965

Acknowledgment of Registration of Amendment of Rules

Register No. **11596 R**

The amendment of the rules of **Conwy and District Royal British Legion Club Limited** to which this acknowledgment is attached, is this day registered under the Industrial and Provident Societies Act 1965.

Date: **22 October 1996**

Registry of Friendly Societies
15 Great Marlborough Street
London W1V 2LL

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A. C. PHILLIPS
1/5 HONDURAS STREET
LONDON EC1Y 0TH
TELEPHONE: 071-253 6415

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