



National Federation of Plus Areas

National Constitution

Version of Document	Date Changed	Author
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National Federation of Plus Areas – National Constitution

1. Article 1: The Name of the Federation

1.1. The Federation will be called the “National Federation of Plus Areas” (hereinafter “the Federation”).

2. Article 2: Purposes of the Federation.

2.1. The Purposes of the Federation shall be :

2.1.1. The Federation is a voluntary organisation run by its members for its members, who want to participate in and organise a wide range of activities.

2.1.2. The Federation shall not be affiliated to any party political organisation or religious body.

3. Article 3: Member Areas

3.1. Membership of the Federation shall consist of self-governing, financially independent and self-supporting Plus Areas (hereinafter: "Member Areas").

3.2. CONDITIONS OF MEMBERSHIP

3.2.1. Each Member Area shall comply with and be subject to the following regulations:

3.2.2. Each Member Area shall pay to the Federation an annual membership fee as shall be agreed by the National Executive Committee of the Federation (hereinafter: “the NEC”)

3.2.3. Each Member Area shall represent a unique, geographically-identifiable portion of the United Kingdom or its Crown Dependencies.

3.2.4. The name of the Member Area shall be subject to the prior approval of the NEC.

3.2.5. Each Member Area shall govern its own affairs by adopting a suitable Area Constitution which shall contain the following clauses:

3.2.5.1. The Purposes of the Member Area must be identical to those described in Article 2 of this Constitution.

3.2.5.2. All other clauses should be identical to the “Model Area Constitution” unless the Member Area has, with the prior approval of the NEC, adopted other rules. Such approval will be withheld, if in the opinion of the NEC, the constitution or amendment.

3.2.5.2.1. is in conflict with any provisions of this National Constitution; or

3.2.5.2.2 is unworkable or defective, or omits or deletes provisions necessary to the proper functioning of the Member Area.

3.2.6. The Member Area may publish literature solely in the name of the Area for local purposes but such literature shall not contain any statement contrary to the said Purposes or to the National Constitution of the Federation.

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3.2.7. Subject to these regulations, the Member Area may generally manage its own affairs and shall be solely responsible of its own debts and liabilities and shall not pledge the credit of any other constituent part of the Federation.

3.2.8. The constitution of a Member Area is subject to this National Constitution, and in the event of any conflict between them, this National Constitution shall prevail.

3.2.9. In the event of any question of interpretation arising, or any question on which the Model Area Constitution is silent, the NEC shall have power to act according to its interpretation of the Constitution in accordance with Article 13, or at its discretion.

3.3. VARIATION IN MEMBERSHIP OF THE FEDERATION

3.3.1. A new Member Area shall be admitted to the Federation with full member status by a resolution of the NEC.

3.3.2. The NEC may create an Area with "Development Area" status which shall hold an inaugural Area Conference under the supervision of the NEC. The Area Representative / Chairman elected at such conference shall be entitled to attend NEC meetings but may only vote once a resolution in accordance with 3.3.1 has been passed

3.3.3. An existing Member Area may only be removed from the Federation by a resolution of the NEC.

3.3.4. Each Area shall be administered by a committee (hereinafter referred to as an "Area Committee").

3.3.5. The members of an Area Committee shall be:

3.3.5.1. Chairman

3.3.5.2. Administrator

3.3.5.3. EITHER

3.3.5.3.1. A Treasurer who will have responsibility for both the Member Area's Finances and Membership; OR

3.3.5.3.2. A Treasurer and a separate Membership Officer;

3.3.5.4. Together with such other officers as the Annual Conference of the Area shall deem necessary.

3.3.6. Each Area shall hold four conferences per year: in January, April, July and October. Each conference shall be held no less than 30 days and no more than 60 days after an NEC meeting. The January Area Conference shall be the Annual Conference of the Area.

3.3.7. Each Area Committee shall hold a meeting within four weeks of a NEC meeting or the National Annual General Meeting.

3.3.8. Every Area shall include the National Chairman as a signatory to any Bank or Building Society account.

3.3.9. The NEC shall have the power to suspend an Area Committee on one or more of the following grounds;

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3.3.9.1. it is not adhering to this or its own Constitution or;

3.3.9.2. if events have taken place or are about to take place which are or may be seriously detrimental to the Member Groups in such Area or to the Federation as a whole or;

3.3.9.3. there are other reasons that in the opinion of the NEC prevent the proper functioning of the Area Committee.

3.3.10. Within 21 days of the resolution passed to suspend an Area Committee the Honorary General Secretary shall take steps to call a special Area Conference in accordance with the Area Constitution.

3.3.11. Such person nominated by the NEC shall chair the special Area Conference, and the NEC shall have the authority to propose that the Area Committee be dissolved and call new elections.

4. Article 4: Finances of the Federation

4.1. RECEIPTS AND EXPENDITURE

4.1.1. The funds of the Federation, including all donations contributions and bequests, shall be paid into an account operated by the NEC in the name of the Federation at such bank as the NEC shall from time to time decide.

4.1.2. The funds belonging to the Federation shall be applied only in furthering the Purposes of the Federation.

4.2. ANNUAL MEMBERSHIP FEE

4.2.1. The annual membership fee for Member Areas shall be determined by the NEC from time to time, solely in accordance with the procedure laid down in Article 8.6.

4.2.2. As of the 1st January 2009, the annual membership fee will be £600 per annum payable quarterly, thus:

4.2.2.1. One-quarter on February 1st;

4.2.2.2. One-quarter on May 1st;

4.2.2.3. One-quarter on August 1st; and

4.2.2.4. One-quarter on November 1st.

4.3. GENERAL FINANCE.

4.3.1. The National Finance Officer under the general supervision of the NEC shall keep all such accounts and records as may be necessary to show a true and fair view of the affairs of the Federation.

4.3.2. The NEC shall maintain at all times in its full name a current account, a deposit account (hereinafter called "the Reserve Account") and such other account or accounts as the NEC may think necessary or desirable at such branch of such bank as the NEC may determine.

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4.3.3. All moneys raised by or on behalf of the Federation shall be applied to further the Purposes of the Federation and for no other purpose PROVIDED THAT nothing herein contained shall prevent the payment in good faith of reasonable and proper remuneration to any employee of the Federation or the repayment to members of the NEC or of any committee appointed under Articles 6.2, 6.3 and 6.8 of reasonable out of pocket expenses.

4.3.4. It shall be the duty of the National Finance Officer to receive all annual membership fees payable to the Federation by the Member Areas and to pay such receipts promptly into the current account of the Federation at its bank.

4.3.5. The income from the annual membership fees shall be divided into income for current and deferred use. The amount deferred shall be equal to one twelfth of the membership fee received for every month elapsed since the start of the financial year until such membership fee was received by the NEC. Moneys so deferred shall be held in the Reserve Account and shall be available for current expenditure in the subsequent calendar year.

4.3.6. The Federation shall maintain in the Reserve Account such amount as the NEC may from time to time determine, and money shall be transferred to it from the current account of the Federation accordingly.

4.3.7. Payments out of the Reserve Account may be made with the authority of the NEC for the purpose of providing financial assistance, whether by loan or outright grant, to any Member Area or group which is a member of a Member Area.

4.3.8. Payments out of the Reserve Account may be made to fund the day-to-day administration of the Federation.

4.3.9. The NEC may invest the moneys of the Federation not immediately required for the said aims in or upon such investments, securities or property as may be thought fit, subject nevertheless to such conditions (if any) as may for the time being be imposed by law.

4.3.10. The NEC shall honour any liability entered into on behalf of the Federation by any member of the NEC or any NEC standing sub-committee or other sub-committee PROVIDING THAT such liabilities were correctly authorised in accordance with the financial control procedures of the NEC.

4.4. SIGNATORIES TO BANK ACCOUNTS

4.4.1. There shall be not less than four signatories to any National bank account of the Federation, who shall be the National Chairman, National Finance Officer, Honorary General Secretary, a Vice President, and such other or others as the NEC may determine PROVIDED THAT such list shall contain no more than one member of staff.

4.4.2. The bank mandate in respect of each such account shall provide that the signature of one signatory may authorise any payment under £200 and that signatures of two signatories shall be required to authorise any payment over £200 or such lesser amount as the NEC may determine.

4.4.3. It shall be the duty of the National Finance Officer for the time being to ensure that any such bank mandate is amended from time to time as may be necessary.

4.5. APPROVAL OF ACCOUNTS

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4.5.1. The financial books of the Federation shall be closed on 31st December in each year and submitted to the National Accountants for approval.

4.5.2. The National Accountants shall be such firm of accountants or other competent persons (being at least two in number and not being members of either the NEC for the time being or the NEC which succeeds it) as shall have been proposed by the NEC and confirmed as National Accountants at the AGM held in year of account to which the approval relates; and such persons shall be eligible for re-appointment in consecutive years.

4.5.3. The National Finance Officer shall prepare a Profit and Loss account for the relevant financial year of the Federation and a Balance Sheet at 31st December in that year. The NFO shall submit the same to the National Accountants for approval who shall be asked to submit their report to the NEC in such time, being not less than fourteen days prior to the AGM, as will enable the National Finance Officer to incorporate them into their report to the AGM.

4.5.4. The Treasurer of each Area shall deliver to the National Finance Officer a certified statement of accounts in respect of their Area at 31st December in the preceding year by a date to be determined in accordance with the internal procedures of the NEC. The National Finance Officer shall deliver to the National Accountants the certified balance sheets received from the Treasurers of the Areas, and the NFO shall inform the delegates attending such AGM any comments expressed by the National Accountants.

4.5.5. The Treasurer of each Area shall deliver to the National Finance Officer a copy of the Corporation Tax return in respect of their Area, to 31st December of the previous financial year, by a date to be determined in accordance with the internal procedures of the N.E.C.

5. Article 5: Composition of the National Executive Council

5.1. The policy and general management of the affairs of the Federation shall be directed by the National Executive Council (hereinafter: "NEC"), which shall consist of:

5.1.1. The General Purposes Committee (GPC),

5.1.2. The Executive Committee, which shall be composed of the Member Areas, and for the purposes of meetings of the NEC, each Member Area shall delegate one representative to act on its behalf (hereinafter: "Area Representative");

5.1.3. The National Project Officers.

5.2. Only the members of the Executive Committee shall be entitled to vote at meetings of the NEC, PROVIDED THAT the National Chairman shall be entitled to a casting vote in the event of a tie. If an Area Representative is elected as the acting Chairman of the meeting they shall be entitled to vote in their own right as Area Representative, and will also be entitled to casting vote in the event of a tie.

5.3. THE GENERAL PURPOSES COMMITTEE

5.3.1. The General Purposes Committee shall carry on and be responsible to the NEC for the day-to-day administration of the Federation.

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5.3.2. Subject to the provisions of this Constitution, the principle duties of the General Purposes Committee shall be such as the AGM may from time to time determine by Standing Orders.

5.3.3. The General Purposes Committee shall comprise:

5.3.3.1. The National Chairman;

5.3.3.2. The National Finance Officer; and

5.3.3.3. The Honorary General Secretary.

5.3.4. The term of office for all members of the General Purposes Committee will be one year in duration, starting on the 1st day of the month following the National AGM where they were elected and finishing at midnight on the last day of the month following the next National AGM.

5.4. THE NATIONAL CHAIRMAN

5.4.1. The National Chairman shall be elected at each AGM of the Federation in accordance with the National Standing Orders.

5.4.2. A person elected to the position of National Chairman may not serve concurrently in any other elected office within the Federation or as an office-holder for a Member Area or a Group which is part of a Member Area.

5.5. ELECTIONS TO NATIONAL POSITIONS

5.5.1. Any individual who is a member of a Member Area is eligible for election or re-election providing that they shall not serve for more than three consecutive terms;

5.5.2. Subject to 5.5.3 below, the NEC shall not accept the nomination of a person who has attained their 36th birthday as of January 1st in the year of the election,

5.5.3. However, if on the day of the election no suitable candidate is elected or nominated for election, the NEC may co-opt a candidate who has attained their 36th birthday as of January 1st in the year of election.

5.6. NATIONAL PROJECT OFFICERS

5.6.1. The National Project Officers shall comprise:

5.6.1.1. An Internet Coordinator

5.6.1.2. NEC Administrator

5.6.1.3. A Publications Officer (Plus News Editor)

5.6.1.4. A Public Relations Officer

5.6.1.5. A Training Officer.

5.6.1.6. A National Activities Coordinator

5.6.2. The National Project Officers shall undertake tasks in accordance with the corresponding job descriptions in the National Standing Orders.

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5.6.3. The term of office for all National Officers will be one year in duration, starting on the 1st day of the month following the National AGM where they were elected and finishing at midnight on the last day of the month following the next National AGM.

5.7. DETERMINATION OF MEMBERSHIP OF THE NATIONAL EXECUTIVE COMMITTEE

5.7.1. A member of the National Executive Committee shall cease to hold office if he or she:

5.7.1.1. Is disqualified from acting as a member of the National Executive Committee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision);

5.7.1.2. Becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;

5.7.1.3. Is absent without the permission of the NEC from all their meetings held within a period of six months and the National Executive Committee resolve that his or her office be vacated; or

5.7.1.4. In the event that a member of the Executive Committee ceases to hold office for any reason whatsoever, the respective Member Area shall immediately designate a suitable individual to replace them as Area Representative.

5.8. NEC MEMBERS NOT TO BE PERSONALLY INTERESTED.

5.8.1. Subject to the provisions of 5.8.2 no member of the NEC shall acquire any interest in property belonging to the Federation (otherwise than as a trustee for the Federation) or receive remuneration or be interested (otherwise than as a member of the NEC) in any contract entered into by NEC.

5.8.2. Any member of the NEC for the time being who is a solicitor, accountant or other person engaged in a profession may charge and be paid all the usual professional charges for business done by him or her or his or her firm when instructed by the other members of the NEC to act in a professional capacity on behalf of the Federation: PROVIDED THAT at no time shall a majority of the members of the Executive Committee benefit under this provision and that a member of the Executive Committee shall withdraw from any meeting at which his or her own instruction or remuneration, or that of his or her firm, is under discussion.

6. Article 6: Duties and Powers of the NEC

6.1. In furtherance of the Purposes but not otherwise the National Executive Committee may exercise the following powers:

6.1.1. Power to raise funds and to invite and receive contributions provided that in raising funds the NEC shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law;

6.1.2. Power to buy, take on lease or in exchange any property necessary for the achievement of the Purposes and to maintain and equip it for use;

6.1.3. Power subject to any consents required by law to sell, lease or dispose of all or any part of the property of the Federation;

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- 6.1.4.** Power subject to any consents required by law to borrow money and to charge all or any part of the property of the Federation with repayment of the money so borrowed;
- 6.1.5.** Power to employ such staff (who shall not be members of the NEC) as are necessary for the proper pursuit of the objects and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependants;
- 6.1.6.** Power to co-operate with other charities, voluntary bodies and statutory authorities operating in furtherance of the objects or of similar charitable purposes and to exchange information and advice with them;
- 6.1.7.** Power to establish or support any charitable trusts, associations or institutions formed for all or any of the objects;
- 6.1.8.** Power to appoint and constitute such advisory committees as the Executive Committee may think fit;
- 6.1.9.** Power to acquire property of any description for the benefit of any Member Area and subject to such conditions as they shall think fit, and accept gifts of any property or money and may appoint trustees of such property as they think fit, and may take steps and incur such expenses as may be necessary to vest such property in such Trustees in trust for all Member Areas for the time being.
- 6.1.10.** Power to appoint trustees in accordance with Article 10.
- 6.1.11.** Power to do all such other lawful things as is necessary for the achievement of the Purposes.
- 6.2.** The NEC may from time to time appoint a National Advisory Committee to advise it as and when the NEC may think it necessary or expedient to do so.
- 6.3.** The NEC may from time to time appoint from among its members, or individuals who are members of a Member Area, or from among the staff of the Federation, sub-committees to whom it may delegate such of its powers as it may from time to time think necessary or expedient for the better management of the affairs of the Federation. The NEC shall determine their terms of reference, powers, duration and composition of such sub-committees PROVIDED THAT where the duration of such sub-committee is to be in excess of one year the terms of reference, powers, duration and composition of such subcommittee shall be placed before the next scheduled Annual General Meeting of the Federation for ratification and included in the Standing Orders of the Constitution.
- 6.4.** The NEC may delegate such of its powers to any individual who is a member of a Member Area or member of staff as it may from time to time think necessary or expedient for the better management of the affairs of the Federation PROVIDED THAT where the duration of such delegation of powers is to be in excess of one year the terms of reference, powers, and duration of appointment of such individual shall be placed before the next scheduled Annual General Meeting of the Federation for ratification and included in the Standing Orders of the Constitution.
- 6.5.** Subject to Article 5 of this Constitution and to such Standing Orders of the Federation as the NEC may from time to time make, the NEC shall have power to regulate its own procedure, including, power to regulate the procedure of any subcommittee.
- 6.6.** The NEC may delegate such of its powers to Member Areas as it may from time to time think necessary or expedient for the better management of the affairs of the Federation.

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6.7. The NEC and all other National sub-committees shall keep Minutes, and the appropriate secretary shall record all proceedings and resolutions.

6.8. The NEC shall prepare and shall submit to each Annual General Meeting of the Federation a report on the proceedings of the NEC, the General Purposes Committee, and any other NEC sub-committees during the year prior to such AGM, together with a statement of the principle affairs of each Member Area.

6.9. The NEC may act notwithstanding any vacancy in its membership.

6.10. The proceedings of the NEC shall not be invalidated by any defect in the election, appointment, co-option or qualification of any individual who is an NEC member.

7. Article 7: National Annual General Meeting (AGM)

7.1. TIMING

7.1.1. The Federation shall hold its National Annual General Meeting (hereinafter: "AGM") during the month of February each year PROVIDED THAT the first AGM of the Federation will be held in the year following its Inaugural Meeting.

7.1.2. The NEC shall announce in respect of each National AGM the date, time and place at which it is intended that it should be held at least nine months prior to such date.

7.2. PROVISION TO EXTEND PARTICIPATION AT THE NATIONAL ANNUAL GENERAL MEETING TO THE GROUPS.

7.2.1. The NEC may, by resolution, invite individuals who are members of groups of the Member Areas (hereinafter: "Group Delegates") to attend the National AGM of the Federation, PROVIDED THAT:

7.2.1.1. Every such group is so invited to attend;

7.2.1.2. There shall be no more than two Group Delegates from one such group;

7.2.1.3. Group Delegates will be entitled to vote on the business of the National AGM including Elections, Motions and acceptance of the NEC Reports & Finance.

7.2.2. Where the matter affects this constitution a motion will require a 75% majority vote of the Group Delegates.

7.2.3. Where a resolution under Article 7.2.1 is so passed, business of the November NEC Meeting shall not be required to be considered by Member Areas at their Conferences immediately preceding the AGM.

7.3. QUORUM

7.3.1. A Quorum is formed if there are Group Delegates equal to at least half the total number of Groups within the Federation.

7.3.2. If, within half an hour from the time fixed for the National AGM to begin, a quorum is not present, business may only proceed with the unanimous consent of those delegates present.

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7.3.3. However, if those Group Delegates present fail to achieve unanimity, the motion passed by the NEC under Article 7.2.1 of the Constitution shall be deemed to be frustrated due to impossibility. In this instance, the AGM shall proceed as if the said motion had never been passed, and any Group Delegates present may only participate as Observers.

7.4. PROCEDURES FOR THE NATIONAL AGM

7.4.1. All procedures for the running of the National AGM shall be included within the National Standing Orders.

8. Article 8. NEC Meetings of the Federation

8.1. The NEC shall hold a Meeting during the months of May, August and November each year (hereinafter called “NEC Meetings”).

8.2. The Business at each NEC Meeting shall be:

8.2.1. The reception of quarterly reports of the NEC

8.2.2. The reception interim Accounts for the year-to-date

8.2.3. The election of every position which is currently vacant

8.2.4. Any business held over from the most recent National AGM or NEC Meeting

8.2.5. Any other matters which may, consistent with this Constitution be introduced at the National AGM.

8.3. Save as described above, the powers of an NEC Meeting are equivalent to those of the AGM, and its proceedings shall be identical thereto.

8.4. Only members of the Executive Committee shall be entitled to act as delegates, in accordance with Article 5

8.5. QUORUM OF NEC MEETINGS

8.5.1. A Quorum is formed if there are Area Representatives equal to at least half the total number of Member Areas present.

8.5.2. If, within half an hour from the time fixed for the NEC meeting to begin, a quorum is not present, business may only proceed with the unanimous consent of those representatives present.

8.6. MOTIONS MOVED AT NEC MEETINGS

8.6.1. Motions may be moved at the NEC Meetings by Member Areas only.

8.6.2. A Motion may not be voted upon unless each Member Area has voted upon an identically worded Motion at its own conference, and an Area Chairman may be required to submit a Minute of that conference to the AGM to show this has been the case upon the request of any NEC member or observer.

8.6.3. A motion may not be amended until all Areas have voted on the identically worded motion first at the Area Conferences and it has been accepted at the next NEC Meeting. Only after this stage can a motion be amended.

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8.6.4. Any motion which, in accordance with the preceding paragraph, has been moved but not voted upon shall be held over for consideration at the next NEC Meeting.

8.6.5. The NEC shall consider motions which have been held over in this way from the most recent NEC Meeting.

8.6.6. A motion moved by a Member Area must be submitted in writing, signed by the Chairmen (or their representatives) of the Member Areas proposing such motion, to the Honorary General Secretary of the Federation at least 28 days before the date fixed for the opening of the NEC Meeting.

8.6.7. The Honorary General Secretary of the Federation shall submit a copy of all such motions to the Chairmen of all the Member Areas at least 21 days before the date fixed for the NEC Meeting.

8.7. All procedures for the running of the NEC Meetings shall be included within the National Standing Orders.

8.8. EXTRAORDINARY GENERAL NEC MEETINGS

8.8.1. The NEC may, whenever they think fit, and they shall upon request in writing to the Honorary General Secretary of the Federation by three Area Representatives convene a Extraordinary General Meeting (hereinafter: "EGM").

8.8.2. If the National Chairman does not, within 21 days after receipt of the request, proceed to convene such a Meeting, those making the request or any other members of the NEC, amounting to a quorum, may themselves convene an Extraordinary General NEC Meeting

8.8.3. The running of the Extraordinary General NEC Meeting will be the same as the NEC Meetings and will follow all necessary procedures.

9. Article 9: Duties, Powers and Mode of Election of the National Advisory Committee

9.1. The NEC may from time to time appoint a National Advisory Committee to advise the NEC on matters of policy and procedure and other such matters as the NEC may refer to it.

9.2. Membership of the Committee shall be open to individuals who are members of Member Areas and to other individuals who have specialist knowledge which in the opinion of the NEC may be of use to the Federation and shall include as ex-officio members the National Chairman and the Honorary General Secretary for the time being of the Federation.

9.3. The Committee shall comprise not less than 5 and not more than 9 members (including the National Chairman and the Honorary General Secretary) and each member shall be invited by the NEC to serve until the purpose for which the Committee shall have been appointed has been realised, up to a maximum period of 2 years.

9.4. If such purpose is not realised within such period, the NEC may appoint the Committee to act for a further period and each member shall be eligible for re appointment thereto. The National Chairman and Honorary General Secretary shall serve as Chairman and Secretary respectively of the Advisory Committee.

9.5. Meetings of the Advisory Committee shall be convened by the Honorary General Secretary by notice in writing to each member of the Advisory Committee at least 21 days prior to the date

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specified for such meeting upon the request of the National Chairman, or members of the Advisory Committee.

9.6. If, in the opinion of the NEC a member of the Advisory Committee is failing to fulfil their duties and ought to be removed from office, and if, upon notification to them of the NEC's intention, a satisfactory explanation is not forthcoming, then the NEC may remove them from office.

9.7. The Advisory Committee shall have no powers of co-option, but may invite individuals with specialist knowledge to attend any of the meetings where in their opinion such knowledge would be of use.

9.8. The general management and supervision of the National Advisory Committee shall be in accordance with Articles 6.4, 6.5 and 6.6.

10. Article 10: Trustees

10.1. Without prejudice to the generality of Article 6 the NEC may at any time or times by Deed appoint any bank or trust corporation to be a custodian trustee of all or any part of such property or remove or (if requisite) consent to the retirement of any custodian trustee so appointed whether or not a new custodian trustee is appointed in its place.

10.2. A custodian trustee so appointed shall (subject as hereinafter mentioned) have the same powers, duties, rights, liabilities and protections as it would have if the NEC were managing trustees and the custodian trustee was a trust corporation appointed as a custodian trustee under Section 4 of the Public Trustee Act 1906 (except as varied by or expressly inconsistent, with the provisions of the Deed of Appointment and any Deeds supplemental thereto) and such other functions, powers, duties, rights, liabilities and protections as may be conferred by or contained in such Deed of Appointment and any Deeds supplemental thereto and shall not be reckoned a trustee for the purposes of section 40 of the Trustee Act 1925 and any such custodian trustee shall be appointed upon such terms and conditions as to remuneration as may be agreed with the NEC and referred to in the Deed of Appointment and any Deeds supplemental thereto and may retire at any time upon giving such notice as may be therein specified and any Bank so appointed shall have power to act by its proper officer or officers and also to act as bankers to the Federation for all purposes upon the terms usual between the Bank and a customer and shall be entitled to any customary share of brokerage receivable by the Bank.

11. Article 11: Honorary Officials

11.1. PRESIDENT

11.1.1. There shall be a President of the Federation who shall be elected by the NEC to hold office for a period of 3 years.

11.1.2. Any prominent figure that is willing to be associated with the Federation and to preside at the National AGM for other than business sessions is eligible for nomination as President.

11.1.3. Nominations for the office of President shall be made informally in the first instance to the NEC who shall decide which nominees (if any) they should approach and who shall formally elect only such nominee as they consider most suitable for the office and as shall have indicated his willingness to serve. The election of the President shall take place at the Annual General Meeting.

11.1.4. The retiring President shall be eligible for re-election.

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11.1.5. If the office of the President is vacant the NEC may appoint any Vice President to the office of President on a temporary basis for such period as it may determine or until a President is elected.

11.2. VICE PRESIDENTS

11.2.1. There may be up to 3 Vice-Presidents of the Federation, and the title may be conferred on the nomination of the NEC by the National AGM by resolution.

11.2.2. Any person who is over 30 and in the opinion of the NEC has given exceptional service to the Federation shall be eligible for nomination as a Vice-President.

11.2.3. Vice Presidents shall serve a 1 year term of office and a retiring Vice-President shall be eligible for re-election.

11.2.4. The duties of a Vice President shall include deputising for the President, acting as a member of the appeals panel, and other such duties as the National Chairman or the NEC may request them to assume from time to time.

12. Article 12: Resolution of Conflicts

12.1. There shall be an appeals panel of the Federation, which shall consist of the National Chairman, the Area Chairmen, and the Vice Presidents.

12.2. The Appeals Panel shall adjudicate on:

12.2.1. any dispute over the interpretation of this Constitution;

12.2.2. any claim that the rights under this Constitution of a Member Area, an office-holder or candidate for office of the Federation, or an observer to the National AGM, NEC Meeting or other Federation meetings have been infringed;

12.2.3. any dispute between a Member Area and the NEC, or between Member Areas, or both.

12.2.4. any matter expressly so provided by these Articles or by rules made hereunder.

12.3. The Appeals Panel shall not adjudicate on

12.3.1. Any issue which does not relate to this Constitution

12.3.2. Any matter which is purely the internal affair of a Member Area.

12.4. The members of the Panel to hear a particular case shall be selected by the National Chairman, who shall if appropriate consult with the applicant, subject to the following provisos;

12.4.1. The National Chairman alone in conjunction with the General Purposes Committee may determine any dispute over the interpretation of this Constitution (other than a dispute over the respective powers of the NEC or Member Areas)

12.4.2. Any dispute between the NEC and an Area shall be heard by the National Chairman, 2 Area Representatives and 2 Vice Presidents;

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12.4.3. At least 3 members shall be appointed to hear any other case (and the applicant may refuse to proceed unless at least three members are present), of whom at least 1 shall be an Area Chairman.

12.5. Except with the agreement of all the parties to an appeal, an appeal shall be heard within 1 month of the receipt of notice of the appeal by the NEC.

12.6. The NEC shall have the power to determine the procedures of the panel (provided that the same are not inconsistent with this Constitution).

12.7. Any decision of the panel shall be final and binding upon all those concerned.

13. Article 13: Amendments to the Constitution and Standing Orders

13.1. AMENDMENTS ETC

13.1.1. The right to add to, revoke or amend the Constitution and the Standing Orders of the Federation shall be vested in the NEC subject to the following provisions:

13.1.1.2. Article 2, "Purposes of the Federation", may only be amended by a Unanimous resolution of the NEC in accordance with the procedures as strictly laid down in Article 8.6: PROVIDED THAT no such amendment or revocation may be made if the NEC meeting is inquorate.

13.1.1.3. All other Articles of this Constitution, the Standing Orders, the Model Area Constitution and Standard Group Constitution may be either revoked or amended by a simple majority vote of the NEC, in accordance with the procedures as strictly laid down in Article 8.6: PROVIDED THAT no such amendment or revocation may be made if the NEC meeting is inquorate.

13.2. RESOLUTIONS OF THE NEC

13.2.1. Any resolution passed by a simple majority of the NEC concerning the running of the NEC, General Purposes sub-committee, National sub-committees or the Federation shall be incorporated into National Standing Orders.

14. Article 14: Notices

14.1. Any notice required by the provisions of this Constitution to be given to any person shall be deemed to have been so given if it is in writing and:

14.1.2. It is served in person or it is sent by electronic mail to their usual email address, in which case it is deemed to have been given on the day it was sent; or

14.1.3. It is sent by first-class post to the last known address in the United Kingdom, in which case it is deemed to have been given on the day following its posting.

14.4. Changes to the National Constitution, Standing Orders, Model Area Constitution and the Standard Group Constitution passed by the NEC shall be circulated to the secretaries of all Member Areas within 30 days of the closure of the National AGM or NEC Meeting.

15. Article 15: Copies of the Constitution

15.1. The Honorary General Secretary shall send 1 copy of the National Constitution, Standing Orders and the Standard Group Constitution to the secretary of each Member Area at least every 2 years.

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15.2. The Honorary General Secretary shall deliver to every person on demand a copy of the National Constitution, Standing Orders, Model Area Constitution and the Standard Group Constitution on payment of such reasonable costs as the NEC may determine.

16. Article 16: Insurance

16.1. The Federation is specifically authorised to pay for Trustee Indemnity Insurance on behalf of the members of the NEC, solely in respect of their duties as members of the NEC.

16.2. The Federation is specifically authorised to pay for Trustee Reimbursement Insurance on behalf of the members of the NEC, solely in respect of their duties as members of the NEC.

16.3. The Federation is specifically authorised to arrange Fidelity Insurance for itself in all situations whether or not any member or member of the NEC would receive a personal benefit thereby.

17. Article 17: Health & Safety

17.1. Each Events and activities within these events should have a risk assessment carried out by the event organiser. All Risk Assessments should be copied and sent to the National Finance Officer & National Activities Officer.

18. Article 18: Dissolution

18.1. If the NEC decides that it is necessary or advisable to dissolve the Federation it shall call a Special General Meeting of the Federation, of which not less than 21 days' notice (stating the terms of the resolution to be proposed) shall be given. If the proposal is confirmed unanimously by those present and voting the NEC shall have power to realise any assets held by or on behalf of the Federation.

18.2. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to

18.2.1. All Member Areas with full member status at the time of dissolution, such Member Areas entitled to an equal share; or, if for any reason it is impossible to do so wholly or in part –

18.2.2. Such other institution or institutions having Purposes similar to the objects of the Federation as the Member Areas may determine or failing that shall be applied for some other charitable purpose.

19. Article 19: Interpretation

19.1. In the National Constitution, the Standing Orders, the Model Area Constitution and the Standard Group Constitution words in the singular shall include the plural and words in the plural shall include the singular and words denoting the masculine gender shall be deemed to include feminine.

19.2. In any such cases where it shall appear that other Constitutions and Standing Orders current within the Federation are in conflict with the National Constitution and Standing Orders, the National Constitution and Standing Orders will be deemed the definitive document.