

## **MODEL CONSTITUTION FOR SECOND TIER GROUPS**

### **CONSTITUTION of the .....Second Tier Group**

#### **Article 1. Name of Group**

- 1 The name of the Group shall be "..... Group" (hereafter referred to as 'the Second Tier Group').

#### **Article 2. Membership of the Area**

- 2 The Group shall be a second tier group of a Member Group of the ..... Area Eighteen Plus (hereinafter: "the Area") and shall comply with the Constitution and standing orders thereof, and where appropriate the Constitution and Standing Orders of the National Federation of Eighteen Plus Areas (hereinafter: "the Federation").

#### **Article 3. Purposes of the Second Tier Group**

- 3 The Group shall adopt the Purposes of the Area.

#### **Article 4. Membership**

- 4.1 Membership of the Second Tier is open to all persons over the age of thirty six years who agree with its fundamental values and objectives.
- 4.2 Each member shall pay an annual membership fee as agreed by the Second Tier Group at a General Meeting but this shall not be less than the Associate Membership fee which shall from time to time be set by the NEC of the Federation.
- 4.3 Prospective new members shall be asked to pay the annual membership fee on or before their fourth attendance, or leave the Second Tier Group.
- 4.4 The annual membership fee shall be due for renewal on the anniversary in each succeeding year of the day of the month in which the member first joined. Applications for renewals of membership will be processed on the basis of issuing the membership card as valid from the date of expiry of their previous membership, except when the period of lapsed membership is greater than six months.
- 4.5 Any membership not renewed shall expire on the anniversary of the day of the month in which the member first joined or renewed and the member shall be deemed to have resigned.
- 4.6 A prospective member shall be given the opportunity to read the Second Tier Group Constitution, prior to their application for membership.

## Model Constitution for Second Tier Groups

- 4.7 In confirmation of this agreement to abide by this Constitution, they shall be admitted into membership of the Group subject to Article 4.8 and shall be deemed to be a member when they have received a completed and signed a Membership Card from the Second Tier Group as from the date thereon shown. (in the interim period between completing the application form and paying the membership fee and receipt of a signed Membership card, the receipt portion of the standard application form shall be deemed as acceptable proof of membership entitling the holder to receive the benefits and privileges of membership for a period not exceeding twenty eight days).
- 4.8 Membership may be refused by the Second Tier Group (by a two thirds majority of the full members present and voting at a General Meeting or Extraordinary General Meeting of the Second Tier Group) on one or more of the following grounds:
- 4.8.1 material disagreement, evidenced by conduct, with the fundamental values and objectives of the Area.
- 4.8.2 the admission of the applicant would likely to bring the Second Tier Group or any part of the Area into disrepute.
- 4.8.3 the admission of the applicant would be seriously detrimental to the interests of the Second Tier Group or any part of the Area.
- 4.8.4 the admission of the applicant would hinder the Second Tier Group or any part of the Area from acting in pursuance of the said aims and policy of the Area.
- 4.9 Should a member of another Member Group or Second Tier Group of the Area, or any other Area which is a member of the Federation, visit the Second Tier Group, they shall not be required to pay the annual membership fee.

### **Article 5. Life Membership**

- 5.1 Members may become "Life Members" and be exempt from paying the annual membership fee upon payment of a 'once and for all' fee of six times the current membership fee.
- 5.2 "Life Membership" is renewable annually by the holder of the Life Membership Card at their Second Tier Group, and will be accepted by the Second Tier Group in lieu of the annual membership fee. Such membership shall be in accordance with Article 4.

### **Article 6. Resignation, Suspension and Expulsion of Members**

- 6.1 A member may resign from the Second Tier Group at any time by letter addressed to the Administrator indicating their desire so to do.
- 6.2 A member is deemed to have resigned if their membership is not renewed in accordance with Articles 4.4 and 4.5.
- 6.3 No member who resigns or is deemed to have resigned shall be entitled to be repaid any part of any membership fee which he shall have paid whether in respect of a period before or after such resignation.

## Model Constitution for Second Tier Groups

- 6.4 Membership may be revoked by a two thirds majority of the full members present and voting at a General Meeting or Extraordinary General Meeting of the Second Tier Group, or the NEC in accordance with its internal procedures, on one or more of the following grounds.
- 6.4.1 material disagreement, evidenced by conduct, with the fundamental values and objectives of the Area.
- 6.4.2 conduct which has brought, or is likely to bring the Second Tier Group or any part of the Area into disrepute.
- 6.4.3 the continued membership of the individual would be seriously detrimental to the interests of the Second Tier Group or any part of the Area.
- 6.4.4 the continued membership of the individual would hinder the Second Tier Group or any part of the Area from acting in pursuance of the said aims and policy of the Area.
- 6.5 Membership shall not be revoked unless the member has been notified of the grounds on which revocation is to be considered and has been given a reasonable opportunity to reply.
- 6.6 In case of urgency, the Second Tier Group Committee or the National Executive Council (by a simple majority of its voting members) may direct that any member may be suspended from the rights and privileges of membership for a period not exceeding one month while the question of termination of their membership is under consideration.
- 6.7 Any person whose membership is revoked while they hold any elected or appointed position on any Committee with the Area shall be deemed to have been removed from office from the date that the revocation takes effect.
- 6.8 No member who is suspended or whose membership is revoked shall be entitled to be repaid any part of any membership fee which he shall have paid whither in respect of a period before or after such suspension or revocation of membership.

### **Article 7. Annual General Meeting**

- 7.1 An Annual General Meeting of the Second Tier Group shall be held yearly and so far as possible in the second week of the month of November in each year and the Committee shall notify members not less than fourteen days prior to the date of such meeting.
- 7.2 The business of the Annual General Meeting shall be:
- 7.2.1 the reception of the reports from the Second Tier Group Committee;
- 7.2.2 the reception of the Accounts;
- 7.2.3 the election of the Second Tier Group Committee;
- 7.2.4 the adoption of Standing Orders;
- 7.2.5 the appointment of the Independent Examiner;

## Model Constitution for Second Tier Groups

- 7.2.6 any other matters which may, consistent with this Constitution and the Second Tier Group Standing Orders (if any) be introduced at the meeting.
- 7.3 The Chair, Administrator, Treasurer and any other members of the Committee shall submit reports to the Second Tier Group at the Annual General Meeting.
- 7.4 Extraordinary General Meetings shall be convened by the Administrator (or the acting Administrator) by notice given to all members of the Second Tier Group not less than fourteen days prior to the date fixed for such meeting and specifying the purpose for which such meeting is so convened;
  - 7.4.1 upon a resolution of the Committee to that effect; or
  - 7.4.2 upon receipt by the Administrator of a request for such meeting made in writing, specifying the nature of the business proposed to be transacted at it and signed by not less than one-third of the full members of the Group.
- 7.5 QUORACY
  - 7.5.1 A quorum for the Annual General Meeting shall be achieved when;
    - 7.5.1.1 a minimum of one third of the total current full members of the Second Tier Group are present, or;
    - 7.5.1.2 if the Second Tier Group has less than fifteen full members at the date of the Annual General Meeting, a minimum of five full members of the Second Tier Group are present.
  - 7.5.2 If, within thirty minutes from the time fixed for the Annual General Meeting to begin, a quorum is not present, the meeting shall be adjourned until such time as a quorum is achieved.
- 7.6 The Chair of the parent Eighteen Plus Group shall be invited to the Annual General Meeting.

### **Article 8. Committee**

- 8.1 BUSINESS OF THE COMMITTEE
  - 8.1.1 The affairs of the Second Tier Group shall be managed by a Committee who may do all such things and transact all such business as is not by this Constitution required to be done or transacted by a Annual General Meeting PROVIDED THAT the Committee shall be solely responsible for its own debts and liabilities and shall not pledge the credit of any other constituent part of the Area, or member thereof.
  - 8.1.2 The Second Tier Group Committee shall obtain the approval of its members to borrow or to obtain services on credit or otherwise incur any liability in excess of the Second Tier Group's assets and those members of the Committee who incur any liability in breach of this proviso shall be jointly and severally liable to indemnify the Second Tier Group members and the Area against any loss caused thereby

## Model Constitution for Second Tier Groups

- 8.2 The Committee shall consist of the Executive Officers of the Group, who shall be a Chair, Administrator, Treasurer and Publicity Officer, and such other officers as may be deemed necessary by the members at a Annual General Meeting.
- 8.3 No Committee member shall hold the same office for more than three consecutive terms.
- 8.4 The Group Committee shall be elected by members attending the Annual General Meeting. Those elected shall take office on 1<sup>st</sup> January.
- 8.5 The Committee shall meet regularly, and half the elected members of the Committee shall form a quorum. Minutes shall be kept of all meetings.
- 8.6 The Committee may co-opt any member to the Committee to fill any vacancy or for specific purposes, but such co-opted members shall not be entitled to vote at any Committee meeting.
- 8.7 The Committee shall manage the affairs of the Second Tier Group in accordance with the aims and ideals of the Area and have regard to the advice and guidance of the officers of the Area.
- 8.8 REMOVAL OF A COMMITTEE OFFICER
- 8.8.1 If it shall appear to a majority of the voting members of the Second Tier Group Committee that any Committee member is failing to fulfil their duties it shall cause to be sent to such officer a statement in writing of their failings and shall afford them a reasonable opportunity of giving an explanation in writing or orally; and if having considered such explanation (if any), the Second Tier Group Committee is of opinion that the officer should be removed from office the Committee shall put such resolution before the members at an Extraordinary General Meeting of the Second Tier Group.
- 8.8.2 Both the Second Tier Group Committee and the Committee member that is proposed to be removed from office shall have the right to present their case, and such resolution shall require a simple majority of the full members present and voting to be passed.
- 8.9 In the event of the death, resignation or removal from office of any officer the Second Tier Group Committee shall call an Extraordinary General Meeting to fill the office thereby vacated until the expiration of the term of office of the officer who has died, resigned or been removed.

### **Article 9. Relationships**

- 9.1 The Second Tier Group shall report to the Half-Yearly General Meetings of the parent Eighteen Plus Group on activities, finance and membership.
- 9.2 The Second Tier Group shall have no representation at the Area, or any level of the Federation.
- 9.3 Any issues which need discussion at higher than Second Tier Group level shall be pursued through the parent Eighteen Plus Group.

### **Article 10. Finance**

## Model Constitution for Second Tier Groups

- 10.1 The Second Tier Group shall have a current Bank Account to which the signatures shall be the Chair, Administrator, Treasurer and Chair of the parent Eighteen Plus Group.
- 10.2 The Bank Mandate shall provide that the signatures of two signatories shall be required to authorise any payment.
- 10.3 It shall be the duty of the Treasurer for the time being to ensure the Bank Mandate is amended as necessary.
- 10.4 If the signatories mentioned in Article 9.1 include two or more related persons the Chair shall nominate such alternative signatories as he considers necessary so that no two signatories are related to one another.
- 10.5 The Treasurer shall make copies of all bank statements available to all the signatories included on the bank mandate within fourteen days of receipt.
- 10.6 The Committee shall ensure that correct accounts are kept by the Treasurer and are submitted to the new Committee at the commencement of their term of office.
- 10.7 The Treasurer shall forward the annual membership fee in respect of each new membership and membership renewal to the National Finance Officer (or their representative) within seven days of receipt and in accordance with the internal procedures of the NEC.
- 10.8 The financial books of the Second Tier Group shall be closed on 31st October each year and submitted for Independent Examination.
- 10.9 The Independently-Examined Statement of Accounts shall be submitted in writing to the Annual General Meeting.
- 10.10 The Independent Examination shall be carried out by a competent person elected at the Annual General Meeting, preceding that at which the Independently-Examined accounts are to be submitted.
- 10.11 Neither the retiring Treasurer, nor any member of the newly elected Committee or the Committee which precedes it shall be eligible for election to the post of Independent Examiner. The Independent Examiner need not be a member of the Second Tier Group.

### **Article 11. Dissolution**

- 11.1 The Second Tier Group may be dissolved at a special Extraordinary General Meeting, of which not less than twenty-one days notice in writing shall be given to all members.
- 11.2 If a resolution to dissolve the Second Tier Group is duly passed by three-quarters majority of the members present and voting at such meeting, the Second Tier Group shall be dissolved and its affairs shall be wound up by the Committee under the supervision of parent Eighteen Plus Group.
- 11.3 The Second Tier Group's Membership Certificate and any other property belonging to the Area shall be returned to the parent Eighteen Plus Group.

## Model Constitution for Second Tier Groups

- 11.4 All charitable funds held by the Second Tier Group shall be applied by the Committee under the supervision of the parent Eighteen Plus Chair and treasurer in accordance with the particular trusts (if any) affecting the same and (if there are no such trusts) for such charitable purposes as the parent Eighteen Plus Group in its absolute discretion may appoint.
- 11.5 All other funds held by the Group shall be paid to the parent Eighteen Plus Group

### **Article 12. Standing Orders**

- 12.1 Any resolution passed by a simple majority of the members of the Second Tier Group at a Annual General or Extraordinary General Meeting concerning the running of the Second Tier Group shall be incorporated into Standing Orders. Such standing Orders shall be appended separately to the Constitution.

**END OF CONSTITUTION**