

GOVERNANCE HANDBOOK

Incorporating the Royal Charter, Rules and Byelaws, the Area
and Branch Regulations and the Branch Club Rules



Patron: Her Majesty The Queen

Registered Charity 226686 (England & Wales), SC037673 (Scotland).



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Foreword

September 2017

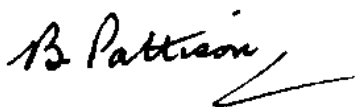
This Governance Document follows three years of careful consideration and consultation at all levels within our Association, Council, Area Councils, Branches and Members and was approved at Annual Conferences 2016 and 2017.

The resulting approved composite Royal Charter, Rules, Byelaws, Area Regulations, Branch Regulations and the Branch Club Rules of the Association replaces previous versions.

We believe that this document will carry the Association forward beyond 2020 and will be of use to Members at all levels of the Association.

We hope it proves useful to you, the reader, in upholding the standards of the Association.

Yours sincerely,



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Bryan Pattison
Vice Chairman of Council

THE ROYAL CHARTER OF THE ROYAL AIR FORCES ASSOCIATION

Approved by
Her Majesty the Queen
on the 16th day of November 2016.



Royal Charter

Elizabeth the Second by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS We were graciously pleased by Royal Charter dated the 20th day of January 1953 (hereinafter referred to as “the Original Charter”) to incorporate “The Royal Air Forces Association” (hereinafter referred to as “the Association”) as a body corporate:

AND WHEREAS the Association has by its humble petition represented unto Us that it is expedient that the Original Charter should be amended and that this can best be effected by grant of a Supplemental Charter replacing the Original Charter and has prayed for the grant of a Supplemental Charter accordingly;

NOW THEREFORE KNOW YE that We, having taken the said Petition into Our Royal Consideration and being minded to accede thereto, have of Our especial grace, certain knowledge and mere motion been pleased to will and ordain and do by these Presents for Us, Our Heirs and Successors will and ordain that, except in so far as they incorporate the Association as a body corporate with power to sue and be sued, and to hold a Common Seal, the provisions of the Original Charter are hereby revoked, provided that nothing in this revocation shall affect the validity or legality of any act or deed done under the Original Charter.

DEFINITIONS

1. Except where the context otherwise requires, in this Our Charter:

“the Rules” means the Rules made under this Our Charter, as they may be amended from time to time;

“prescribed” means prescribed by the Rules;

“Our Air Forces” has the meaning assigned to that expression in Articles 6 and 7 of this Our Charter;

“the Officers” means the Officers of the Association as specified in Article 13 of this Our Charter;

“the Council” means the governing body of the Association established by Article 14 of this Our Charter and constituted in accordance with the Rules;

“Area Conferences” means Area Annual or Special Conferences convened by an Area Council and attended by delegates from Branches of the Area;

“Special Resolution” has the meaning assigned to it in Article 24; and words importing the male gender shall include the female gender and vice versa and words importing the singular shall include the plural and vice versa.

OBJECT

2. The object for which the Association is established is to promote, through the comradeship engendered by its members, the welfare by charitable means of all serving and former members of Our Air Forces, their spouses and dependants, together with the widows and widowers and dependants of those who died whilst serving or subsequently.

POWERS

3. In furtherance of the object in Article 2 but not further or otherwise, and without prejudice to the powers by law vested in the Association by virtue of this Our Charter, the Association shall have the following powers, namely:
 - (a) to establish, organise, regulate, manage and control nursing, residential and convalescent homes for the benefit of those persons who are elderly, sick or poor and who are eligible for the welfare support of the Association under Article 2 of this Our Charter; to purchase such services for such beneficiaries from independent agencies, and to provide rest breaks for the carers of such beneficiaries;
 - (b) to advise persons who are eligible for the welfare support of the Association under Article 2 of this Our Charter regarding war pensions, disability awards and resettlement from Service to civilian life;
 - (c) to give financial assistance to any ex-Service charity which has an object in common with the Association's object, provided that no such financial assistance shall be given unless conditions are attached limiting its use to the common object;
 - (d) to organise services, parades and other events or functions to preserve the memory and honour the example of those who sacrificed their lives during service with Our Air Forces in war and peace;
 - (e) to combine, co-operate with, take over, amalgamate with or absorb any other Society having an object which is included in the object of the Association provided that the Association shall not affiliate to or be connected with, either directly or indirectly, any political party or organisation;
 - (f) to promote the membership of the Association;
 - (g) to acquire any lands, tenements or hereditaments whatsoever and wheresoever and to hold all or any lands which the Association is hereby authorised to acquire in perpetuity or on lease or otherwise and from time to time but subject to all such consents as are by law required to grant, demise, alienate, mortgage or otherwise dispose of the same or any part thereof;
 - (h) to construct and alter any offices, houses or other buildings or works which may from time to time be required for the purposes of the Association or for effecting its object;
 - (i) subject to such terms and conditions as may be laid down by the Council, to make grants or loans to any Branch of the Association for assistance in the acquisition of premises, furniture or equipment required in connection with the establishment of a centre for the Branch and for assistance in undertaking essential repairs and alterations to protect the value of the centre as a charitable asset or to comply with statutory requirements;
 - (j) to give any guarantees or indemnities to any person or persons, Corporation or Body transferring any property to the Association and to compromise all disputes or differences between any such person or persons, Corporation or Body and the Association;
 - (k) to solicit and receive subscriptions and gifts of all kinds, whether absolute or conditional, for the object of the Association and to obtain money for such object by any legal means;
 - (l) to acquire any real or personal property upon trust for any of its constituent parts or upon any special trusts within its object, provided always that the same shall be kept separate and apart from any other property or funds of the Association;
 - (m) to borrow and raise money;
 - (n) to invest in accordance with the Rules all monies belonging to the Association, and not for the time being required for its object, in any investment allowed by the law for the investment of trust funds;
 - (o) to hold monies on a pooled basis on behalf of Branches of the Association and to invest such monies in accordance with the Rules;
 - (p) to apply and dispose of the capital and income of the monies and other property, whether real or personal, from time to time vested in or belonging to the Association for and towards the proper and effective carrying out of the object of the Association;
 - (q) to make proper and reasonable provision for pensions and superannuation for employees of the Association and their dependants;
 - (r) to pay any premium in respect of any indemnity insurance to cover the liability of any members of the Association acting in a trustee capacity as a member of a Council or Committee of the Association or who hold property on trust for the Association or a Branch of the Association which, by virtue of any rule of law, would otherwise attach to them in respect of any negligence, default, breach of trust or breach of duty by them in relation to the Association, provided that any such insurance shall not extend to any claim arising from any act or omission of any such person which such person knew to be a breach of trust or breach of duty or which was committed by such person in reckless disregard of whether it was a breach of trust or breach of duty or not;
 - (s) to publish a Journal of the Association;
 - (t) generally to do things in furtherance of the object of the Association.

APPLICATION OF INCOME AND PROPERTY

4. Subject to Article 3(l) of this Our Charter, the income and property of the Association shall be applied solely towards the promotion of the object of the Association as set forth in this Our Charter and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to any member or members of the Association.
- Provided that nothing herein contained shall prevent the payment and application in good faith of the income or property of the Association towards or for the purposes herein set forth as the object of the Association, although one or more members be thereby benefited directly or indirectly, or the payment in good faith of remuneration to any officers or servants of the Association not being a Member of the Council or to any member thereof in return for services actually rendered to the Association or any payment to any Company in which a Member of the Council shall hold not more than a one hundredth part of the capital and such Member of the Council shall not be bound to account for any share of profits he may receive in respect of such payment.
- Provided also that where the Council proposes to apply income or property of the Association in good faith and in reasonable and proper furtherance of the objects of the Association for the benefit of a Member of the Council or his dependants, this shall be subject to the following conditions:
- (a) that the Members of the Council resolve that such application is in reasonable and proper furtherance of the object of the Association; and
 - (b) that no Member of the Council who is an applicant for benefit or whose dependant is an applicant may be present at or participate in or be counted for the purposes of the quorum of any meeting of the Members of the Council for any proceedings of the Council relating to such benefit or vote as a Member of the Council upon any question relating thereto.

MEMBERSHIP

5. Membership of the Association shall consist of such classes of members as shall be prescribed and shall be open to all persons who are serving or have served in one of Our Air Forces and who qualify in accordance with the Rules. Other classes of membership may be described in the Rules.
6. The expression Our Air Forces shall be deemed to include all or any of the following Air Forces of the United Kingdom:
- (a) The Royal Flying Corps;
 - (b) The Royal Naval Air Service (before the first day April 1918);
 - (c) The Royal Air Force;
 - (d) The Women's Auxiliary Air Force;
 - (e) The Women's Royal Air Force;
 - (f) Princess Mary's Royal Air Force Nursing Service and Reserves thereof;
 - (g) The Auxiliary Air Force;
 - (h) The Royal Auxiliary Air Force;
 - (i) The Special Reserve;
 - (j) The Royal Air Force Volunteer Reserve;
 - (k) The Royal Air Force Volunteer Reserve (Training Branch).
7. The expression Our Air Forces shall also be deemed to include:
- (a) All or any of the Air Forces of those Nations who are members of the Commonwealth;
 - (b) All or any of the Air Forces at the time of membership of the Commonwealth of those Nations who have now left the Commonwealth;
 - (c) The Air Forces of Our Colonies and Dependencies;
 - (d) The Air Transport Auxiliary.
 - (e) The Royal Observer Corps.
 - (f) An Air Cadet Organisation.
8. Members shall have such rights of attending meetings of the Association and of its Areas and Branches and of voting thereat and such other rights and privileges and shall be subject to such conditions as may be prescribed.

PATRON

9. There shall be a Patron of the Association.

VICE-PATRON

10. There may be a Vice-Patron of the Association.

LIFE VICE-PRESIDENTS

11. There may be Life Vice-Presidents of the Association who shall be appointed in such manner as shall be prescribed. A Life Vice-President shall not by virtue of holding that office be a Member of the Council.

VICE-PRESIDENTS

12. There may be Vice-Presidents of the Association who shall be elected in such manner as shall be prescribed and shall be Members of the Council.

OFFICERS

13. There shall be as Officers of the Association a President and a Treasurer, a Chairman and Vice-Chairman of the Council and a Chairman of the Executive Committee.

THE COUNCIL

14. There shall be a Council of the Association so constituted and with such functions and powers as shall be prescribed.

CONFERENCES

15. The Association shall hold a meeting once in each year, to be known as “the Annual Conference”, at a time and place determined in accordance with the Rules.
16. The business to be transacted by, and the rights of representation and procedure at, the Annual Conference shall be as prescribed by the Rules and by the Rules of Procedure made by the Annual Conference Committee.
17. A Special Conference may be convened by the Council at any time giving such notice as shall be prescribed and shall be so convened on the demand of not less than the prescribed proportion of the Branches of the Association. The Rules relating to the Annual Conference shall apply modified as appropriate to a Special Conference.

AREAS AND REGIONS

18. Subject to such authority as shall be prescribed and for the purpose of facilitating the work of the Association the locations in which the activities of the Association are carried on may be divided into geographical Areas and may be further sub-divided into geographical Regions. For this purpose a body may be formed in each Area to be known as “the Area Council” and a body in each Region to be known as “the Regional Committee”. Unless otherwise provided in the Rules each Branch of the Association shall be allocated to an Area.
19. The functions of an Area Council shall be such as shall be prescribed.

BRANCHES

20. There shall be Branches of the Association which shall be so constituted, and shall have such functions, and be subject to such conditions, as shall be prescribed.

RULES

21. The Rules set forth in the Schedule to this Our Charter (in this Our Charter referred to as “The Rules”) shall be the Rules of the Association until the same shall be revoked, altered or added to in the manner hereinafter provided.
22. The Rules, or any of them, may from time to time be revoked, altered or added to by Special Resolution provided that no such revocation, alteration or addition shall come into operation until the same shall have been approved by the Lords of Our Most Honourable Privy Council and a certificate under the hand of the Clerk of Our said Privy Council shall be conclusive of such approval.

AMENDMENT TO CHARTER

23. The provisions of this Our Charter may from time to time be revoked, altered or added to by Special Resolution provided that no such revocation, alteration or addition shall become effectual unless allowed by Us, Our Heirs or Successors in Council. This Article shall apply to this Our Charter and to any Supplemental Charter, as revoked, altered or added to as aforesaid. No such revocation, alteration or addition shall affect the validity of anything done in pursuance of this Our Charter, or of any Supplemental Charter, before the date on which such revocation, alteration or addition becomes effectual, but thereafter this Our Charter and any Supplemental Charter shall continue and operate as though they had respectively been originally granted and so made accordingly.

SPECIAL RESOLUTION

24. For the purposes of Articles 22 and 23 of this Our Charter a Special Resolution means a Resolution of which due notice shall have been given to a Conference of the Association and which has been passed by a two-thirds majority of the delegates at the Conference, entitled to vote and voting.

APPLICATION OF CHARTER AND RULES

25. The Annual Conference, the Council, Area Conferences, Area Councils and Regional Committees, Branches and individual members of the Association shall in all circumstances act in accordance with the provisions and principles of this Our Charter and the Rules.

SURRENDER OF CHARTER

26. The Council may, with the sanction of not less than two-thirds of the Branches represented and voting at a Special Conference called for that purpose, after proper notice given, determine to surrender the Charter or any Supplemental Charter and dissolve the Association, subject to the sanction by Us, Our Heirs or Successors in Council and upon such terms as We or They may consider fit, and wind up the affairs of the Association and in such winding up shall realise the whole of the Association's assets and after discharging all lawful liabilities shall devote the remaining assets, if any, according as the Conference authorising the dissolution may direct or, failing such authorisation, as the Council may decide in pursuance of any instructions given to it by such Conference or failing such instructions as the Council shall think expedient.

CONSTRUCTION

27. And Lastly, We do by these Presents for Us, Our Heirs and Successors grant and declare that these Our Letters Patent shall be in all things valid and effectual in law according to the true intent and meaning thereof and shall be taken, construed and adjudged in the most favourable and beneficial sense for the best advantage of the Association as well as in Our Courts of Record as elsewhere by all Judges, Justices, Officers, Ministers and other subjects whatsoever of Us, Our Heirs and Successors any non-recital, mis-recital or other omission, defect or thing to the contrary notwithstanding.

DATE OF EFFECT

28. This Our Charter shall come into force on the first day of September One thousand nine hundred and ninety-six.
29. IN WITNESS whereof We have caused these Our Letters to be made Patent.

WITNESS Ourself at Westminster this twenty-second day of August in the forty-fifth year of Our Reign.

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL

THE SUPPLEMENTAL CHARTER WAS APPROVED ON THE 18TH DAY OF OCTOBER 1995.

THE COURT AT BUCKINGHAM PALACE, ON THE 16TH DAY OF NOVEMBER 2016 PRESENT, THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL, ALLOWED THE AMENDEDMENTS TO THE SUPPLEMENTAL CHARTER OF THE ROYAL AIR FORCES ASSOCIATION.





THE RULES OF THE ROYAL AIR FORCES ASSOCIATION

Approved by
Her Majesty the Queen
on the 16th day of November 2016.

Rules

Rule 1. Definitions

- (1) In these Rules words and expressions to which meanings are assigned by the Charter shall have the same respective meanings.
- (2) In these Rules unless the subject or context otherwise require:
 - (a) 'Air Cadet Organisation' (ACO) means aviation related uniformed youth organisations including but not limited to: the RAF Air Cadets (comprising the Air Training Corps and the Combined Cadet Force (RAF)), Girls Venture Corps Air Cadets, Air Scouts and Air Explorer Scouts;
 - (b) 'Article' is a reference to an Article of the Charter;
 - (c) 'Area Director' means the employee appointed to be the secretary of an Area Council and administrator of an Area;
 - (d) 'The Association' means the Royal Air Forces Association;
 - (e) 'The Byelaws' means the Byelaws made by the Council, under the authority of these Rules, which may be useful or desirable for carrying out or facilitating any of the purposes or provisions of the Charter and Rules;
 - (f) 'Chairman' means the Chairman of the Council;
 - (g) 'Charter' means the Royal Charter, as it may be amended from time to time;
 - (h) 'Charities Act' means the Charity Act of 2011 and/or the Charities & Trustee Investment (Scotland) Act 2005, (as they may be amended, extended or re-enacted from time to time) as applicable;
 - (i) 'Civil Partner' means same-sex couples who have entered into a civil partnership formally recognised by law under the Civil Partnership Act 2004. In addition to civil partnerships formed in the UK, the Act recognises some overseas relationships, in particular the specified relationships listed in its Schedule 20 of the Act;
 - (j) 'Connected Person' means, in relation to a Council Member, a person with whom the Council Member shares a common interest such that they may reasonably be regarded as benefiting directly or indirectly from any material benefit received by that person, being either a member of Council Member's family or household or a person or body who is a business associate of the Council Member, and (for the avoidance of doubt) does not include a company with which the Council Member's only connection is an interest consisting of no more than 1% of the voting rights;
 - (k) 'Council' means the governing body of the Association established by Article 14 of the Charter and constituted in accordance with the Charter and these Rules; for the avoidance of doubt the Council is the charity governing body and the members of the Council are the charity trustees of the Association;
 - (l) 'Council Member' means a Member of the Council as defined in Rule 14 who is also a trustee of the Association;
 - (m) 'Delegate' means the member authorised to vote on behalf of the Branch, in elections or Conference, by post, electronically or in person;
 - (n) 'Investment Manager' means an individual, company or firm who is authorised to give investment advice under the Financial Services and Markets Act 2000 (as it may be amended, extended or re-enacted from time to time);
 - (o) 'Independent Examiner' means an independent person who is reasonably believed by the Council, Area, Regional or Branch Committee to have the requisite ability and practical experience to carry out a competent examination of the accounts;
 - (p) 'Member' and 'Membership' refers to membership of the Association;
 - (q) 'Officers' means the Council Members referred to in Article 13 of the Charter and Rule 21;
 - (r) 'Patron' means a Patron of the Association;
 - (s) 'Pop-up Branch' means a Branch formed solely at Annual Conference for the purpose of enfranchising members on Central or Area Rolls;
 - (t) 'President' means the President of the Association;
 - (u) 'Registered Members Group' (RMG) means a group of members constituted in accordance with Rule 42;
 - (v) 'Rules' means the rules annexed to the Charter, as they may be amended from time to time, and 'Rule' refers to a particular rule;
 - (w) 'Secretary General' means the person appointed to that office in accordance with Rule 15;
 - (x) 'Standard Regulations' means regulations made in accordance with Rule 5;
 - (y) 'Taxable Trading' means carrying on a trade or business on a continuing basis which is for the principal purpose of raising funds rather than for the purpose of actually carrying out the Object, unless the income of the Association from that trade or business is exempt from tax by reason of any legislation from time to time in force;
 - (z) 'Treasurer' means the Treasurer of the Association;
 - (aa) 'UK legislation and regulation' means such legislation that may be enacted from time to time by the UK Government and/or other relevant devolved administration;
 - (bb) 'Vice-Chairman' means the Vice-Chairman of the Council;
 - (cc) 'Vice-President' means a Vice-President of the Association;
 - (dd) 'Virtual Branch' means a non-geographic based Branch constituted in accordance with Rule 29 to cater for the interest of special interest groups.
- (3) Use of the singular includes the plural and vice versa;
- (4) Use of any gender includes the other genders; and
- (5) Any reference in the Charter, Rules or Byelaws to an enactment includes reference to that enactment as re-enacted or amended, from time to time, and to any subordinate legislation made under it.

Rule 2. Construction

- (1) In these Rules reference to the Rules shall, unless the subject or context otherwise require, include the Byelaws.
- (2) These Rules shall be construed with the Charter and, if there is any discrepancy between the two, the Charter shall prevail.

Rule 3. Application

Every member of the Association shall be deemed to have had notice of the Charter and of these Rules and of any Byelaw made under these Rules which are applicable to the Branch, Branch Club, Registered Members Group or Central or Area Membership Roll of which they are a member, and to be bound by all the provisions therein contained or by any other provisions that may be made hereafter by way of amendments to any of them.

Rule 4. Byelaws

- (1) The Council may make Byelaws for regulating the affairs of the Association.
- (2) The Byelaws shall or may prescribe anything which is, by these Rules, required or authorised to be prescribed, by the Byelaws, and may make further provision, as may seem to the Council necessary or desirable, for carrying out or facilitating any of the purposes of these Rules.
- (3) Any Byelaws, made under this Rule, shall come into force on such date as may be determined by the Council and may be revoked, altered or added to, by subsequent Byelaws made by the Council.
Provided any such Byelaw or amendment to a Byelaw, made by the Council, shall be submitted as a resolution to the next Annual Conference for approval. In the event the Byelaw is not approved by the Annual Conference, it shall be void and of no effect but without prejudice to the validity of anything previously done thereunder.

Rule 5. Standard Regulations

- (1) The Council may issue and amend Standard Regulations governing the constitution, and administration, proceedings and activities of Areas, Branches (including virtual branches) and Branch Clubs and Registered Members Groups (RMG).
- (2) Any Standard Regulation, made under this Rule, shall come into force on such dates as may be determined by the Council, and may be revoked, altered or added to by a subsequent Standard Regulation made by the Council.
- (3) Any request for a local variation of Standard Regulations, by an Area Council or a Branch, shall be submitted to the Secretary General and shall include the reasons why the local variation is sought.
Provided, any such Standard Regulation or amendment to a Standard Regulation shall be submitted as a resolution to the next Annual Conference for approval. In the event the Standard Regulation is not approved, by the Annual Conference, it shall be void and of no effect but without prejudice to the validity of anything previously done thereunder.

Rule 6. Policy

The Association shall be democratic, non-sectarian and non-party and shall not be affiliated, directly or indirectly, to any sectarian organisation or to any political party or party organisation or trade union, employers' organisation or staff organisation. In no circumstances shall the Association or any of the Area Councils, Regional Committees or Branches publicly express any views in connection with any political or industrial dispute or engage in any activities in connection therewith.

Rule 7. Membership – Classes of Membership

- (1) There shall be the following classes of membership of the Association:
 - (a) Ordinary Member: open to persons who meet the eligibility criteria in paragraph (2) of this Rule;
 - (b) Associate Member: open to anyone who is not eligible for Ordinary Membership who accepts the aims and objects of the Association and who commits themselves to work actively to promote such aims and objects. (Refers to Associate Members of the Association);
 - (c) Junior Member: open to members of an ACO, and to air-minded young people between the ages of 12 and 17 (inclusive) who accept the aims and objects of the Association, and
 - (d) Life Member (an Ordinary Member who paid a life-time membership fee), application for and conversion to this class of membership ceased on 30 June 2004.
- (2) A person shall be eligible for Ordinary Membership of the Association if they fulfil the criteria set out in (a), (b) or (c) below and pay the annual subscription determined by the Association in Annual Conference:
 - (a) They have served an aggregate period of not less than three months in one of Her Majesty's Air Forces as defined in the Royal Charter Articles 6 and 7. Periods of service in more than one of Her Majesty's Air Forces may be aggregated in order to satisfy this condition, and service shall include attachment or secondment for temporary or special duties (so long as the person concerned was, during his period of secondment or attachment, subject to Air Force Law or Service Law or, in the case of any other of Her Majesty's Forces, having a separate code of law to that code); Provided the date of effect, of their admission to membership, may be the date of attestation if they subsequently and satisfactorily complete initial Officer or

Recruit training.

- (b) Is a spouse, partner, civil partner, widow or widower of an Ordinary or Life Member of the Association, who is an Associate Member of the Association and who wishes to change their class of membership.
 - (c) Adult WOs, Senior NCOs, Civilian Instructors or Cadets who are current or past members of the RAF Air Cadets, and have served satisfactorily for a minimum of two years.
- (3) A person shall forfeit their eligibility for membership if they have been dismissed or discharged from Her Majesty's Services for misconduct.
 - (4) A person whose eligibility for membership is forfeit under paragraph (3) of this Rule may apply to the Council to have that forfeiture waived and, if they satisfy the Council there are special circumstances in their case (of which the Council shall be the absolute judge), the Council may declare they are eligible for membership and such a declaration shall be binding on all Branches.
 - (5) Qualification for admission to and removal, from membership, shall be further prescribed in the Byelaws.
 - (6) A register of Members shall be maintained as prescribed in the Byelaws.

Rule 8. Membership – Rights, Privileges and Conditions

- (1) Provided they have paid the annual subscription to the Association, an Ordinary, Associate or Life Member has full voting and deliberative rights, at the Branch(es) where they are a registered member; they are welcome to attend meetings of other Branches, Annual and Area Conferences but have no voting rights unless specifically elected or appointed.
- (2) A Junior Member is welcome to participate in Branch meetings, Area and Annual Conferences but has no voting rights.

Rule 9. Membership – Vice-Patron of the Association

A member of the Association may, at the discretion of the Council, be invited to become the Vice-Patron of the Association.

Rule 10. Membership – Life Vice-Presidents and Vice-Presidents of the Association

- (1) Any Ordinary, Life or Associate Member of the Association who has rendered outstanding service to the Association or has attained distinction, in their profession or calling, may be invited on the recommendation of the Council, by resolution passed at an Annual Conference, to become a Life Vice-President of the Association.
- (2) A Life Vice-President shall not be deemed to be an Officer of the Association within the meaning ascribed in these Rules and shall not be entitled by virtue of being a Life Vice-President to be a Member of the Council or of any of its sub-committees, but shall be eligible for election or co-option to the Council or any of its sub-committees.
- (3) A Life Vice-President shall hold office for as long as they are a member of the Association.
- (4) Additionally, Council may nominate any Ordinary, Life or Associate Member of the Association for election at the Annual Conference to be a Vice-President of the Association.

Rule 11. Membership – The Officers of the Association

- (1) The Officers of the Association shall be the President, the Treasurer, the Chairman of the Council, and the Vice-Chairman of the Council.
- (2) The President, the Treasurer and the Chairman of Council shall be elected by the Association at Annual Conference.
- (3) The Vice-Chairman of Council, shall be elected by the Members of the Council, from amongst its number at the first meeting after they have taken office following the conclusion of Annual Conference.
- (4) Eligibility and procedure for election and removal of Officers of the Association shall be as defined in the Byelaws.

Rule 12. Membership – The President's Power to Delegate

The President of the Association may delegate to a member of Council, or a Life Vice-President, any of his functions including, taking the Chair, for the whole or any part of a Conference.

Rule 13. The Council – Tenure

- (1) Members of Council shall take up office at the close of the meeting of the Annual Conference immediately following the ballot, by which they were elected or appointed, and shall serve until the close of the third next Annual Conference, unless their tenure of office ends earlier in accordance with the provisions of the Byelaws.
- (2) Officers and Members of Council may serve for a maximum of three, three-year terms.
- (3) Members of Council serving on the date this Rule is adopted shall be subject to transitional provisions agreed by the Council regarding their terms in office.

Rule 14. Council – Composition

- (1) The Council shall consist of the following:
 - (a) The Officers of the Association;
 - (b) Elected Members: Members elected by delegates at the Annual Conference and by each Area Council from amongst their number as prescribed in the Byelaws;
 - (c) Appointed Members: up to three members appointed by the Royal Air Force as prescribed in the Byelaws and one member appointed by the RAF Benevolent Fund;
 - (d) All Vice-Presidents of the Association elected at the Annual Conference; and
 - (e) Up to four individuals co-opted by the Council.
- (2) Persons elected or appointed to Council are the Trustees of the Royal Air Forces Association.
- (3) All members of Council shall have full voting and deliberative powers.

Rule 15. Council – Functions and Powers

- (1) The Council is responsible for the management of the Association's business, and for such purposes, it may exercise all the powers of the Association, in accordance with the Charter, Rules and Byelaws. The Council shall manage and administer the affairs of the Association, in particular all property and income. The Council may delegate, subject to such instructions, reservations or restrictions as it may think fit, any of its powers to committee(s) appointed from amongst its number or otherwise constituted for the purpose.
- (2) Unless such implementation would conflict with their responsibilities as Trustees, it is the duty of the Council to implement actions resulting from Resolutions approved by Annual Conference and to decide all questions of policy and administration connected with the Association.
- (3) The Council shall have the power to appoint a Secretary General of the Association, who shall undertake such duties as the Council may direct. Subject to the provisions set in its policies, which may be amended from time to time, the Council shall have the power to dismiss a Secretary General.
- (4) If the position of Secretary General becomes vacant, the Council must advertise the appointment and invite applications for the position. Meanwhile it may appoint an acting Secretary General until a permanent appointment is made.

Rule 16. Council – Proceedings

- (1) The Council shall meet together for the transaction of business as often as may be necessary.
- (2) The quorum necessary for the transaction of business of the Council may be fixed by the Council but, unless so fixed, shall be ten to include two Officers of the Association.
- (3) Council decisions shall be reached on the basis of a simple majority with the Chairman exercising a casting vote if necessary.
- (4) The business of the Council shall be transacted in such a manner as the Council may from time to time determine, including but not limited to:
 - (a) The establishment of committees to oversee and scrutinise the development and implementation of policy;
 - (b) Reviewing, and if appropriate making recommendation on, the Rules and Byelaws of the Association on, at least, a biennial basis;
 - (c) Producing an integrated annual plan and budget for the Association's activities; including strategic objectives and priorities which demonstrate that the Association is complying with the law and is well run and effective; and
 - (d) Providing appropriate accountability to the members.
- (5) Members of Council participate in a Council meeting, or part of a Council meeting, when they can communicate with each other in a reasonably contemporaneous way any information or opinions they have regarding the business of the meeting.
- (6) In determining whether members of Council are participating in a Council meeting, it is irrelevant where any member of Council is or how they communicate with each other.
- (7) If all the members of Council participating in a meeting are not in the same place, they may decide the meeting is to be treated as taking place wherever any of them is.
- (8) All acts done by a person acting as a member of Council shall, even if afterwards discovered there was a defect in their appointment or they were disqualified from holding office or had vacated office, be as valid as if such person had been duly appointed and was qualified and had continued to be a member of Council.

Rule 17. Council – Casual Vacancies

A casual vacancy amongst the Members of the Council shall be filled in such manner as shall be prescribed by the Byelaws.

Rule 18. Conference – Summoning a Conference

- (1) The Annual Conference shall be held at such time and place as may be decided by the Association in Annual Conference or, in default, as the Council shall decide.
- (2) A Special Conference may be summoned at any time by the Council, on giving twenty-eight days' notice to every Branch, and shall be so summoned at the request of not less than one-quarter of the Branches in the Association if, at General Meetings summoned for the purpose, the Branches making the request have passed resolutions to this effect.
- (3) A request by the required proportion of the Branches, for a Special Conference, shall state the business to be transacted, and be accompanied by certified copies of the Agenda and of the resolutions passed at the General Meetings of the Branches.

Rule 19. Conference – Representation

- (1) Subject to meeting such conditions as may be prescribed by the Byelaws, a Branch shall have the right to be represented at any Conference of the Association by the number prescribed by the Byelaws of delegates, who shall have such voting rights as shall be prescribed by the Byelaws.
- (2) The membership qualification for attendance, as a voting delegate at Conferences, shall be as prescribed by the Byelaws.
- (3) An Area Council shall have the right to be represented at any Conference of the Association by one Member of the Area Council, who shall be entitled to move and second resolutions and take part in all discussions, but shall have no voting powers.

Rule 20. Conference – Rights of Life Vice-Presidents, Officers, Members of Council and Employees

- (1) The Officers of the Association, the Life Vice-Presidents and the Members of the Council shall be members of any Annual or Special Conference, and shall be entitled to move and second resolutions and take part in all discussions, but shall have no voting powers.
- (2) No Officer of the Association, Life Vice-President or Member of the Council, or paid employee of the Association, shall be eligible for appointment as a delegate to an Annual or Special Conference.

Rule 21. Conference – Conference Business

- (1) The business to be transacted at an Annual Conference:
 - (a) Shall comprise:
 - i. Announcing the results of the elections of the Elected Members of Council;
 - ii. Consideration of the Report from the Council for the past year;
 - iii. Consideration of the Annual Accounts and of the Auditor's Report;
 - iv. Election of the Auditor;
 - v. Election of the President, the Treasurer of the Association and the Chairman of the Council to fill any vacancy;
 - vi. Election of the Elected Members of the Council to fill any casual vacancy;
 - vii. Election of the Elected Members of the Annual Conference Committee; and
 - viii. Consideration of the annual plan.
 - (b) May comprise:
 - i. Election of Life Vice-Presidents and Vice-Presidents;
 - ii. The Officers of the Association address to Conference;
 - iii. The Secretary General's address to Conference;
 - iv. Review of and, if thought appropriate, amendment of the Charter or Rules;
 - v. Review of and, if thought appropriate, amendment of the Byelaws and Standard Regulations;
 - vi. Removal from office of Officers of the Association and Members of the Council;
 - vii. Consideration of any Council, Area or Branch Resolution of which due notice has been given and which is not excluded by the Rules of Procedure; and
 - viii. Discussion of issues of general policy.
- (2) The business of a Conference, including the timetable and the order in which resolutions are discussed, shall be regulated by Rules of Procedure, which are to be drawn up by an Annual Conference Committee, established in accordance with the Rules and Byelaws.
- (3) The procedure for voting, the method of nomination for election, the period of notice for resolutions, the formulation of the agenda and the information to be provided to Branches in relation to Conferences shall be such as shall be prescribed by the Byelaws.
- (4) No business, other than that stated in the request for a Special Conference, shall be transacted at a Special Conference.

- (5) No objection may be raised to the qualification of any person voting at Conference except at the meeting or adjourned meeting at which the vote objected to, is tendered, and every vote not disallowed at the meeting is valid. Any such objection must be referred to the Chairman of the meeting whose decision is final.

Rule 22. Conference – Annual Conference Committee

The prescribed number of Ordinary, Life or Associate Members of the Association to be elected triennially to the Annual Conference Committee by postal ballot by Branches shall be in the Byelaws. The composition of the Annual Conference Committee shall be prescribed in the Byelaws.

Rule 23. Conference – Decisions of Conference

Subject to the provisions of the Charter and of these Rules, and provided it is not in contravention of any applicable rule of law, a decision of a Conference shall be binding upon the Association and all its members. However, if the Council considers the implementation of a Conference Resolution is in conflict with the stated objectives of the Association, or could result in the loss of financial or other support or create reputational harm, it may delay implementation and must announce this at the earliest opportunity and report this to the next Annual Conference.

Rule 24. Areas and Regions – Areas

- (1) Subject to the approval of the Association in Conference, the Council may establish such number of Areas it thinks fit, and may vary or dissolve any Areas so established. Where Areas have been established in any particular country or territory, every Branch in that country or territory, shall be allocated to such Area therein as the Council shall determine. Within the boundaries of a particular area, an Area Council shall be established in accordance with the Byelaws which shall exercise such powers over its Branches as the Council shall delegate to it.

Provided, in the case of an Overseas Branch, the Council may allocate any such Branch to any Area it considers appropriate.

- (2) Except as provided in these Rules, the Council shall exercise its jurisdiction over Branches and be approached by Branches through the appropriate Area Council, but in exceptional cases, the necessity of which, the Council shall be the sole judge, the Council may deal directly with any Branch of the Association.

Rule 25. Areas and Regions – Area Councils

The functions of an Area Council shall be to:

- (1) Consider the affairs of the Association dealt with by the Council as recorded in the minutes of its meetings;
- (2) Monitor, develop, support, assist and advise Branches within the Area;
- (3) Assist with the recruitment of new and the retention of existing members and the formation of new Branches within the Area;
- (4) Investigate, and when necessary, report to the Council on the affairs of any Branch, including in particular the financial affairs of a Branch, and any case where in its opinion a Branch should be closed;
- (5) Secure effective liaison with other ex-Service organisations and with Royal Air Force and ACO formations within the Area;
- (6) Consider and take action on any matter referred to it, by the Council, and make representations to the Council on any matter concerning the welfare of the Association;
- (7) Consider any recommendations, submitted to it by a Branch or Regional Committee, and take appropriate action thereon.
- (8) The due observance of these Rules and any Byelaws and Standard Area Regulations that may be made.

Rule 26. Areas and Regions – Regions

- (1) Subject to such conditions, as may be prescribed by the Byelaws, an Area Council may authorise the formation or alteration of Regions as sub-divisions of Areas, and may allocate Branches thereto and may authorise the establishment of Committees therein, but no Region or Regional Committee so authorised shall have any administrative or disciplinary rights or powers over any of the Branches allocated to it.
- (2) The functions and administration, of a Regional Committee, shall be such as shall be prescribed by the Byelaws.
- (3) Nothing in this Rule shall prejudice or affect the powers of an Area Council or deprive a Branch of the right to submit matters of policy direct to the Area Council or Council.

Rule 27. Branches – Function

The primary unit of the Association shall be the Branch, which shall be responsible to the Council, and where appropriate the Area Council for:

- (1) Furthering and attaining the objects of the Association;
- (2) Giving effect to all decisions of the Council and of the Area Council;
- (3) The due observance of these Rules and any Byelaws and Standard Branch Regulations that may be made.

Rule 28. Branches – Formation

Subject to the approval of the Council, a Branch, including a Virtual Branch or at Annual Conference a 'pop-up' Branch, may be formed in any part of the world provided the conditions and procedures prescribed by the Byelaws are met.

Rule 29. Branches – Virtual Branches

- (1) The Council may sanction the formation of, non-geographically based, Virtual Branches by members of the Association who have a common interest in membership of some established or definable body, institution, association, profession or vocation.
- (2) A member of a Virtual Branch, who ceases to be a member of the Association, ceases thereby to be a member of that Virtual Branch.
- (3) A Virtual Branch may be allocated by the Council to an Area, but such allocation shall be without prejudice, to the right of the Virtual Branch and the Council, to deal directly with each other on any matter which the Council considers it desirable to do so.

Rule 30. Branches – Amalgamation, Sub-division and Closure

- (1) Subject to the approval of the Council any, two or more, Branches may be amalgamated or a Branch may be sub-divided into two or more Branches or the name of a Branch may be altered or a Branch may be closed by the members thereof.
- (2) A Branch which, in the opinion of its Area Council, is no longer capable of, or by reason of lack of members or support is not discharging its functions as a Branch, may be closed by the Area Council subject to such notice and procedures for the closure of non-effective Branches as shall be prescribed by the Byelaws.
- (3) A Branch or Branch Club which, in the opinion of the Council, has persistently failed to comply with any of these Rules or refused or failed to comply with the instructions of the Council or of the Area Council or is not in conformity with the Charity Act or other legislation or regulation or is being mismanaged, may be closed by the Council subject to such notice and procedures for the closure of Branches or Branch Clubs as shall be prescribed by the Byelaws or Standard Club Rules respectively.

Rule 31. Branches – Property and Assets

- (1) Subject to paragraph (2) of this Rule the Chairman, Officers and other Members of the Branch Committee shall be collectively responsible for the funds and other property or assets of the Branch and its liabilities. They shall also be responsible, in the case the Branch shall cease to exist or be closed, for:
 - (a) Realising the value of any property or assets;
 - (b) Satisfying any proper debts and liabilities;
 - (c) Forwarding, within the period prescribed by the Byelaws, any remaining funds or assets together with an audited statement of account and all the records of the Branch, to the Secretary General.
- (2) Should any Branch not fully follow the procedures laid down in paragraph (1), or in any other way be responsible for a Branch not being in conformity with the Charities Act or other Legislation or Regulation or being mismanaged, the Council may require, that any property or asset of a Branch, shall be vested in or transferred to the Association, or such other person or persons as the Council may from time to time approve or require, on trust for the Branch.

Rule 32. Finance and Accounts – Property

All property of the Association, both real and personal, shall be held in the name of the Association, or in the name of such other person or persons in trust, for the Association as the Council may determine.

Rule 33. Finance and Accounts – The Accounts of the Association

- (1) The Council shall ensure the Association complies with the obligations of the Charities Act or any other applicable legislation with regard to the:
 - (a) Keeping of accounting records;
 - (b) Preparation of annual statements of account;
 - (c) Auditing or independent examination of the statements of account;
 - (d) Transmission of statements of account and annual reports to the Charity Commissioners.
- (2) The Council shall make such Byelaws as are necessary to meet these requirements.

Rule 34. Finance and Accounts – The Treasurer’s Responsibilities

- (1) The cash and bank accounts of the funds of the Association shall be under the control of the Treasurer, who shall administer them in accordance with the decisions of the Council.
- (2) The Treasurer shall cause proper books and accounts to be kept, and shall submit statements of account to the Council, at such times and in such form as the Council shall determine.

Rule 35. Finance and Accounts – Grants or Loans to Branches

- (1) Grants or loans to Branches may be made by the Council under the provisions of Article 3(i) of the Charter and shall be governed by such procedures and shall be subject to such terms and conditions as may be determined by the Council.
- (2) Any property, acquired under these provisions, shall be held in the name of the Association or in that of such person or persons, in trust for the Association as the Council shall determine. At the discretion of the Council, it may also be a condition of a grant or loan for essential repairs and alterations, the property shall be held in the name of the Association or in that of such a person or persons in trust for the Association as the Council shall determine.

Rule 36. Finance and Accounts – Investments

- (1) Any of the funds of the Association not immediately required for the purposes of the Association shall be invested as may be authorised by the Council in accordance with the provisions of the Trustee Investment Act 2000 and/or if applicable the Charities & Trustee Investment (Scotland) Act 2005 (as they may be amended, extended or re-enacted from time to time).
- (2) Under this Rule, the Council may:
 - (a) Appoint as Investment Manager one or more investment experts.
 - (b) Delegate appropriate power to the Investment Manager to buy and sell investments, for the Charity, at their discretion on the Council’s behalf;
 - (c) If there is any delegation under this Rule, the Council must, at the time of making the delegation, and from time to time thereafter, give clear policy instructions to the Investment Manager regarding investments;
 - (d) Take care to ensure all parties comply with the terms of the delegation;
 - (e) Always provide reasonable supervision of the Investment Manager; and
 - (f) Review the arrangements at suitable intervals (normally not exceeding 36 months).
- (3) If any delegation is made under this Rule, it must be on the terms that:
 - (a) The Investment Manager may not do anything which the Council does not have power to do;
 - (b) The Investment Manager complies with any policy instructions provided to them from time to time;
 - (c) The delegation may be revoked without notice or (subject to this Rule) any of its terms varied; and
 - (d) Where the Investment Manager makes any purchase or sale using their delegated powers, they must report it to the Council as soon as reasonably possible.
- (4) The Council may:
 - (a) Set up a Finance Committee consisting of any two or more of their own number; and
 - (b) Subject to this Rule delegate to the Finance Committee established under Rule 16 any of their functions relating to investment.
- (5) The Council shall keep the investment of the funds of the Association under routine review. If the Council delegates any powers to a Finance Committee, it will be on the term that all acts and proceedings of the Finance Committee must be reported to the Council as soon as is reasonably possible.
- (6) The Council may not apply any funds of the Association in acquiring any investment, other than a narrower-range investment within the meaning of the Trustee Investments Act 2000 and/or if applicable the Charities & Trustee Investment (Scotland) Act 2005 (as they may be amended, extended or re-enacted from time to time), except upon the advice of the Investment Managers.

Rule 37. Finance and Accounts – Investment of Branch Funds

The Council shall issue instructions regarding the investment of Branch Funds shall comply with the provisions of the Trustee Investments Act 2000 and/or the Charities & Trustee Investment (Scotland) Act 2005, (as they may be amended, extended or re-enacted from time to time).

Rule 38. Fundraising

The Council shall conform to the Charities Act 1992 and the Charities Act 2011 as amended by the Charities (Protection and Social Investment) Act 2016 or relevant legislation enacted by a devolved administration (as they may be amended, extended or re-enacted from time to time) and shall issue guidance regarding the control of fund-raising and public charitable collections to assist Branches with compliance.

Rule 39. Liability and Indemnity

- (1) The Association shall indemnify every member of Council, in respect of any liability arising from or in respect of the Association (except any claim arising from wilful fraud, wrongdoing or wrongful omission on their part), and including (without limitation) any liability incurred in successfully defending legal proceedings in their capacity as a member of Council, or in connection with any application in which relief is granted by the court from liability for negligence, default, breach of duty or breach of trust in relation to the Association
- (2) No Area Conference, Area Council or Committee of an Area Council, no Branch or Branch Committee and no member of the Association shall have power, express or implied, to pledge the credit of the Association or of any Officer of the Association or to incur any financial liability or any liability whatsoever in the name or on behalf of the Association or of any Officer of the Association without the specific or delegated authority of the Council, nor shall the Association or any Officer of the Association be liable to action, omission, neglect or default done or committed by any Branch or Officer thereof.
- (3) No member shall use or permit the use of the name, initials, emblem, logo, badge or other insignia, domain name, social networking name or other digital identity of the Association which may in any way tend to suggest any of their activities has the support of, or is conducted under the auspices of, the Association unless they have the written authority of the Secretary General so to do, which authority may be revoked at any time by the Secretary General.
- (4) No person, organisation or member of the Association, except those appointed to positions carrying remuneration, shall be legally entitled to claim payment for any services rendered on behalf of the Association, unless in accordance with the terms of such contract or written agreement as may be signed by the Secretary General or such persons to whom this power has been expressly delegated.
- (5) No person, ceasing to be a member of the Association, shall have any claim upon the subscriptions or other moneys paid by him to the Association, except if paid by way of a loan.
- (6) The proceedings at any meeting or on the taking of any poll or the passing of a resolution or the making of any decision shall not be invalidated by reason of any accidental informality or irregularity (including any accidental omission to give or any non-receipt of notice) or any want of qualification in any of the persons present or voting or by reason of any business being considered which is not specified in the notice.

Rule 40. Conflict of Interests

- (1) Whenever a member of Council finds themselves in a situation that is reasonably likely to give rise to a conflict of interest with or in respect of the Association, they must declare their interest to Council.
- (2) If any question arises as to whether a member of Council has a conflict of interest with or in respect of the Association, the question shall be decided by a majority decision of the other members of Council.
- (3) Whenever a member of Council has a conflict of interest either in relation to a matter to be discussed at a meeting or a decision taken by other means the member of Council must:
 - (a) Remain only for such part of the meeting as in the view of the other members of Council is necessary to inform the debate;
 - (b) Not be counted in the quorum for that part of the meeting; and
 - (c) Withdraw during the vote and have no vote on the matter.

Rule 41. Complaints Procedure

- (1) Complaints against any volunteer, member (of whatever class of membership), Area, Branch or Branch Club shall be handled in accordance with procedures prescribed in the Byelaws
- (2) Any complaint against a member of Council shall be heard by the Council.

Rule 42. Registered Members Groups

- (1) Members of a Branch which is closing may form a Registered Members Group (RMG).
- (2) Members of an RMG will be recorded in the Register of Members as prescribed in the Byelaws.
- (3) The Members of an RMG will nominate a Member to act as the point of contact with the Area headquarters.
- (4) RMGs will hold no funds belonging to the Association, nor shall they receive a membership or a fundraising rebate, nor shall they hold or operate a bank account in the name of an RMG.
- (5) An RMG may send a representative to Annual Conference who shall be entitled to take part in all discussions but shall have no voting powers.

- (6) Members of an RMG are not eligible for appointment as a delegate to an Annual or Special Conference.
- (7) Subject to the prior approval of Council, RMGs may reform into a Branch.

Rule 43. The Common Seal

The Council shall provide for the safe custody of the Common Seal of the Association and shall regulate its use and authentication.



THE BYELAWS OF THE ROYAL AIR FORCES ASSOCIATION

Approved at Annual Conference 2016
implemented on the 16th day of
November 2016 Amended by
Annual Conference 2017

Byelaws

Byelaw 1. Authority and Date of Effect

These Byelaws are made by the Council under Rule (4) and shall come into force on 16th day of November 2016 and as from that date any Byelaws then in force shall cease to have effect.

Byelaw 2. Byelaws and Standard Regulations

- (1) In these Byelaws words and expressions to which meanings are assigned by the Rules shall have the same respective meanings.
- (2) Any Byelaws or Standard Regulations made under the Rules shall come into force on such date as may be determined by the Council and may be revoked, altered or added to by subsequent Byelaws or Standard Regulations made by the Council. Provided that any such Byelaw, Standard Regulation or amendment to a Byelaw or Standard Regulation made by the Council shall be submitted as a resolution to the next Annual Conference for approval. In the event the Byelaw or Standard Regulation is not approved by the Annual Conference it shall be void and of no effect but without prejudice to the validity of anything previously done there under.
- (3) Area Councils and Branches may propose that Byelaws or Standard Regulation be revoked, altered or added to by submission of a resolution to an Annual Conference.

Byelaw 3. Construction

These Byelaws shall be construed with the Rules and, if there is any discrepancy between the two, the Rules shall prevail.

Byelaw 4. Membership – Other Classes of Membership

Associate Members

- (1) A person shall be eligible for Associate Membership if they fulfil the criteria set out in (a) to (d) below:
 - (a) They are not an Ordinary or Life Member of the Association;
 - (b) They are not eligible for Ordinary Membership of the Association;
 - (c) They accept the aims and objects of the Association and commit themselves to work actively to promote such aims and objects;
 - (d) They pay the annual subscription determined in such manner as shall be prescribed.

Honorary Life Member

- (2) The prescribed conditions for Honorary Life Membership of the Association are:
 - (a) The member must have been an Ordinary or Life Member or Associate of the Association for not less than five consecutive years and have paid any subscription for which they are liable.
 - (b) A Branch of which they are a Member must have passed a resolution in General Meeting proposing that the member is recommended to the Council for consideration that they should be appointed as an Honorary Life Member of the Association. A copy of the signed resolution and minutes of the meeting shall be forwarded to the Secretary General for submission to Council.

Junior Membership

- (3) A person shall be eligible for Junior Membership if they are a member of a uniformed Air Cadet Organisation, or are air-minded young people between the ages of 12 and 17 (inclusive) who accept the aims and objects of the Association.

Byelaw 5. Membership – Admission to Membership

- (1) Every member of the Association must be a member of at least one Branch or Central or Area Membership Roll. In the first instance, a member will be allocated to a Branch, which will be designated as their 'home' Branch. Every application must be in a form specified by the Council.
- (2) The Branch Committee of the home Branch has full discretion over admission to membership of the Branch, but must not refuse it unreasonably. The Committee must record any reasons for rejection and submit them to its Area headquarters. The Secretary of the Branch must inform the applicant whether their application has been accepted or rejected. Membership of the Branch will date from the day the Branch Committee decides to register the applicant and admit them to the Branch. An applicant may raise a complaint, in accordance with the procedures authorised by the Council, against rejection of an application for membership, giving the grounds for the complaint.
- (3) If the Council later finds someone was not eligible for membership or was admitted to a class of membership in error, it may terminate the membership at once or transfer the person to the correct class of membership.
- (4) Members may also seek to be registered with other Branches provided they disclose the name of the Branch(es) of which they are already a member. Such additional registration must be notified to headquarters in a form specified by Council.
- (5) A member registered with more than one Branch shall have the full rights of a member in respect of each Branch with which they are registered, and may with the approval of the relevant Branch Committee, act as officials of the Branch and may offer themselves for election to the Branch Committee.

Byelaw 6. Membership – Register of Members and Removal of Membership

- (1) The Secretary General shall maintain a central register of members, including details of the Branches with which they are registered.
- (2) Branches shall supply any information required for the purposes of the central register.
- (3) Members may, if they wish, change their home Branch by application to a Branch that is willing to accept them, which must be notified to headquarters in a form specified by Council. If they have paid all subscriptions due to their current Branch, they will not need to make any additional payment within that membership year. The Branch Registers will be amended accordingly. A member may raise a complaint, in accordance with the complaints procedures authorised by the Council against a rejection of their request to transfer to another Branch.
- (4) A member will continue to be a member so long as their name remains on the Central Register of members, provided they have not resigned or died, and their membership has not ended for failure to pay the annual or branch subscription or membership is removed in accordance with the Standard Regulations or the Complaints Procedure issued by the Council as it may be amended by the Council from time to time.
- (5) If a member's status is questioned, their card of membership for the current membership year will provide sufficient evidence of membership.

Byelaw 7. Membership – Subscriptions

- (1) Members shall pay such annual subscription as appropriate to their class of membership as determined by the Association at an Annual Conference.
- (2) Members' first annual subscription shall be due on receipt on application.
- (3) Subsequent annual subscriptions of members who joined the Association prior to 1 January 2017, shall be due on the first day of January in each year; for members joining after 1 January 2017, subsequent annual subscriptions shall be due on the anniversary of their joining (or on such other date as may be determined by the Council subject to subsequent approval by Annual Conference).
- (4) The prescribed period after the first day of January in each year or the anniversary of their joining (or such other date as may be determined by Council subject to subsequent approval by Annual Conference) at the expiration of which membership ceases if the subscription has not been paid, shall be one month.
- (5) Members are only required to pay one annual subscription as prescribed, regardless of the number of Branches with which they are registered.
- (6) A member who can prove, each year, they are unable, for whatever reason, to keep paying their annual and branch subscription may be permitted by the Branch Committee to remain a member, despite non-payment of such subscription, on terms set by that Branch Committee. The Branch is responsible for providing, solely from the branch subscriptions paid by other members of that Branch, the portion of the membership fee due in respect of any member so excused.
- (7) Branches must forward the full amount of any subscriptions received for members to the Headquarters. Part of each subscription for a member of a Branch will be returned to the home Branch, at the beginning of each subscription year, based on the membership of the Branch at the end of the previous subscription year.
- (8) The membership rebate for those on an Area Roll will be allocated within the Association's budget to facilitate events within the Area (including Regions) at the discretion Of the Area Council.
- (9) A Branch may determine, at an Annual General Meeting, Members shall pay an additional annual amount to the Branch for its funds.

Byelaw 8. The Council – Composition

- (1) The prescribed number of Elected Members to be elected by the Conference to the Council shall be eight.
- (2) Each Area Council shall be entitled to elect and nominate one Elected Member to the Council (referred to as an "Area Representative Member"). Any Member of the Council so elected must be a member of the Area Council electing the Member.
- (3) Every Area Representative Member shall have a Deputy elected by the Area Council who may, in the absence of the Area Representative Member, attend and speak but not vote, propose or second motions at Council.
- (4) The three Council members appointed by the Royal Air Force ("Service Representatives") to the Council shall be appointed as determined by the Air Force Board provided that:
 - (a) One of the Service Representatives shall be a serving Non-Commissioned Officer or Airman;
 - (b) Any such Service Representative may appoint some other member of the Royal Air Force to attend and speak but not vote, propose or second motions in their place either generally or for any particular purpose;
 - (c) No Service Representative shall become a Member of the Council until their appointment has been approved by the Council;
 - (d) The Service Representatives shall not be removable, except by their respective superior officers or their tenure of office has expired or they no longer meet the qualification criteria prescribed in Byelaw 9.
- (5) The Benevolent Fund Representative on the Council shall be nominated by the Trustees of the Royal Air Force Benevolent Fund

and the appointment shall not take place until it has been approved by Council.

- (6) The prescribed maximum number of Vice-Presidents of the Association shall be eight.
- (7) Co-opted members are appointed by Council on the recommendation of the Chairman of Council.
- (8) If a casual vacancy occurs amongst the President of the Association, the Treasurer of the Association or the Chairman of the Council it shall be filled by the Council and the person so elected shall hold office until the conclusion of the next Annual Conference and be eligible for re-election for the remaining term of office of his predecessor.
- (9) If a casual vacancy occurs in the Vice-Chairmanship of the Council, it shall be filled by the Council from amongst its members and the Vice-Chairman so elected shall hold office for the remaining term of office of his predecessor.
- (10) If a casual vacancy occurs amongst the Elected Members, it shall be filled by the Council by offering the vacancy to the unsuccessful candidates at the last election in turn, starting with the candidate who obtained the greatest number of votes. If there were no unsuccessful candidates or if none of these candidates are willing to fill the vacancy, it shall be filled by the Council by appointing any member who is eligible for appointment; such Members shall hold office from the date of their co-option to the conclusion of the next Annual Conference and be eligible for election.
- (11) If a casual vacancy occurs amongst the Area Representative Members, it shall be filled by the Deputy Area Representative.
- (12) If a casual vacancy occurs amongst the Service Representatives or the representative of the RAF Benevolent Fund, it shall be filled by the appointing authority.

Byelaw 9. The Council – Qualification and Removal

- (1) A Member of the Council must be:
 - (a) At least 18 years of age;
 - (b) A 'fit and proper person' as defined under the management condition in the Finance Act 2010 (or any statutory re-enactment or modification of that provision); and
 - (c) An Ordinary, Life or Associate Member of the Association (in the case of Co-opted Members they shall be required to become a member upon appointment).
- (2) Must not:
 - (a) Be disqualified as from acting as a company director;
 - (b) Have an unspent conviction for an offence involving dishonesty or deception (such as fraud);
 - (c) Have been convicted of an offence as prescribed in section 9 of the Charities (Protection and Social Investment) Act 2016 (or any statutory re-enactment or modification of that provision);
 - (d) Be an un-discharged bankrupt (or subject to sequestration in Scotland), or have a current composition or arrangement including an individual voluntary arrangement (IVA) with their creditors;
 - (e) Be disqualified from acting as a charity trustee by virtue of section 178-180 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision);
 - (f) Be barred by the Disclosure and Barring Service (DBS) (or its successors).
- (3) Or:
 - (a) Becomes in the reasonable opinion of the Council, incapable by reason of mental disorder, illness or injury of managing and administering their own affairs;
 - (b) Is absent without reasonable excuse for two or more consecutive meetings of the Council and the Council resolve to remove him or her for this reason.
 - (c) Is removed by resolution of the Conference as detailed further in Byelaw 11.
- (4) For the avoidance of doubt a member of Council may resign provided there are ten remaining members of Council and membership of Council shall cease on death.
- (5) Any Council member ceasing to meet the qualification criteria shall automatically cease to be a member of Council.

Byelaw 10. Conference – Representation

- (1) The prescribed conditions for a Branch to be represented at a Conference of the Association shall be the:
 - (a) Branch shall have been constituted in accordance with the conditions and procedures at Byelaw 18 and the Council shall have approved its formation;
 - (b) Audited accounts of the Branch for the preceding financial year shall have been submitted to the appropriate Area Director not less than ten clear days before the first day of the Conference.
- (2) The prescribed number of delegates and voting rights for an entitled Branch shall be one delegate for each Branch and a second delegate if its membership of Ordinary and Life Members registered with the Branch as their home Branch as at 31 December immediately preceding the Conference exceeds five hundred. Each of these delegates shall on a show of hands, electronic or card vote have one vote.
- (3) For the purpose of this Byelaw the Register of the members of the Branch held on the central register of members shall be

conclusive evidence of the membership of the Branch.

- (4) The prescribed membership qualification for attending a Conference shall be the delegate is an Ordinary, Life or Associate Member. Provided any such Associate Member is a member of the Branch Committee.

Byelaw 11. Conference and Elections – Voting

- (1) Elections to Office and voting at a Conference shall be:

Elections

- (a) By postal or electronic ballot by Branches prior to a Conference in the case of contested elections for:
 - i. Officers of the Association
 - ii. Membership of Council
 - iii. Annual Conference Committee
- (b) Results of elections will be announced at Conference.
- (c) In the case of a tie at (a) above, the successful candidate will be determined by totalling the number of Ordinary, Life and Associate Members of the Branches, who are registered with the Branch as their home Branch, as at 31 December immediately preceding the Conference who voted for either or both candidates.

Voting at Conference

- (d) By ballot, which may be conducted electronically, in the case of any resolution to remove any Officer of the Association or Member of the Council but such resolution shall not be carried unless approved by two-thirds of the delegates present and voting.
- (e) By card or electronic vote in any case where it is required by the Rules of Procedure.
- (f) By electronic vote or by a show of voting cards in any other case.

Provided nothing in this Byelaw shall prevent further or other provision for voting by electronic ballot or by card vote being made either by the Rules of Procedure or by the Conference.

- (2) For the purposes of this Byelaw a postal or card or electronic vote shall mean one delegate on behalf of their Branch shall be entitled to cast the number of votes to which their Branch is entitled by the Byelaws.

In the case of a postal or card or electronic vote the number of votes cast by each Branch shall be based on the number of Ordinary, Life and Associate Members, who are registered with the Branch as their home Branch as at 31 December immediately preceding the Conference.

Byelaw 12. Conference – Annual Conference Committee

- (1) A report by the retiring Annual Conference Committee, on the Annual Conference for which it has been responsible, shall be rendered by the retiring Committee to the newly elected Committee.
- (2) The members of the Annual Conference Committee shall hold office for a period of three years following the conclusion of the first meeting of Council after an Annual Conference.
- (3) The prescribed number of Ordinary, Life or Associate members to be elected to the Annual Conference Committee by Conference shall be three. The Council shall in addition appoint two members of the Council to the Annual Conference Committee.

Byelaw 13. Conference – Nominations for Election

- (1) Subject to the provisions of Rules 10, 11 and 14, nominations for election, as an Officer of the Association or a Member of the Council elected at Annual Conference or the Annual Conference Committee, may only be made by the Council or by a Branch, with the exception of Life Vice-Presidents or Vice-Presidents who must be nominated by Council.
- (2) Every nomination for election, as an Officer of the Association or an Elected Member of the Council or the Annual Conference Committee, shall be in writing and sent to Headquarters' by the date communicated to Branches by the Secretary General. Every nomination paper including those seeking re-election shall be signed by the candidate and be accompanied by a CV, photograph and a short brief stating their achievements and what they hope to achieve if elected.

Byelaw 14. Conference – Notification of Resolutions

A Branch or an Area Council wishing to move a resolution at an Annual Conference shall give notice in writing to the Secretary General of the terms of the resolution not less than seven weeks before the date of the Annual Conference. Except as permitted by Byelaw 15 (2) no resolution shall be moved by a Branch or Area Council unless such notice has been given.

Byelaw 15. Conference – The Agenda

- (1) The Agenda of the Conference, containing all nominations and resolutions, shall be printed and/or provided in electronic format, and one copy thereof supplied to each Branch and Area Council attending Annual Conference, not less than 14 days before the first day of the Conference.
- (2) Any resolution, subject or matter not included in the Agenda shall not be moved, raised or discussed at an Annual Conference and no business other than specified in the notice convening a Special Conference shall be dealt with at such Conference.
Provided, if in the opinion of the Annual Conference Committee an important matter of urgency affecting the Association arises after the Agenda has gone to press, the Agenda may be altered by resolution of the Conference so as to enable it to be discussed.

Byelaw 16. Conference – Information for Branches

Copies of the Annual Report of the Council and of the Annual Accounts of the Association shall be issued and/or made available electronically to all Branches and Areas attending Annual Conference not less than 14 days before the first day of the Conference. Branches not represented at Annual Conference will receive these documents as soon as practicable after Conference. Copies will be made available on the Association's website. For the avoidance of doubt notices and information shall be sent out by email to the email address notified by each Branch Representative to the Association.

Byelaw 17. Regions

- (1) The prescribed conditions for an Area Council to make regulations governing the constitution, proceedings and administration of any Regional Committee in its Area are that the regulations shall be:
 - (a) In accordance with any guidance issued by the Council; and
 - (b) Agreed by the Regional Committee.
- (2) The prescribed functions of a Regional Committee shall be to:
 - (a) Monitor, develop, support, assist and advise Branches within the Region;
 - (b) Recruit new and retain existing members and assist in the formation of new Branches within the Region;
 - (c) Consider any matter referred to it by the Area Council and make representations to the Area Council on any matter related to the furtherance and benefit of the Region;
 - (d) Make recommendations to the Area Council on any matter of policy submitted to it for consideration by a Branch allocated to the Region;
 - (e) Encourage the fund-raising and welfare activities in the Region; and
 - (f) Co-ordinate and promote such activities amongst the Branches in the Region as may be agreed by the Area Council.

Byelaw 18. Branches – Formation

- (1) The prescribed procedures for forming a new Branch (including Virtual Branches) are:
 - (a) An application for the formation of a new Branch must be made on the appropriate form and signed by not less than 12 persons, being either Ordinary or Life Members of the Association or eligible for such membership, and preferably either residing or having their place or business or employment in the area of the proposed Branch;
 - (b) The application for a proposed Branch (that is not a virtual Branch) shall be submitted to the Council through the Area Council concerned but, before forwarding the application to the Council, the Area Council shall notify all Branches in the vicinity of the proposed new Branch. Any such Branch shall have the right of objecting to the proposed new Branch and any such objections shall be submitted to the Area Council.
 - (c) The application for virtual Branches shall be submitted via the Secretary General to the Council.
 - (d) The inaugural meeting of a new Branch shall be convened by the Founder Members and the proceedings of the meeting shall be reported to the Secretary General (or their nominee) on the prescribed form; and
 - (e) At the inaugural meeting, or as soon as reasonably practicable thereafter, and annually thereafter, a Chairman, Vice-Chairman, Secretary, Treasurer and Committee shall be elected. The Secretary General (or their nominee) shall be notified of the names of the Officers of the Branch so elected. On receiving such notification, the Secretary General shall forward, to the Branch, a certificate authorising the formation of the Branch signed by the Chairman of the Council.
- (2) Charitable status of branches¹
 - (a) The Association requires all Branches, utilising the Royal Charter as their charitable objects:
 - (b) In England and Wales to be registered as individual charities with the Charity Commission;
 - (c) Branches in Scotland are required to register with the Office of the Scottish Charity Regulator (OSCR).
 - (d) Branches in Northern Ireland are deemed to be a charity regulated under the Association's charity number, 226686, which in turn means that Branches in Northern Ireland are registered under Section 167 of the Charities Act (NI) 2008.
 - (e) Branches, elsewhere, should take local action to ensure compliance with local Charity legislation and to register/confirm their charitable status as necessary. If a problem arises, they should contact their Area Office.
 - (f) Branches should contact their Area Office for advice and guidance on registering with the Charity Commission, OSCR or their local charity regulator.

¹Approved at Conference 2017

Byelaw 19. Branch – Branch Closure

- (1) A Branch closing due to the fact the current Membership is unable to form a Committee should be afforded the opportunity via the Area Director to form a Registered Members Group (RMG).
- (2) The prescribed procedure for closing a non-effective Branch shall be:
 - (a) The Branch shall not be closed unless, in the first instance, a resolution to that effect has been passed by the Area Council concerned or, if there is no such Area Council, by the Council;
 - (b) The Area Director (or, if the resolution has been passed by the Council, the Secretary General) shall serve one month's notice of closure to the President, Chairman and Secretary of the Branch or, if none of those Officers can be traced, to some other Officer or member of the Branch;
 - (c) The notice shall include full particulars of the reasons for closing the Branch and be forwarded with a copy of the Rules and Byelaws.
 - (d) The members of a Branch which has been closed under this Byelaw shall be transferred to such other Branch or Branches as they may elect by notice in writing to the Area Director or the Secretary General or, in default of such election, as the Area Council or the Council may determine.

Provided that, if before the expiration of the prescribed notice the Branch makes representations to the Area Council (or, if the resolution for closure has been passed by the Council, to the Council), the decision of the Area Council or Council shall not take effect until those representations have been considered and an opportunity has been given to the Branch to state its case against the said decision.
- (3) The prescribed procedure for closing a delinquent Branch shall be:
 - (a) The Branch shall not be closed unless in the first instance a resolution to that effect has been passed by the Area Council concerned or, if there is no such Area Council, by the Council;
 - (b) After the resolution has been passed, the Secretary General shall instruct the Secretary or, if there is no Secretary, some other Officer of the Branch to convene a Special General Meeting of the Branch on a date not later than 28 days after the receipt of the instructions;
 - (c) The instruction from the Secretary General shall be forwarded with full particulars of the allegations made against the Branch and with a copy of the Rules and Byelaws;
 - (d) Seven days' notice in writing of the date, time and place of such Special General Meeting shall be given by the Secretary or other Officer convening the meeting to the Secretary General, and a representative appointed by the Council shall be entitled to attend such meeting;
 - (e) If the Special General Meeting of the Branch is not held within the 28 day period or such extended period as the Council may allow, the meeting shall be convened by the Council by written notice to each member of the Branch to his last known address, and shall be deemed to have been received within 14 days of posting;
 - (f) Unless at such Special General Meeting resolutions are passed by the Ordinary, Life and Associate Members present declaring their intention to remedy the matters of which complaint has been made (if capable of being so remedied) and undertaking not to commit future breaches, the case shall be referred to the Council at a meeting of which previous notice shall have been given of intention to consider the closure of the Branch;
 - (g) At the meeting of the Council the Branch Secretary or other authorised Officers of the Branch concerned shall be given an opportunity of stating their case and the Council may, after considering such a case and any other relevant factors, determine that the Branch shall be closed as from such date as is fixed by the Council, not being less than 28 days from the date of the said meeting;
 - (h) A Member of the Council or an Area Representative Member who is also a member of the Branch concerned shall be disqualified from considering or adjudicating upon the question of the closing of the Branch at the meeting of the Council at which such closure is being considered;
 - (i) An Area Representative Member who is not a member of the Branch concerned but who represents the Area concerned may consider the question of the closing of the Branch at the meeting of the Council at which such closure is being considered but shall be disqualified from voting upon it;
 - (j) The decision of the Council shall be notified to the Branch and to the Area concerned, and if the decision is to close the Branch it shall take effect as from the date fixed by the Council.

Provided, if before that date the Council is notified by the Branch it has passed the resolutions which would have been passed at the Special General Meeting, the decision shall not take effect and shall be deemed never to have been reached.

- (4) The Officers and Members of the Committee of the Branch which has been closed under this Rule shall be deemed to be responsible for the conduct of the Branch and, as from the date on which the closure takes effect, shall cease to be members of the Association with the same consequences as if they had been expelled.

Provided this paragraph shall not apply to any Officer or Member of the Committee who satisfies the Council either they did not support or that they had subsequently disassociated themselves from the said conduct. Any person wishing to avail themselves of the exemption afforded by this proviso shall be given the opportunity of being heard in person by the Council, if they so desire, but failure to appear in person shall not prejudice the consideration of any written statement they may have submitted.
- (5) Subject as aforesaid, the members of the Branch shall be transferred to such other Branch or Branches as they may elect by notice in writing to the Area Council or, in default of such election, as the Area Council may determine.

Byelaw 20. Branches – Production of Books

- (1) A Branch or Branch Club, on being required to do so by the Council or the appropriate Area Council, shall produce all books, records and other documents for the inspection of the authorised representative of the Council or the Area Council.
- (2) Annual accounts of all Branches and Branch Clubs shall be provided to their Area Director by 31 March each year.

Byelaw 21. Branch Closure – Forwarding of Accounts and Funds

The prescribed period for forwarding the remaining funds and audited accounts on the closure of a Branch as required by Rule 31 shall be three months.

Byelaw 22. Finance and Accounts – Financial Year

The financial year of the Association shall be from 1 January to 31 December or such other dates as shall be determined by the Association at an Annual Conference.

Byelaw 23. Finance and Accounts – Keeping of Accounts

The following accounts shall be kept for the funds of the Association:

- (a) An account for those monies held centrally by the Association to be known as the Central Fund;
- (b) Such other bank accounts as the Council shall require or approve.

Byelaw 24. Finance and Accounts – Credits to Association Funds

- (1) There shall be credited to the Central Fund of the Association:
 - (a) All lands, monies, securities or other property acquired by the Association;
 - (b) All gifts of money or property of whatever kind whether arising from public or private subscription or otherwise provided such gifts of money or property are directed by the donors towards the general objects of the Association;
 - (c) All monies which shall come into the hands of the Association from the activities of the Association in promoting and affecting its objects.
- (2) Designated funds may be held for each Area which may comprise all monies paid or donated to that Area specifically for its purpose and benefit; and
- (3) All monies donated to or raised by that Area specifically for its purpose and benefit with such approval as may be required by the Council.
- (4) There shall be credited to each Branch Fund:
 - (a) Part of each subscription, for members of a Branch, returned to the Branch at the beginning of each subscription year;
 - (b) All monies paid or donated to that Branch specifically for its purpose and benefit;
 - (c) All monies, raised by that Branch, specifically for its purpose and benefit with such approval as may be required by the Area Council.

Byelaw 25. Finance and Accounts – Examination of Accounts

- (1) The accounts of the following shall be examined annually:
 - (a) The Association by a qualified auditor appointed by the Association at Annual Conference;
 - (b) Each Branch by a qualified auditor or independent examiner whose appointment shall be made by the Branch at the Branch Annual General Meeting.

Provided that:

- (2) A qualified auditor or an independent examiner shall be appointed where the gross annual income or expenditure of the Branch exceeds £25,000 or where the Council or the Area Council directs a qualified auditor or an independent examiner be appointed.
- (3) A qualified auditor or independent examiner shall be appointed in any case where a Branch has a Branch Club and the gross annual turnover of the Branch Club exceeds £25,000 or such other amount as the Council may direct. The qualified auditor or independent examiner shall, in these circumstances, audit the accounts of both the Branch and the Branch Club.
- (4) Subject to UK legislation or regulation requirements, where a Branch meets such conditions as are laid down by the Council, then the requirement for a qualified auditor to audit the accounts of both the Branch and the Branch Club shall not, following application to and approval by the Council, apply.
- (5) The Council, or the Area Council, may require an additional examination of the accounts of a Branch shall take place by a qualified auditor or independent examiner approved by the Council or Area Council.

Byelaw 26. Finance and Accounts – Availability of Accounts

The annual accounts of the Association and Branches, together with the report of the qualified auditor or independent examiner, shall be kept available for inspection by any Member.

Byelaw 27. Finance and Accounts – Expenses

- (1) The reasonable expenses of the Council, including those of its members attending meetings and Annual Conference, may be reimbursed from the Fund of the Association.
- (2) The reasonable expenses of an Area Council, including those of its members attending meetings and the Area Conference and of the Area Delegate attending Annual Conference, may be reimbursed from the allocated Area Fund.
- (3) The reasonable expenses of a Branch Committee, including those of its members attending meetings and of any delegates from the Branch to Area or Annual Conferences, may be reimbursed from the Branch Fund.

Byelaw 28. The Journal of the Association

Any Journal, published by the Association, shall be distributed to the members on such terms and conditions as may be determined by the Association at Annual Conference and may also, if so determined, be sold to members of the public.

Byelaw 29. Supply of Royal Charter, Rules, Byelaws and Standard Regulations

A copy of the Royal Charter, Rules, Byelaws and Standard Regulations shall be supplied to any member, on request, at a cost which shall be determined by the Council, and shall be available in electronic format at no charge.

Byelaw 30. Complaints Procedure

- (1) Complaints against any member of staff, volunteer, member (of whatever class of membership), committee, Area, Region or Branch shall be handled in accordance with procedures authorised by the Council.
- (2) Any complaint against the Secretary General, Officer of the Association or a member of Council shall be heard by the Council in accordance with procedures authorised by the Council.

Byelaw 31. Registered Members Group

- (1) The prescribed procedures for forming a new Registered Members Group (RMG) are:
 - (a) An application for the formation of a new RMG from a closing Branch must be made on the appropriate form and signed, by not less than 12 persons being either Ordinary or Life Members of the Association or eligible for such membership.
- (2) The prescribed procedure for forming an RMG, due to the closure of a Branch, is that the remaining members of the Committee of the Branch shall follow the Byelaws.
- (3) The application shall be submitted to the Council through the Area Council concerned.
 - (a) The Secretary General (or their nominee) shall be notified of the names of the principle contact of the RMG and on receiving such notification the Secretary General shall forward to the RMG a certificate authorising the formation of the RMG signed by the Chairman of the Council.
- (4) RMGs are not permitted to hold funds or to open or operate bank or other accounts in the name of the RMG.



AREA REGULATIONS

Approved at
Annual Conference 2017



Area regulations

AR 1. Authority and Date of Effect

These Standard Area Regulations, having been approved by the Association at its Annual Conference in 2017, shall come into operation on 15 May 2017 and as from that date any Area Regulations then in force shall cease to have effect.

Provided that a local variation to Standard Area Regulations that has previously been approved for the Area by the Council shall continue in effect if it remains applicable to the new Regulations.

AR 2. Definitions

- (1) In these Regulations words and expressions to which meanings are assigned by the Rules and Byelaws shall, unless the subject or context otherwise require, have the same respective meanings and, if there is any discrepancy, the Rules or Byelaws shall prevail.
- (2) In these Regulations unless the subject or context otherwise require:
 - (a) "Area Annual Conference" means the Conference convened once each year by an Area Council in accordance with Standard Area Regulation AR9 and which may be attended by delegates from all Branches of that Area;
 - (b) "Association Annual Conference" means the Annual Conference of the Association as convened once in each year in accordance with Rule 18 and 19 and which may be attended by delegates from all Branches of the Association;
 - (c) "The Area Council" means the Council of the Area as constituted under Area Regulation AR 8; and words importing the male gender shall include the female gender and vice-versa and words importing the singular shall include the plural and vice-versa.

AR 3. Amendment of Standard Area Regulations

- (1) Areas may seek amendment of these Regulations in accordance with Rule 5 by forwarding a resolution for consideration at an Association Annual Conference. Any such resolution may only be forwarded following a resolution carried at an Area Annual Conference.
- (2) Branches may seek amendment of these Regulations in accordance with Rule 5 by forwarding a resolution for consideration at an Association Annual Conference. Any such resolution may only be forwarded following a resolution carried at a General Meeting of the Branch.

AR 4. By Application for a Local Variation

Area Councils may apply to the Council for a local variation to these Regulations in accordance with Rule 5. Any such application may only be made following a resolution carried at an Area Annual Conference.

AR 5. Date of Effect of Amendments

Any amendment made to these Regulations by a decision of a Conference of the Association shall be deemed to take effect from the date of formal notification of the amendment to the Area Office.

Any local variation to the Regulations shall be deemed to take effect from the receipt of the formal notification of the approval of the Council.

AR 6. Area Name

The Area shall be known by the name given to it by the Council.

AR 7. Life Vice-Presidents, Vice-Presidents and the Officers of the Area

Area Life Vice-Presidents

- (1) Any Member of a Branch of the Area who has rendered outstanding service to the Area or has obtained distinction in their profession or calling may be invited, on the recommendation of the Area Council and following election at an Area Annual Conference, to become a Life Vice- President of the Area.
- (2) An Area Life Vice-President shall not be deemed to be an Officer of the Area and shall not be entitled by virtue of being a Life Vice-President to be a Member of the Area Council or of any committee of the Area, but shall be eligible for election or co-option to the Area Council or any of its committees.
- (3) An Area Life Vice-President may, at the discretion of the Area Chairman, be invited to attend an Area Council meeting as an observer.
- (4) A Life Vice-President shall hold office as long as they remain a Member of the Association and a Member of a Branch of the Area.

Area Vice-Presidents

- (5) Any Ordinary or Life Member of a Branch of the Area may be invited, on the recommendation of the Area Council and following election at an Area Annual Conference, to become a Vice- President of the Area.
Provided that there shall be not more than four Vice-Presidents of the Area.

The Officers of the Area

- (6) The Officers of the Area shall be the President, the Chairman and the Vice-Chairman.

Eligibility for Election as an Officer of the Area

- (7) Only persons who are Ordinary or Life Members of a Branch of the Area shall be eligible to be Officers of the Area.
- (8) The Area President shall be elected at an Area Annual Conference. The Area Chairman and the Area Vice-Chairman shall be elected by the newly appointed Members of the Area Council from amongst its Members for a period of three years at the first meeting after they have taken office following the conclusion of an Area Annual Conference.

Terms and Conditions of Office of the Officers of the Area

- (9) The Area President shall hold office for three years from immediately after the conclusion of the Association Annual Conference following their election to the conclusion of the Association Annual Conference in the year their term of office expires, and shall be eligible for re-election.
- (10) The Area Chairman and the Area Vice-Chairman shall hold office for a period of three years from immediately after the conclusion of an Association Annual Conference following their election to the conclusion of the Association Annual Conference in the year their term of office expires, and shall be eligible for re-election.

Removal or Disqualification of an Officer of the Area

- (11) An Officer of the Area shall cease to be an Area Officer before the expiration of their term of office if they resign from office or ceases to be a Member of a Branch of the Area.
- (12) An Officer of the Area may be removed before the expiration of their term of office by an Area Conference at which a resolution to that effect is carried by a majority of not less than two-thirds of the delegates present and voting.

AR 8. The Area Council

Membership

- (1) The Area Council shall comprise the Area President and not more than the number determined by the delegates to an Area Annual Conference of members elected to the Area Council who shall be known as the Elected Members.

Provided that the number of Elected Members shall be not less than seven but no more than nine unless authorised under Rule 5 or by Annual Conference.

- (2) The Area Council may also include Vice-Presidents elected under the provisions of Area Regulation AR 7 and not more than two Members of Branches of the Area who may be co-opted by the Council and who shall be known as the Co-opted Members.
- (3) The Area Council shall also include the Area RAFALO, subject to the provisions of Byelaw 9.

Voting and Deliberative Powers

- (4) Every Member of the Area Council shall have full voting and deliberative powers.

Terms and Conditions of Office of the Area Vice-Presidents and the Elected and Co-opted Members

- (5) Area Vice-Presidents and Elected Members shall hold office for a period of three years from immediately after the conclusion of an Association Annual Conference following their election to the conclusion of the Association Annual Conference in the year their term of office expires and shall be eligible for re-election.
- (6) The Co-opted Members of the Area Council shall hold office from the date of their co-option until the conclusion of the next Area Annual Conference.
- (7) All Members of the Area Council must comply with Byelaw 9.

Removal or Disqualification of a Vice-President or an Elected or Co-opted Member

- (8) The terms of Area Regulation AR 7 regarding the removal or disqualification from office of an Officer of the Area shall also apply to an Area Vice-President and an Elected Member of the Area Council.
- (9) A Co-opted Member of the Area Council shall stand down before the expiration of their term of office if required to do so by the Area Council.

Powers and Duties of the Area Council

- (10) The Functions of an Area are set out in Rule 25. The Area Council may delegate, subject to such instructions, reservations or restrictions as it may think fit, any of its functions to a sub-committee appointed from amongst its members or otherwise constituted for the purpose.

Provided that the Area Council shall not delegate its power to close a Branch under the provisions of Rule 30.

- (11) The Area Council in accordance with Byelaw 25 shall inspect the accounts of all Branches and Branch Clubs in its Area.

Election of Area Representatives to the Council

- (12) At the first meeting of the newly appointed Area Council after an Area Annual Conference the Area Council shall elect from amongst its members the number of Area Representatives and Deputy Area Representatives to the Council that the Area is entitled to under Byelaw 8.
- (13) The representative or representatives shall represent the Area on the Council for a period of three years from immediately after the conclusion of an Association Annual Conference following their election to the conclusion of the Association Annual Conference in the year their term of office expires.

Notification of Membership of the Area Council

- (14) The Area Director shall notify the Secretary General and the Branches of the Area of the names of the Officers of the Area and the Members of the Area Council as soon as possible after the Area Annual Conference, and those of the Area Representatives and Deputy Area Representatives shall in any event be notified to the Secretary General not less than five weeks before the date of the Association's Annual Conference.

Proceedings

- (15) The Area Council shall meet together for the transaction of business as often as may be necessary.
- (16) The quorum necessary for the transaction of business of the Area Council shall be fixed by the Area Council but, unless so fixed, shall be not less than one third of those members eligible (excluding Vice-Presidents) to attend and vote and shall include at least two Officers of the Area. The Area President may appoint an Area Vice President as their deputy for the purpose of determining a quorum.
- (17) Voting at meetings of the Area Council shall be by a show of hands of those eligible to vote except, in the case of a contested election, when it shall be by secret ballot.
- (18) The Area Council may consider any matter submitted by a Branch of the Area subject to any such submission having previously been approved either by the Branch Committee or by the Branch in General Meeting.
Provided that the Chairman of the Area may rule, if the submission affects any other Branch, that no decision shall be reached until the Branch or Branches have been consulted and their views received by the Area Council.
- (19) The Area Council may consider any matter submitted by a Regional Committee of the Area subject to any such submission having previously been approved by a Regional Committee Meeting.
Provided that the Chairman of the Area may rule, if the submission affects any other Region, that no decision shall be reached until the Region or Regions have been consulted and their views received by the Area Council.
- (20) The Area Council may invite to Area Council Meetings any person whose contribution could benefit the conduct of Area Council business and assist with any matter under consideration.
- (21) The Area Council may submit any matter to the Council for consideration subject to any such submission having been approved at an Area Council meeting.
- (22) The Minutes of meetings of the Area Council, or extracts therefrom, shall be sent to the Regional Committees and Branches of the Area, and the full Minutes shall be sent to the Secretary General.
- (23) Subject to the above provisions and to any direction on the conduct of business as may be given by the Council, the business of the Area Council shall be transacted in such manner as the Area Council may determine.

Casual Vacancies

- (24) If a casual vacancy occurs in the office of President it shall be filled by the Area Council and the person so elected shall hold office until the conclusion of the next Association Annual Conference and shall be eligible for re-election for the remaining term of office of their predecessor.
- (25) If a casual vacancy occurs amongst the Chairman or the Vice-Chairman it shall be filled by the Area Council from amongst its members for the remaining term of office of their predecessor.
- (26) If a casual vacancy occurs amongst the Elected Members, it shall be filled by the Area Council by offering the vacancy to the unsuccessful candidates at the last election in turn, starting with the candidate who obtained the greatest number of votes. If there were no unsuccessful candidates or if none of these candidates are willing to fill the vacancy, it shall be filled by the Area Council by appointing any member who is eligible for appointment.
- (27) Any casual vacancy shall be filled forthwith.

AR 9. Area Conferences

Area Annual Conferences

- (1) An Area Annual Conference shall be held at such time and place as may be fixed by the Area Council being not less than eight weeks before the date of the Association Annual Conference or such later date as may be allowed by the Council.

Area Special Conferences

- (2) An Area Special Conference may be summoned at any time by the Area Council and may also be so summoned on the written request of not less than one quarter of the Branches of the Area if, at General Meetings summoned for the purpose, the Branches making the request have carried resolutions to this effect.
- (3) A request by the required proportion of the Branches for an Area Special Conference shall state the business to be transacted and be accompanied by certified copies of the resolutions carried at the General Meetings of the Branches.
- (4) No business other than that stated in the request for an Area Special Conference shall be transacted at such a Conference.

Notice of Area Conferences

- (5) At least 12 weeks' notice of an Area Annual Conference shall be given in writing to the Branches of the Area.
- (6) At least 28 days' notice of an Area Special Conference shall be given in writing to the Branches of the Area.

Representation at Area Conferences

- (7) Each Branch of the Area shall have the right to be represented at an Area Conference by one delegate who shall be a Member of the Branch and who shall be entitled to a single vote.

Nominations for Election at Area Annual Conferences

- (8) If the election of the Area President, Area Vice-President or Elected Members of the Area Council is to take place at an Area Annual Conference this shall be indicated in the notice of the Conference and nominations to fill the vacancies shall be invited. Provided that:
 - i. Nominations for the office of Area President or Area Life Vice-President or Area Vice-President may only be made, in accordance with Area Regulations AR 7, by the Area Council;
 - ii. Nominations for the Elected Members may only be made by Branches;
 - iii. A Branch may not nominate more than two of its own members but may also nominate members of other Branches of the Area.
- (9) Any nomination for an Elected Member of the Area Council shall be in writing and sent to the Area Director not less than seven weeks before the date of the Area Annual Conference at which the election is to take place. Every nomination paper shall be signed by the candidate and be accompanied by a brief statement of their qualifications and of their activities in any ex-Service organisation.
- (10) The Area Director shall send to each Branch of the Area, Postal Ballot papers along with a list of all candidates who have been validly nominated together with the information required about the candidate in accordance with the provisions of paragraph (9) of this Regulation.

The inclusion of a candidate's name in such list shall be conclusive evidence that the conditions of nomination have been met. No candidate may be nominated or elected whose name is not included in the list.

Business to be Conducted at Area Annual Conferences

- (11) The business to be transacted at an Area Annual Conference:
 - (a) Shall comprise:
 - i. Consideration of the Report from the Area Council for the past year;
 - ii. Election of the President to fill any vacancy;
 - iii. Announcement of the result for the election of members to the Area Council having been conducted by postal voting earlier in the year as necessary.
 - (b) May also comprise:
 - i. Election of Life Vice-Presidents and Vice-Presidents;
 - ii. Consideration of resolutions submitted by the Area Council, by Regional Committees or by Branches of the Area;
 - iii. Discussion of issues of general policy.

Notification of Resolutions for Area Annual Conferences

- (12) A Regional Committee or Branch wishing to move a resolution at an Area Annual Conference shall give notice in writing to the Area Director of the terms of the resolution not less than seven weeks before the date of the Conference.

Provided that, if an important matter of urgency affecting the Area arises after the Agenda has been issued, the Agenda may be altered by the Conference so as to enable it to be discussed.

Agenda for Area Annual Conferences

- (13) A copy of the Agenda for an Area Annual Conference containing all nominations and resolutions shall be sent to each Branch of the Area not less than 14 days before the first day of the Conference.

Chairmanship of Area Conferences

- (14) The President of the Area shall normally be the Chairman of an Area Conference. If they do not chair the Conference and they have not delegated this function, the Area Council shall invite a Life Vice-President or one of the Members of the Council to take the chair.

Rights of the Life-Vice-Presidents, the Officers of the Area and the Members of the Area Council

- (15) The Life Vice-Presidents, the Officers of the Area and the Members of the Area Council shall be members of any Area Conference and shall be entitled to move and second resolutions and take part in all discussions but shall have no voting powers.
- (16) No Life Vice-President, Officer of the Area or Member of the Area Council or paid employee of the Association shall be eligible for appointment as a delegate to an Area Conference.

Voting at Area Conferences

- (17) Voting at Area Conferences shall be by a show of hands or by electronic means in accordance with Byelaw 11 of those eligible to vote or, where a majority of the delegates present demand, a secret ballot. In the case of a contested election for Area Council, voting shall be by post as arranged by the Area Director.

Conduct of Business at Area Conferences

- (18) The business of Area Conferences shall be conducted in such manner as the Area Council may decide subject to any Standing Orders that may have been agreed at an Area Conference and to any direction that may be given by the Council.
- (19) If the Area Council have not determined the conduct of the Area Council nor have any Standing Orders been agreed by an Area Conference the Rules of Procedure for the Association's Annual Conference shall apply.
- (20) A copy of the Royal Charter, the Rules, the Byelaws, Area Regulations and of any Standing Orders and/or the Association's Annual Conference Rules of Procedure governing the conduct of the business of the Area Council shall be available at Area Conferences.

AR 10. Expenses

- (1) The reasonable expenses of an Area Council, including those of attendance at meetings of the Area Council or any of its committees, may be reimbursed from the Association via the Area Director.

Provided that the reimbursement of costs of travel to Area Council or Area Committee meetings shall normally be restricted to travel within the Area.



BRANCH REGULATIONS

Approved at
Annual Conference 2017



Branch Regulations

BR 1. Authority and Date of Effect

- (1) These Standard Branch Regulations, having been approved by the Association at its Annual Conference in 2017, shall come into operation on 15 May 2017 and as from that date any Branch Regulations then in force shall cease to have effect. Provided that a local variation to Standard Branch Regulations that has previously been approved for the Branch by the Council shall continue in effect if it remains applicable to the new Regulations.
- (2) Any amendment made to these Regulations by a decision of a Conference of the Association shall be deemed to take effect from the date of formal notification of the amendment to the Branch.
- (3) Branches may apply to the Council for a local variation to these Regulations in accordance with Rule 5. Any such application may only be made following a resolution carried by a majority of the Members present and voting at a General Meeting of the Branch.
- (4) Any local variation to the Regulations shall be deemed to take effect from the receipt of the formal notification of the approval of the Council.

BR 2. Definitions

- (1) In these Regulations words and expressions to which meanings are assigned by the Royal Charter, Rules and Byelaws shall, unless the subject or context otherwise require, have the same respective meanings and, if there is any discrepancy, the Royal Charter, Rules or Byelaws shall prevail.
- (2) In these Regulations unless the subject or context otherwise require:
 - (a) "the Committee" means the Committee of the Branch as constituted under Branch Regulation BR10;
 - (b) "the Area Office" means the Office of the Area to which the Branch has been allocated; and words importing the male gender shall include the female gender and vice-versa and words importing the singular shall include the plural and vice-versa.
- (3) Where a Branch is not allocated to an Area any reference in these Regulations to an Area Council shall be considered as a reference to the Council, any reference to an Area Office shall be considered as a reference to the Headquarters of the Association and any reference to an Area Director shall be considered as a reference to the Secretary General.

BR 3. Amendment of Standard Branch Regulations

- (1) Branches may seek amendment of these Regulations in accordance with Rule 5 by forwarding a resolution for consideration at an Association Annual Conference.
- (2) Any such resolution may only be forwarded following a resolution carried by a majority of the Members present and voting at a General Meeting of the Branch.

BR 4. Formation of Branches

- (1) The conditions and procedures for the formation of a Branch of the Association (including a Virtual Branch) are set out in Byelaw 18. An application Form B1 (obtainable from the Area Director of the Area in which it is intended to form the Branch) should be signed by at least 12 Ordinary or Life Members of the Association and submitted to the Area Director for consideration by the Area Council and for approval by the Council of the Association. When approval is given, an inaugural meeting shall be called and a Branch Committee formed. Following this inaugural meeting Form B2 shall be completed and sent to the Area Director. A number will be allocated to the Branch and a certificate of formation will be issued by the Secretary General.
- (2) If in the opinion of the Secretary General, where a Virtual Branch is proposed, in accordance with Rule 29 and Byelaw 18 (c), that Branches which have an interest in the proposed Virtual Branch, can be afforded an opportunity to comment on the proposal to form the Virtual Branch.
- (3) Further, that those Branches and/or the Area Council concerned, can be provided with the opportunity to support or object to the formation of the proposed Virtual Branch prior to submission by the Secretary General to the Council, whose decision shall be final.
- (4) Any group of members wishing to form a Branch is advised to contact the Area Office as soon as possible so that advice and support can be offered to help with its formation.

BR 5. Functions of a Branch

The functions of a Branch are set out in Rule 27. It should be noted that Branches are the basic unit of the Association and it is through the work of their members that it is possible for the Association to meet its charitable object.

BR 6. Charitable Status of Branches

The Association is a registered charity and Branches, as part of the Association, have charitable status. Branches must meet the requirements of Byelaw 18 (2).

BR 7. Branch Name and Premises

- (1) The Branch shall be known by the name and number given to it in the certificate of authorisation issued by the Council, and the Branch shall be situated at such an address as may be determined by the Branch in General Meeting.
- (2) Subject to the approval of the Branch in General Meeting, the Branch may acquire the use of premises for Branch use subject to Branch Regulation BR 10 (14) and BR 10 (15).

BR 8. Branch Membership

- (1) The details of membership of Branches are fully covered in the Rules and Byelaws:
 - a) Rule 7: eligibility for membership;
 - b) Byelaws 4 and 5: admission to membership;
 - c) Rule 8: the rights, privileges and conditions of membership; and
 - d) Byelaw 7: subscriptions.

BR 9. Branch Life Vice-Presidents, Branch Vice-Presidents and the Officers of the Branch

Life Vice-Presidents and Vice-Presidents

- (1) Any Member of the Association who has rendered outstanding service to the Association or to the Branch may be invited, on the recommendation of the Committee and following election at an Annual General Meeting, to become a Branch Life Vice-President or Branch Vice-President.
- (2) A Branch Life Vice-President or a Branch Vice-President shall not be deemed to be an Officer of the Branch and shall not be entitled by virtue of being a Branch Life Vice-President or a Branch Vice-President to be a member of any committee of the Branch, but shall be eligible for election or co-option to any such committee.
- (3) A Branch Life Vice-President shall hold office as long as they are a Member of the Branch.
- (4) A Branch Vice-President shall hold office for one year from the conclusion of the Annual General Meeting at which they were elected to the conclusion of the Annual General Meeting in the year their term of office expires and shall be eligible for re-election.

The Officers of the Branch and their Eligibility for Election

- (5) The Officers of the Branch shall be the President, the Chairman, the Vice-Chairman, the Secretary and the Treasurer and shall be elected by the Branch at an Annual General Meeting, as well as the Welfare Officer (where appointed and that office is held by a Member).
- (6) The office of President need only be filled if the Branch agrees at a General Meeting to nominate one of their number. Provided that the President shall be an Ordinary or Life Member of the Association.
- (7) All other Officers of the Branch shall be Members of the Branch.
- (8) Officers and Members of the Committee must meet the requirements of Byelaw 9.

Terms and Conditions of Office of the Officers and Committee Members

- (9) The President shall hold office for three years from the conclusion of the Annual General Meeting at which they were elected to the conclusion of the Annual General Meeting in the year their term of office expires and shall be eligible for re-election.
- (10) The other Officers of the Branch and Additional Members of the Committee shall hold office for one year from the conclusion of the Annual General Meeting at which they were elected to the conclusion of the next Annual General Meeting and shall be eligible for re-election.
- (11) An Officer or Additional Member of the Branch shall cease to be a Member of the Committee before the expiration of their term of office if they resign from office or be a Member of the Association.
- (12) An Officer of the Branch may be removed before the expiration of his term of office by a General Meeting called for the purpose at which a resolution to that effect is carried by a majority of not less than two-thirds of the Ordinary and Life Members present and voting or by a decision of the Area Council or Council.
- (13) The Co-opted Members shall hold office from the date of their co-option until the first meeting of the Committee after the conclusion of the next Annual General Meeting.
- (14) A Co-opted Member shall stand down from the Committee before the expiration of their term of office if required to do so by the Committee.

BR 10. The Committee of the Branch

Membership

- (1) The Committee shall comprise:
 - a) The Officers of the Branch who shall be ex-officio members;
 - b) The Wings Appeal Organiser (where appointed);
 - c) Membership Secretary (where appointed);
 - d) The Welfare Officer (where appointed);
 - e) Additional Members, who shall number not more than the number determined by the Branch in General Meeting, who shall be known as the Additional Members; and
 - f) The Committee may also comprise not more than two Members of the Branch who may be co-opted by the Committee and who shall be known as the Co-opted Members.
- (2) All members shall have full voting and deliberative powers. (Note now includes Co-opted Members)

Powers and Duties of the Branch Committee

- (3) The Committee shall be the governing body of the Branch and shall have the management and control of the affairs of the Branch and the day-to-day administration of the property and income thereof with the power to delegate, subject to such instructions, reservations or restrictions as it may think fit, any of its powers to a sub-committee appointed from amongst its members or otherwise constituted for the purpose.
- (4) The Committee as a whole shall ensure that the duties and tasks of the Committee are achieved by delegating them across the Committee, where appropriate, rather than relying upon a single member to execute such duties and tasks.
- (5) The Committee shall be responsible to the Council and the Area Council for carrying out the functions of a Branch as set out in Rule 27 and the decisions made by the Branch in General Meeting. Provided that the Committee shall not delegate any of its powers and duties in relation to the expulsion or suspension of a member of the Branch under Byelaws 5 and 6 or its powers to invest monies under Branch Regulation BR 12 (12) – BR 12 (15).
- (6) The Committee shall also be responsible for:
 - i. Acting as the charity trustees for the Branch;
 - ii. Submitting the Branch's annual return to the relevant charity regulator;
 - iii. Dealing with any application for membership of the Branch under the provisions of Rule 7 and Byelaws 4, 5 and 6; and
 - iv. Taking proceedings to suspend or expel members of the Branch as provided for in Byelaw 6 and 30.
 - v. Complying with UK Legislation and Regulation as set out in Rule 1 (aa) and Rule 3.
- (7) The Association has a legal obligation to protect personal data in conformance with UK data protection legislation (currently the Data Protection Act (DPA) 1998). The Association's Personal Data Protection Policy, together with the associated Standard Operating Procedures, describe the measures necessary for the Association and its members to comply with the DPA. At Branch level this means that any personal data held about Branch members must only be used for legitimate Association purposes and that all personal data must be kept under strict control and not inadvertently shared or made available for unauthorised use. The Association is only able to share personal data with Branch officials who have agreed to use such data in compliance with the Policy and have signed the annual Certificate of Compliance for the protection of personal data.

The Responsibilities of the Members of the Committee are:

- (8) The Chairman, as facilitator, shall be responsible to, delegating as appropriate within, the Committee for (but not limited to):
 - i. Ensuring that all members of the Committee are aware of their roles, what is expected of them and that they are carrying out the duties allocated to them. They should also ensure that a succession plan is in place for not only their own position but for the other Officers of the Branch;
 - ii. Chairing Branch Committee meetings and ensuring that the decisions of the Committee, providing such decisions are lawful and within the terms of the Royal Charter, Rules, Byelaws and Regulations, are implemented;
 - iii. Chairing the Branch's Annual General Meeting using the same criteria as for Branch Committee meetings. However, they may delegate this role to another member of the Branch for all or part of the meeting where a conflict of interest might be perceived, such as in elections;
 - iv. Identifying, with other members of the Committee and Branch, those members of the Branch who do outstanding work for the Branch and who may be deserving of formal recognition for their efforts and nominate them accordingly for either an Area or National Presidential Certificate or a State award;
 - v. Ensuring that any issues that may affect the future or reputation of the Branch or the Association are notified promptly to the Area Director;
 - vi. Ensuring that the Branch and its members comply with Charity Law and other relevant legislation and regulation e.g. Data Protection legislation and Association policy and Standard Operating Procedures (SOP).

- vii. Liaising and coordinating the Branches representation with local RAF stations/units, UAS, military charities, Air Cadet Sqns and adjacent Branches;
 - viii. Ensuring that Branch members are kept informed regarding Branch activities, and that, within the resources available, their needs, particular for befriending and welfare services, are met;
 - ix. Encouraging and leading Branch membership recruitment and fundraising activities; and
 - x. Ensuring that the duties of the Welfare Officer and Wings Appeal Organiser are fulfilled where these posts are not appointed.
- (9) The Secretary shall be responsible to the Committee for (but not limited to):
- i. At the first meeting of the fully constituted Committee following the Annual General Meeting, drawing the attention of the Members of the Committee to their responsibilities as charity trustees as set out in relevant charity law and any guidance issued by Council;
 - ii. Dealing with correspondence addressed to the Branch (this may be by electronic means or via the branch website);
 - iii. Fulfilling the duties of the Membership Secretary if not separately appointed;
 - iv. Maintaining the records of the Branch;
 - v. Taking Minutes of General Meetings and meetings of the Committee and ensuring that such minutes are promptly circulated to all members;
 - vi. Coordinating the implementation of actions arising from General Meetings of the Branch and meetings of the Committee;
 - vii. Submitting to their Area Office the particulars required of Members of the Branch for the Central Register to be maintained in accordance with Byelaw 6 if no Membership Secretary is appointed;
 - viii. Informing the Area Office of the names and categories of the Members of the Committee; and
 - ix. Dealing with insurance matters for the Branch.
- (10) The Treasurer shall be responsible to the Committee and the Branch for (but not limited to):
- i. For overseas Branches only: Receiving subscriptions and paying the due subscriptions to HQ;
 - ii. Receiving and disbursing Branch monies, including monies raised from entertainment and other functions in aid of Branch or Association funds, and maintaining books and accounts in compliance with such instructions as may be issued by or on behalf of the Council;
 - iii. Presenting to the Committee at each of its Ordinary Meetings a statement showing the current financial position of the Branch;
 - iv. Presenting to the Committee any specially called for Statement of Accounts and Report of the Auditor or Independent Examiner that will be or has been forwarded to the Area Office in accordance with Byelaws 25 and 26;
 - v. Presenting to each Branch Meeting (other than the Annual General Meeting) a statement showing the current financial position of the Branch;
 - vi. Presenting to the Committee and to the Annual General Meeting the Statement of Accounts of the Branch for the preceding financial year and the Report of the Auditor or Independent Examiner; and
 - vii. Submitting to the Area Office by 31 March each year a copy of the Statement of Accounts for the preceding financial year and the Report of the Auditor or Independent Examiner.
- (11) The Welfare Officer (where appointed) shall be responsible to the Committee for (but not limited to):
- i. Promoting the welfare by charitable means of those members of the Branch and those persons who are eligible for the welfare support of the Association under the terms of Article 2 of the Royal Charter in accordance with any guidance or direction issued by HQ or by the Area Office;
 - ii. Maintaining a record of welfare work and of receipts and expenditure for welfare purposes;
 - iii. Making regular reports to the Committee, the Area Welfare Officer and/or the Area Office and/or HQ on welfare work; and
 - iv. Coordinating Branch befriending activity and the work of Association volunteers in the Branch area of responsibility.
- (12) The Membership Secretary (where appointed) shall be responsible to the Committee for (but not limited to) – in the absence of a Membership Secretary these tasks shall be the responsibility of the Secretary:
- i. Coordinating the Branch implementation of the Data Protection Act in accordance with Association policy and Standard Operating Procedures, and ensuring that Branch Officials sign the annual Certificate of Compliance for the protection of personal data;
 - ii. Dealing with members' applications for registration with the Branch and informing the HQ and/or Area Office, noting requirements for 'Home Branch' status;
 - iii. In association with the HQ and/or Area Office, maintaining accurate and up-to-date membership records, issuing renewal notices and for overseas branches, recording membership fees together with the Treasurer; and contacting lapsed members in conjunction with the Welfare Officer to identify if they require any support.
- (13) The Wings Appeal Organiser (where appointed) shall be responsible to the Committee for (but not limited to):
- i. Organising the raising of funds for the Wings Appeal in accordance with any guidance or direction issued by the Fundraising Department of the Association or by the Area Office;
 - ii. Accounting for monies received for the Wings Appeal and any expenses incurred in raising the monies;
 - iii. Ensuring that any monies received are banked promptly;
 - iv. Providing such returns and reports on the fundraising as may be required by the Fundraising Department or the Area Office; and
 - v. Making regular reports to the Committee and the Area Office and/or HQ on the progress of fundraising.

Appointment of Trustees to Hold Land or Premises

- (14) Where the Branch acquires or holds land or premises the Committee shall appoint the Royal Air Forces Association (corporate body) as sole trustee to hold such land or premises for and on behalf of the Branch. (Branches are unincorporated associations, with no legal personality and as such are prevented from owning land or premises in their name.)
- (15) The Royal Air Forces Association (corporate body), acting as sole trustee for and on behalf of the Branch, is bound to act in accordance with the instructions of the Branch Committee provided such instructions are lawful. (Where a Branch closes such land or premises reverts to the Royal Air Forces Association.)
- (16) Where an individual has been appointed as a Trustee under the terms of the proviso to paragraph (1) of this Regulation they must meet the requirements of Byelaw 9. Provided that arrangements to appoint not less than two or more than four Ordinary or Life Members of the Branch as trustees to hold such land or premises made prior to the date of effect of these Regulations may continue to apply until an opportunity arises to appoint the Association as sole Trustee.

Proceedings

- (17) The Committee shall meet together for the transaction of business as often as may be necessary (but not less than 4 times a year) such that members of the Committee (who are also the Trustees of the Branch as a Charity and have the responsibility to act as such) can be kept up to date on matters related to the Branch and take timely decisions on such matters.
- (18) The quorum necessary for the transaction of business of the Committee shall be not less than half of those eligible to attend and to vote and shall include at least two Officers of the Branch.
- (19) The business of the Committee shall be transacted in such a manner as the Committee may determine subject to such direction on the conduct of business as may be given by the Branch in General Meeting.

Casual Vacancies

- (20) Any casual vacancy in the Committee may be filled by the Committee and the person appointed to fill the casual vacancy shall hold office until the conclusion of the next Annual General Meeting of the Branch or the conclusion of the Annual General Meeting in the year the term of office of the role expires and shall be eligible for re-election.

BR 11. General meetings

Annual General Meetings

- (1) An Annual General Meeting (AGM) of the Branch shall take place on such date as may be fixed by the Committee between 1 January and 31 March each year.
The AGM should be held as early as possible in the year but require first that the annual accounts for the preceding financial year have been examined and certified. The matters that need to be included in the agenda for these meetings are set out at Standard Branch Regulation BR 11 (6).

Special General Meetings

- (2) A Special General Meeting may be summoned at any time by the Committee and shall be so summoned on the written request of not less than one-tenth of the Members of the Branch.

Notice of General Meetings

- (3) At least 14 days' notice of all Annual or Special General Meetings shall be given to the members of the Branch in writing or other electronic means or, if so authorised by the Committee, by advertisement in the local Press.

Notification of and Nominations for Election

- (4) The notice of an AGM shall include notification of any Officer and Additional Committee Member elections to take place at the meeting and shall invite nominations to fill the vacancies. Nomination forms, on which acceptances of nomination by the members concerned shall be certified; must be signed by two Members of the Branch, one of whom should be an Ordinary or Life Member and forwarded to the Secretary at least seven days before the date of the Annual General Meeting.
Provided that if there be no nomination for these positions, then the Members present shall be entitled to nominate any eligible member who is willing to accept the position.
- (5) If the election of a Life Vice-President or Vice-President is to take place at an AGM this shall also be indicated in the notice of the meeting.

Business to be Conducted at Annual General Meetings

- (6) The business to be transacted at an Annual General Meeting:
- (a) Shall comprise:
 - i. The Report from the Committee for the past year;
 - ii. Consideration of the Statement of Accounts for the preceding financial year and the Report of the Auditor or Independent Examiner;
 - iii. Election of the Auditor or Independent Examiner;
 - iv. Election of the Officers of the Branch and other Committee members (when appropriate);
 - v. Consideration of any resolutions forwarded by Members of the Branch to the Secretary at least seven days before the date of the meeting;
 - (b) May comprise:
 - i. Election of the President, Life Vice-Presidents and Vice-Presidents;
 - ii. Election of a delegate or delegates to represent the Branch at the Association's Annual Conference;
 - iii. Election of a delegate to represent the Branch at the Area Conference;
 - iv. Election of a delegate to a Regional Committee;
 - v. Election of a Branch Standard Bearer.

Provided that an Associate Member who is elected as a delegate of the Branch to the Association's Annual Conference shall be a Member of the Committee at the time they represent the Branch.

It should be noted that the approved annual accounts for the preceding financial year ended 31 December should be submitted to the Area Office not later than 31 March. Thus, the Annual General Meeting should be held in time to allow this submission.

Chairmanship of General Meetings

- (7) The Chairman or, in their absence, the Vice-Chairman shall take the Chair at General Meetings. In the absence of the Chairman and the Vice-Chairman, the Meeting shall elect a Chairman from the Members present.

Provided that nothing in this Regulation shall prevent the Meeting from inviting the President of the Branch to take the Chair.

Voting at General Meetings

- (8) Voting at General Meetings shall be by a count of hands or, where a majority of those present and entitled to vote demand, a secret ballot. In the case of a contested election voting shall be by secret ballot which may also be in the form of a postal or electronic ballot. Provided that a member who has not paid their subscription in the current year shall not be entitled to vote at any General Meeting of the Branch in that year if their subscription is in arrears by more than one month unless payment of their subscription has been suspended, postponed, or waived under Byelaw 7 (6).

Conduct of Business at General Meetings

- (9) The business of General Meetings shall be conducted in such manner as the Committee may decide subject to any Standing Orders that may have been agreed by the Branch in General Meeting and to any direction that may be given by the Area Council or the Council.
- (10) If the Branch Committee have not determined the conduct of the Branch General Meeting nor have any Standing Orders been agreed by the Branch the Rules of Procedure for the Association's Annual Conference shall apply.
- (11) A copy of the Royal Charter, the Rules, the Byelaws, Area and Branch Regulations and of any Standing Orders and/or the Association's Annual Conference Rules of Procedure governing the conduct of the business of the Area Council shall be available at Area Conferences.

BR 12. Finance and Accounts

Branch Bank Accounts

- (1) All monies received for the general purposes of the Branch shall be banked without delay into an account held in the name of the Branch.
- (a) Any cheques drawn on this account shall be signed by the Chairman or the Secretary and countersigned by the Treasurer or an Officer of the Branch authorised by the Committee to be a reserve signatory.
 - (b) Electronic banking provisions shall be authorised by the Treasurer and countersigned by an Officer of the Branch authorised by the Committee to be a reserve authoriser.
- Provided that those persons authorised to sign, countersign, authorise or confirm authorisation are a) not related and b) not living in the same household.
- (2) All monies received for the welfare purposes of the Branch shall be banked without delay into a Branch Welfare Account.

- (a) Any cheques drawn on this account shall be signed by the Welfare Officer and countersigned by the Treasurer or the Secretary. In the absence of the Welfare Officer the Chairman or other Officer of the Branch authorised by the Committee to be the reserve signatory may act as signatories.
- (b) Electronic banking provisions shall be authorised by the Treasurer and countersigned by an Officer of the Branch authorised by the Committee to be a reserve authoriser.

Provided that those persons authorised to sign, countersign, authorise or confirm authorisation are a) not related and b) not living in the same household.

- (3) No other bank accounts may be held in the name of the Branch without the previous written consent of the Area Council or the Council.

Branch Annual Accounts

- (4) The accounts of the Branch for the period 1 January to 31 December shall be examined annually in accordance with the provisions of Byelaw 25 and a statement of the Branch Accounts together with a report from the Auditor or Independent Examiner shall be forwarded to the Area Office not later than the following 31 March.
- (5) In the case of a Branch with a Branch Club the Statement of Accounts of the Branch shall attach a Statement of Accounts together with a report from the Auditor or Independent Examiner of the Branch Club for the corresponding period. Branch Clubs are required to have a full audit on a triennial basis (or such period as maybe defined from time to time by HMRC).

A qualified auditor or independent examiner shall be appointed to audit the accounts of both the Branch and the Branch Club in accordance with the provisions of Byelaw 25.

- (6) In accordance with Byelaw 26 the Branch accounts shall be kept available for inspection by any member, Area Office or HQ.

Expenses

- (7) Where reasonable expenses are necessarily incurred:
 - (a) by a Member of the Committee in carrying out the functions and responsibilities of the Branch;
 - (b) by the Honorary Welfare Officer carrying the duties and functions relating to welfare;
 - (c) by the Branch delegate attending an Association Annual or an Area Conference;
 - (d) by the Branch delegate attending a Regional Committee meeting; and
 - (e) by the Branch Standard Bearer attending an Annual or Area Conference or parade or ceremony;
- (8) Claims for such expenses must be made within one month of them being incurred.
- (9) Such expenses may be reimbursed from Branch funds.

Payments to a Member of a Branch

- (10) The business of the Branch shall normally be carried out without payment to individual members of the Branch but, subject to the provisions of Article 4 of the Royal Charter and to the approval of the Council, the Branch in General Meeting may authorise:
 - (a) Reasonable expenses payment to a member of the Branch for general services rendered in carrying out the functions and responsibilities of the Committee;
 - (b) A payment to a member of the Branch for a specific service provided in dealing with a necessary matter related to the functions and responsibilities of the Branch.
- (11) Members of the Committee as Trustees of the Branch Charity may not receive a regular payment from the Branch for any activity. Regular payment to a Trustee can only be made following approval from Council and the relevant Charity Commission/Regulator.

Investment

- (12) Branches should have a 'Reserves Policy' in place which aims to ensure that Branches hold in reserve funds sufficient to sustain the Branch for a minimum period of six months.
- (13) Exceptionally, where a Branch Committee wishes to invest funds, such investment shall be authorised by the Branch Committee in accordance with the provisions of Rule 36 and Branches are required to conform to the Charity Act, the Trustee Investment Act of 2000 and/or the Charities & Trustee Investment (Scotland) Act 2005 and the Financial Services and Markets Act 2000 (as they may be amended, extended or re-enacted from time to time).
- (14) In accordance with Byelaws 20 and 26 the Branch investments shall be kept available for inspection by any member, Area Office or HQ.
- (15) Any of the Branch funds in excess of the required reserves which the Branch do not immediately require for the purposes of the Branch shall normally be invested to the credit of the Branch in the Association's Branch Deposit Fund (minimum £1,500).

BR 13. Miscellaneous

Branch Standard and Branch Standard Bearer

- (1) Subject to the agreement of the Branch at a General Meeting the Branch may purchase a Branch Standard and equipment for a Branch Standard Bearer from the general funds of the Branch;
- (2) Where a Branch has a Standard, the Branch at a General Meeting shall elect a Branch Standard Bearer from amongst the Members of the Branch for such term of office as the Branch shall decide. Any casual vacancy in the position of Branch Standard Bearer shall be filled by the Committee and the person appointed to fill the vacancy shall hold the position until the next General Meeting of the Branch or the conclusion of the Annual General Meeting in the year the mandate of the role expires and shall be eligible for re-appointment.
- (3) A Branch may request a representative from a local ACO to act as the Branch Standard Bearer from time to time, ensuring appropriate safeguarding measures are in place.
- (4) The parading of the Branch Standard shall be subject to such approval as the Committee shall determine.

Branch Clubs

- (5) Branches are not allowed under charity law to conduct 'non-primary purpose trading'; to operate a Branch Club; Branches must form a separate entity (its trading subsidiary) to operate the Branch Club.
- (6) Subject to the following conditions a Branch may form a Branch Club:
 - (a) The approval of a resolution to form a Branch Club, of which at least 14 days-notice shall have been given, by the members of the Branch at a General Meeting;
 - (b) The prior written consent of the Council via their Area Council;
 - (c) Compliance with such terms and conditions as the Council, may require in regard to:
 - i. the acquisition or provision of premises for the Branch Club;
 - ii. the leasing and rental arrangements between the Branch and the Branch Club for land or premises used by the Branch Club;
 - iii. the Rules under which the Branch Club operates;
- (7) The Branch Club financial year coinciding with the financial year of the Branch.
- (8) Provided that such authority may be withdrawn at any time by the Council if in its opinion, the Branch Club has not conformed to its requirements and/or the Rules under which it has been authorised to operate or has brought or could bring the Association into disrepute.
- (9) Provided also that in Scotland the Scotland and Northern Ireland Area Council shall have the authority on behalf of the Council to approve changes to Standard Club Rules that are required by the Sheriff or other Scottish licensing authority.

BRANCH CLUB RULES

Approved at
Annual Conference 2017

Branch Clubs - Formation and Management

Introduction

1. This Section of the Handbook is intended to assist Branch Committees and Branch Club Committees to set up properly managed Branch Club facilities and to maintain the highest possible standard of management in Branch Clubs already operating.
2. The decision to set up a Branch Club originates from the Branch in General Meeting. The Branch is thus the “parent” of the Branch Club. Branches considering the formation of a Branch Club should first consult their Area Office. Branches with Branch Clubs already functioning may find problems arising beyond local capacity to resolve. Early reference to Area Office is urged in order that a solution may be found before minor problems escalate into embarrassing or even unmanageable situations.
3. The number of legal and other statutory requirements governing club activities require in turn that Branch Club Committees are aware of relevant legislation on clubs and monitor publications dealing with club matters. The following Acts and publications are of particular relevance:
 - (a) The Licensing Act 2003 for Branch Clubs in England and Wales;
 - (b) The Licensing (Scotland) Act 2005 for Branch Clubs in Scotland;
 - (c) The Registration of Clubs Order (Northern Ireland) 1996 for Branch Clubs in Northern Ireland;
4. The following publications offer useful guidance:
 - (a) Club Law & Management by Philip R Smith packed with useful information and an essential guide for every club;
 - (b) Club Mirror. A monthly magazine which routinely has items on club management. It is available through: Trojan, 7 Gainsborough House 2 Sheen Road Richmond TW9 2AE (0208 973 2611).
5. The guidance in this Chapter is based on the Licensing Act and governs the conduct of Branch Clubs in England and Wales. The guidance does not therefore apply in every instance to Branch Clubs in Scotland, Northern Ireland and Overseas. However, the notes should provide useful references for Branch Clubs outside England and Wales on general administration, staff and customary practice.
6. The Association has appointed Area Directors and Branch Support Officers (BSO) who can offer advice and guidance on Branch Club management matters. They are based at HQ and Area Offices and requests for assistance should be made to the Area Office. The Association is a member of the Committee of Registered Clubs Associations (CORCA), which represents over 5,000 clubs and over 5 million individual members.

Standard Club Rules

7. One of the conditions of the formation of a Branch Club is that it shall adopt the SCR provided these are acceptable to the licensing authority. In the very large majority of cases licensing authorities have accepted these Rules. If they do not, Area Office should be informed so that the differences can be noted and, if appropriate, advice offered. The SCR set out details of the membership of the Branch Club and the way the Club should carry out its affairs as a democratic organisation. Members of the Committee should be provided with a copy of the Rules and a copy should be available to the members of the Club. Queries on the interpretation of SCR should be referred to the Area Office.

Local Authority Licensing

8. Before alcohol can be supplied in a Branch Club in England and Wales, an application for a Club Premises Certificate (or in occasional circumstances a Premises Licence) must be made to the appropriate Licensing Authority. The application must be accompanied by the following:
 - The required fee;
 - A plan of the premises to the prescribed scale;
 - A club operating schedule; and
 - A copy of the Club rules;

The application must also be advertised prominently at or on the premises and in a local premises.

The Club Premises Certificate may authorise the following activities:

- The supply of alcohol to members of a club;
 - The sale of alcohol to guests of members;
 - The provision of regulated entertainment to members and guests.
9. The Certificate is valid until such time as it is withdrawn or surrendered. In certain circumstances the Licensing Authority may withdraw a Club Premises Certificate if it becomes apparent that the club is no longer complying with the requirements of being a qualifying club.

There is no specific renewal date for a Club Premises Certificate it is necessary for an annual fee to be paid to the local licensing authority for the CPC to remain in force. The annual fee is based on Premises Rateable Value on a sliding scale.

The Certificate (or a properly certified copy) must be kept at the premises, and be the responsibility of a nominated person. The nominated person might be the Secretary, another member or an employee of the Club. The licensing authority must be

informed of the identity of the nominated person. A summary of the certificate and details of the nominated person must be displayed at the premises. Failure to do this, or produce the certificate is an offence.

10. The Licensing Act requires that Club Secretaries notify the relevant Licensing Authority of changes within 28 days in the following circumstances:

- a) Any change of name or alteration made to the rules of the club;
- b) Any change of the registered address of the club.

A club may apply to vary its own certificate at any time. This might be to change opening hours, change activities, or a change within the premises. As for an initial application, the club will need to advertise its application and notify the police, fire service and environmental health department. Similarly, relevant representations may be made and a hearing may be necessary.

The Elective Committee

11. Standard Club Rules lay down the composition and responsibilities of the Elective Committee.

Officers' Duties

12. The Chairman's main duty is to control Committee and Branch Club Annual General or Special Meetings. The Chairman should act impartially to ensure that business is carried out in a proper manner.
13. The Secretary's main duties, some of which, subject to the agreement of the Committee, may be delegated, are:
- (a) Dealing with correspondence addressed to the Branch Club;
 - (b) Maintaining the records of the Branch Club;
 - (c) Dealing with applications for membership of the Branch Club;
 - (d) Convening and taking minutes of General Meetings and meetings of the Committee;
 - (e) Arranging that decisions of General Meetings and meetings of the Committee are implemented;
 - (f) Dealing with insurance matters for the Branch Club;
 - (g) Dealing with, or advising the Committee on how to deal with the requirements of the Licensing Act and other statutory requirements or regulations affecting the Branch Club and any employees of the Branch Club.
14. The Treasurer's main duties some of which, subject to the agreement of the Committee, may be delegated are:
- (a) Receiving membership subscriptions;
 - (b) Receiving and disbursing Branch Club monies, including bar and gaming machine takings and monies raised from entertainment and other functions, and maintaining books and accounts;
 - (c) Ensuring that monies are banked promptly and that invoices for supplies or services to the Branch Club are properly authorised and paid;
 - (d) Presenting to the Committee at each of its Ordinary Meetings a statement showing the current financial position of the Branch Club. This statement should routinely include statements of:
 - i. Income and expenditure;
 - ii. Cash at bank and in hand;
 - iii. Debtors and creditors;
 - iv. Bar gross percentage profit;
 - v. Value of stocks;
 - vi. The overall financial state of the Branch Club.
 - (e) Presenting to the Committee and to the Annual General Meeting the Statement of Accounts of the Branch Club for the preceding financial year and the Report of the Auditor or Independent Examiner;
 - (f) Forwarding the Branch Club quarterly return to the Area Office.

Elective Committee Membership

15. Committee Members should be prepared to accept delegated responsibilities and to serve on sub-committees set-up by the Committee. Where a Branch Club is not in a position to employ full or part-time time bar staff Committee Members can provide bar duty coverage. This system can work very well and provides the added bonus of the Branch Club being under Committee supervision during all open hours.
16. Membership of a Committee carries with it the duty to attend meetings as regularly as possible, and active participation within the Branch Club. At least one Officer or Committee Member should be on the premises during all permitted hours, or at least available "on call" to deal with any incident or problem which might arise during those hours. It should be noted that, where duties call for Committee members to be on the premises outside the permitted hours, bar service is no more available to them than it is to all other members. Committee Members and staff should ensure that no newcomer is ignored. First, a tactful challenge as to entitlement is essential, and second, once such entitlement has been established, then a chat and introduction will encourage a newcomer to become a regular.

Employment of Staff

17. Employment of full or part-time staff requires careful attention to legal and other statutory requirements. Availability of detailed reference material and in some instances, legal advice is essential to avoid pitfalls. The following matters will or may require attention:

- (a) Advertising for and engaging an employee including taking up of references;
- (b) Contracts of employment;
- (c) Health and safety at work;
- (d) Provision of accommodation;
- (e) Payment of wages and matters related to statutory minimum wages;
- (f) Deduction of Income Tax and National Insurance;
- (g) Procedures for dismissal or redundancy.

Committees are advised that contracts of employment and licences for agreements for the use of accommodation are subjects on which legal advice should be sought as both these matters require drawing up complicated documents, safeguarding the rights of both the employee and the employer. If it is intended to dismiss or make redundant an employee it is also sensible to take early advice to avoid the possibility of a claim of unfair or constructive dismissal. Such advice can be obtained from your Area Office in the first instance and from the local offices of the Advisory, Conciliation and Arbitration Services (ACAS) or from a legal adviser. There is an ACAS Code of Practice on Disciplinary and Grievance Procedures which can be helpful and officers of ACAS are prepared to advise both on the procedures and on individual cases, even if they have not yet reached the point of dismissal.

18. Employment legislation is also being affected by European Union legislation such as the European Working Time Directive which covers such matters as the minimum wage and paid holidays. In addition new regulations are in the pipeline covering Fairness at Work. Clubs should also be aware that the Welfare Reform and Pension Act 1999 requires that employers with five or more employees shall offer their employees access to a Stakeholder Pension Scheme.

Gaming Machines, Bingo, Lotteries and Betting

19. Gaming machines of the jackpot type, Bingo and lotteries are the main methods of providing both amusement and income for Branch Clubs. Committees should note that the publications referred to at para 4 gives guidance on this subject.

20. Gaming machines are governed by the Gambling Act 2005. Branch Clubs should note that arrangements were made to transfer permits and registrations under the 1968 Gaming Act to the new legislative framework. Part 111 Registrations were replaced by a Club Gaming Machine Permit which entitles clubs to offer up to three gaming machines with a maximum stake of £1 and a maximum prize of £250. As and when old registrations become due for renewal they will be automatically converted to the new permit. However clubs will need to apply to the Local Authority for a Club Gaming Machine Permit before expiry of their converted Part 111 permits. New permits will run for 10 years.

- (a) Playing of gaming machines is limited to Branch Club members, their guests and persons using the Branch Club under the provisions of the Inter-Affiliation Scheme. Persons under the age of 18 may not play gaming machines;
- (b) Clubs are required to abide by a Gambling Commission Code of Practice relating to the location and operation of gaming machines and to notices that must be displayed on all gaming machines.
- (c) Hiring and maintenance charges must not be calculated by reference to the profit made by a machine; in other words there must be no profit sharing arrangement with the supplier;
- (d) The requirement for insurance will depend on the agreement as between the owner of the machines and the Branch Club. Branch Clubs should ascertain the cover provided and arrange further cover if necessary. Maintenance and repair of machines is normally the responsibility of the machine owners;
- (e) Gaming machines and their contents should be protected against interference and unauthorised access. The use of security devices such as alarms or security bars should be considered;
- (f) Under the Gambling Act a club is able to offer a maximum of three machines, usually Category B4, but may include Category C, Category D but only a single B3A category.
- (g) Clubs providing gaming machines must also have an Amusement machine licence. Further information regarding gaming machine licensing can be obtained from local HMRC offices.

21. Bingo under the Gambling Act 2005

- (a) Clubs that wish to provide facilities for bingo may do so under the "exempt gaming" provisions in Part 12 and Part 14 of the Gambling Act 2005;
- (b) Part 12 covers Club Bingo where the following rules apply:
 - i. No amounts may be deducted from sums staked or won; the maximum participation fee is £1 per person, per day (or £3 where a club gaming permit is held);
 - ii. Persons may only participate in the gaming if they have been a Club member (or applied or were nominated for membership) at least 48 hours before playing, or are genuine guests of such a person.
- (c) Bingo under Part 14, Bingo for "Good Causes"
- (d) Clubs that wish to provide bingo (or other types of gaming) for charitable or other non-commercial purposes (e.g. to raise funds for a society) may do so under Part 14 of the Act. Non-commercial gaming may only take place at events where none of the proceeds from the event itself are used for private gain. There are two types of non-commercial gaming:

- (e) Prize gaming: where the prizes are put up in advance, and are not dependent on the number of players taking part or the amount of money staked. There are no statutory limits on stakes, prizes, participation fees or other charges for this type of gaming.
 - (f) Equal chance gaming: where the amount or value of the prizes varies according to the number of players who participate and/or the amount of money they stake. Here a single payment of £8 per day may be charged to cover admission, stakes and any other charges for playing. The total value of prizes must not exceed £600 in one day. Where an event is the final one of series in which all of the players have previously taken part, a higher prize fund of no more than £900 is permitted.
 - (g) In all cases, the players participating in non-commercial bingo must be told which "good cause" is to benefit from the profits from the gaming.
 - (h) Only members and their guests and persons using the Branch Club under the terms of the Inter-Affiliation Scheme may participate. Persons under age 18 may not participate.
22. The 2005 Gambling Act 2005 permits club members to participate in lawful gaming. The rules of such games must provide that the chances to win are equally favourable to all players, such as poker, bridge and whist. It is unlawful for members to carry out betting transactions on club premises. Committees should err on the side of caution as regards any use of the Branch Club for betting. If in doubt as to whether an offence is being created legal advice should be sought.

Insurances

23. The Committee needs to ensure that the Branch Club is adequately insured. In particular the Committee will need to consider:
- (a) Personal accident insurance for Members of the Committee, employees, voluntary helpers and members on Branch Club business away from the premises of the Club;
 - (b) Indemnity insurance for Branch Club Trustees;
 - (c) Public Liability insurance in relation to the operation and the premises of the Club;
 - (d) Employer's Liability;
 - (e) Premises and Contents insurance including cash, stocks and gaming machines;
 - (f) Fidelity Bond insurance.

Personal Accident insurance should be covered by the Association's Central insurance policy for Branches together with Trustee indemnity insurance and public liability insurance. Committees will need to ensure that Employer's Liability is also covered. The need to take out insurance on the premises will depend on the circumstances of ownership and/or on the conditions of the lease with the Branch and they need to establish where responsibility lies for this insurance.

Where the Branch Club is responsible for the insurance of the premises the level of insurance cover must be based on the reinstatement value of the premises. Committees will need to ensure that contents, cash, stock and gaming machines are fully covered. It should be noted that the Association's central policy does not include Branch Club operations outside the UK and that there may be restrictions on the cover if a Branch Club is contracting or franchising part of its operations. If a Branch Club is uncertain of its insurance position in relation to the Association's central policy it should contact its Area Office.

24. In order to ensure that the circumstances of any accident, injury or loss which may give rise to a claim are fully and accurately recorded an accident/loss book should be kept and all occurrences recorded in it. If necessary witnesses should be asked for written statements and these should be retained. The recording should apply to all persons (whether they are members, guests, employees or casual visitors) Using or entering the Club premises including any land surrounding it, a car park. The recording of accidents or injuries involving employees is particularly important in relation to the Health and Safety at Work Act 1974 (see para 14.28 below) as the circumstances of the accident could become the subject of prosecution under the Act.
25. The Association's Insurance Brokers are experienced at dealing with Branch Clubs and can obtain competitive insurance. Details of the Brokers can be obtained from Area Office.

Legal and Regulatory Requirements Applying to the Operation of Branch Clubs

26. A range of legal acts and regulatory requirements apply to the operation of Branch Clubs. The most important of these are:
- (a) The Health and Safety at Work Act 1974. This applies to all Clubs which employ persons to work for the Club and requires the Club to ensure, as far as is reasonably practical, the health, safety and welfare of employees whilst they are at work;
 - (b) Food Safety Act 1990 (as Amended). This applies both to the service of food and drink. The Act is enforced by the local authority whose inspectors have the right of entry to Club premises;
 - (c) The Regulatory Reform (Fire Safety) Order 2005. Fire and Rescue Services is a responsible authority, as defined in the Licensing Act, and as such is able to make relevant representation on the grounds of public safety in respect to a Club premises certificate application. As part of this empowerment, the Fire Authority may inspect and audit licensable premises, where appropriate. To spread the cost of any improvements required to bring the premises up to fire safety standards it is recommended that the Fire Safety Officer is consulted sooner rather than later and a written statement of the works service requirements obtained;
 - (d) Confined Spaces Regulations 1997. These regulations deal with the risks associated with the use of gas equipment in confined spaces such as bar cellars;
 - (e) Equality Act 2010. Clubs are required to make their facilities accessible to both disabled members and disabled guests;

- (f) Sale and Supply of Alcohol Act 2013 (as they may be amended, extended or re-enacted from time to time).

Committees should ensure that they are familiar with the general provisions of these Acts and Regulations and, if necessary take specialist advice on their implementation.

Other Supplies

27. Tobacco products and sundries may therefore be supplied to members at any time the Branch Club is open, however it is illegal to sell tobacco products to persons under the age of 18, both over the counter and via vending machines. Statutory notices must be displayed.

Use of Branch Club Premises by the Branch

28. The conditions under which the Branch may use the facilities of the Branch Club premises should be set out in the leasing arrangement as between the Branch and the Branch Club. Alcohol should only be supplied to members of the Branch using the Branch Club's facilities provided that they are members of the Branch Club or their guests. Any supply is at the discretion of the Committee and should be restricted to the permitted hours.

Use of Branch Club Premises for Private Functions

29. Branch Club rooms may be used by members and their guests for private functions subject to the approval of the Committee. Branch Club rooms should not, however, be let to outside bodies for private functions unless the rooms have a separate entrance from without, or can be shut off from the Branch Club proper without access to the bar. Such private functions are subject to control by the Licensing Authorities.

Restrictions on Access to Parts of the Branch Club Premises

30. Subject to any specific provisions for access to the Branch Club made in a lease between the Branch and the Branch Club the Committee may restrict access to members to a particular room or rooms in the Branch Club either as a general rule or for specific periods.

Entry to Branch Club by Police or Other Officials

31. When a Club applies for a Club Premises Certificate, a variation or review of an existing Club Premises Certificate, an authorised person, or a constable authorised by the Chief Officer of Police, may enter and inspect the premises. 48 hours' notice must be given to the club and the inspection must take place within 14 days of the application being made. A police constable may also enter and search the premises in relation to drug offences or a breach of the peace.

Ejecting a Person from a Branch Club

32. Occasionally a member or guest in a Branch Club can become drunk, violent or disorderly and it may be appropriate to require that the individual leaves. If this poses undue risks to members the support of the Police should be sought. In any event it is an offence to sell alcohol to a person that is drunk and it is also unlawful to allow disorderly conduct on licensed premises.

Credit

33. It is unlawful to allow credit to members for alcohol supplied in the Branch Club.

Licences for use of Music and Other Recordings

34. Branch Clubs will need to obtain copyright agreement and licences if music or other recordings including video recordings are played in the Club. If required, advice should be sought from the Area Office.

Regulated Entertainment

35. The Club Premises Certificate authorises the provision of regulated entertainment, where that provision is by or on behalf of a club for members of the club or members of the club and their guests. If entry were to be open to the general public a Temporary Events Notice must be applied for. Only 15 notices may be given for the same club premises in any calendar year.

Annex A to Branch Clubs - Formation and Management Branch Club Property

Introduction

1. Branch Clubs are classed in law as unincorporated associations and as such have no legal personality. They cannot therefore own property (i.e. land and buildings or the lease for such property) in their own name and such property needs to be held on their behalf by the Association. Standard Club Rule [Appointment of Trustees to Hold Land or Premises] provides for the appointment of the Association for this purpose.

Supplemental Lease

2. To avoid going through the full procedure of establishing a fair rent again when a Branch/Club lease expires, a supplemental lease has been introduced. This lease extends the terms of the original lease and may only be used for lease renewal when an original lease expires. Further details can be obtained from Area Office.

The Royal Air Forces Association Standard Club Rules

Definitions and Interpretation

SCR 1. In these Standard Club Rules, unless the subject or the context otherwise require:

- (a) "independent examiner" means an independent person who is reasonably believed by the Branch Committee to have the requisite ability and practical experience to carry out a competent examination of the accounts;
- (b) "qualified auditor" means a person who is eligible for appointment as a company auditor in accordance with Section 25 of the Companies Act 1989, or who is a member of a body for the time being specified in regulations under Section 44 of the Charities Act 1993 and is, under the rules of that body, eligible for appointment as an auditor;
- (c) "the Act" means the Licensing Act 2003, or in Scotland the Licensing (Scotland) Act 1976, or in Northern Ireland the Registration of Clubs Act (Northern Ireland) 1976 or any statutory modifications or re-enactments thereof;
- (d) "the Area Council" means the Council of the Area to which the Branch has been allocated;
- (e) "the Area Office" means the Office of the Area to which the Branch has been allocated;
- (f) "the Association" means The Royal Air Forces Association;
- (g) "the Branch" means The Royal Air Forces Association Branch;
- (h) "the Club" means the Branch Club formed by the Branch and registered under the Act;
- (i) "the Committee" means the Elective Committee of the Club as constituted under Rule 15;
- (j) "the Council" means the Council of The Royal Air Forces Association;
- (k) "the Headquarters" means the Headquarters of the Association.

SCR 2. Where reference is made to categories of membership of the Branch or other matters related to the Branch these Rules shall be read in conjunction with the Royal Charter, Rules, Byelaws and Standard Branch Regulations of the Association.

SCR 3. Words importing the male gender shall include the female gender and vice versa and words importing the singular shall include the plural and vice versa.

Authority and Date of Effect

SCR 4. These Rules, having been approved by the Association at its Annual Conference in 2017, shall come into operation on 15 May 2017 and as from that date any Rules then in force shall cease to have effect.

SCR 5. The Club is formed in accordance with the authority granted by the Council and is authorised to use the name of the Association under licence.

Provided that such authorisation may be withdrawn by the Council if the Club has not conformed with its requirements and/or these Rules and/or has brought or could bring the Association into disrepute.

Liability

SCR 6. The Club and the Committee shall not pledge the credit of the Branch or the Association or incur any financial liability whatsoever in the name of or on behalf of the Branch or the Association nor shall the Branch or the Association be liable for any action, omission, neglect or default done or committed by the Club or the Committee.

Amendment of the Rules

SCR 7. The Branch may seek amendment of these Rules by forwarding a resolution for consideration at an Association Annual Conference. Any such resolution may only be forwarded following a resolution carried at a General Meeting of the Branch.

SCR 8. Where amendment to these Rules is required as a condition of issuing a Club Premises Certificate such amendment shall be reported forthwith to the Area Office.

SCR 9. The Club may apply to the Council for a local variation to these Rules. Any such application shall only be made following a resolution carried by a majority of the Members present and voting at a General Meeting of the Club. A copy of any such application shall be provided to the Branch at the time it is submitted to the Council.

Byelaws

SCR 10. The Committee may make Byelaws for regulating the affairs of the Club.

Provided that any such Byelaws are consistent with these Rules and that a copy of any Byelaw made shall be sent to the Area Office and to the Branch.

SCR 11. Any Byelaws made under this Rule shall come into force on such date as may be determined by the Committee and may be

revoked, altered or added to by subsequent Byelaws made by the Committee.

SCR 12. A copy of any Byelaws made by the Committee shall, on request, be made available for inspection by any member of the Club.

Club Name and Premises

SCR 13. The Club shall be known by the name given to it by the Branch.

Provided that its full title, when used, shall include the words "The Royal Air Forces Association [Name of Branch] Branch Club".

SCR 14. The Club shall be situated at such address as shall be determined by the Branch.

Objects of the Club

SCR 15. The Club shall be a Members Club holding a Club Premises Certificate or a Premises Licence under the Act.

SCR 16. The objects of the Club shall be to:

- a) Afford members the facilities for meeting together for the purposes of advancing the object of the Association, of fostering good fellowship and of perpetuating and advancing the spirit of comradeship formed during service with Her Majesty's Air Forces;
- b) Provide means of recreation and the other advantages of a social club for its members and their guests;
- c) Provide catering and refreshment facilities.

Membership

SCR 17. The persons identified in the Association's Rules 7, 9, 10 and 11 and Byelaw 4 shall be eligible for membership.

Admission to Membership

SCR 18. On the initial formation of the Club all Ordinary and Life Members of the Branch shall be deemed to have applied for Ordinary Membership of the Club and their names shall be prominently displayed in the Club premises as candidates for such membership. The date on which their names are so displayed shall be deemed to be the date of nomination for membership.

Provided that any Ordinary or Life Member of the Branch not wishing to accept Ordinary Membership of the Club under the provisions of this clause shall notify the Secretary of the Club within 21 days of the date of nomination and their membership shall be cancelled.

SCR 19. Subsequent to the initial formation of the Club a Member of the Branch shall apply to the Secretary of the Club Membership of the Club on the application form provided for that purpose. The application must be proposed and seconded by Members of the Club. A notice of candidature shall then be displayed prominently in the Club premises in a part frequented by the members for not less than two days before election to membership by the Committee shall take place.

Provided that if such application is rejected on the grounds of alleged ineligibility, then the notification to the applicant shall specify briefly the grounds on which ineligibility was found, but in any other case shall state that the applicant has been rejected without giving any reason.

SCR 20. A candidate for Membership who is rejected for membership on the grounds of alleged ineligibility shall have a right of appeal, including the right to be heard in person, to the Committee.

SCR 21. No candidate whose application for membership is rejected may re-apply for membership until the expiration of six months from the time of their rejection.

Subscriptions

SCR 22. The subscription paid by a Member of the Branch for their membership of the Association shall be considered to be their subscription as a Member of the Club.

Provided that, where determined by an Annual or Special General Meeting of the Club, an additional annual subscription may be levied and required to be paid to the Club.

Provided also that, where determined by an Annual or Special General Meeting of the Club, a reduced additional annual subscription shall be paid by Members joining the Club after a specified date in the year.

SCR 23. When levied, additional annual subscriptions shall be due on receipt of notification of admission as a member of the Club and subsequently on the first day of January in each year or such other date as may be determined by the Committee.

Rights, Privileges and Conditions

SCR 24. A Member of the Club shall have the rights and privileges and shall be subject to the conditions as set out below:

- (a) They shall be entitled to attend any General Meeting of the Club and shall have full voting and deliberative powers;
- (b) They shall be entitled, if elected or co-opted, to hold office or be a Member of the Committee;
- (c) If suspended or expelled by the Committee they shall be entitled to appeal, including the entitlement to be heard in person, to the Committee;
- (d) They shall conform to the Rules and Byelaws of the Club and of the Association.

Cessation of Membership

SCR 25. When a Member of the Club ceases to be a member of the Association they shall, with immediate effect, cease to be a member of the Club.

SCR 26. In the case that an additional annual subscription is levied in accordance with Byelaw 7, membership of the Club shall cease if the renewal subscription has not been paid by 31 January each year or by such other date as may be determined by the Committee.

The Officers of the Club

SCR 27. The Officers of the Club shall be the Chairman, the Vice-Chairman, the Secretary and the Treasurer and shall be elected by the Club Members at an Annual General Meeting.

SCR 28. The Officers shall be Members of the Club and of the Association.

SCR 29. The Officers of the Club shall hold office for one year from the conclusion of the Annual General Meeting at which they were elected to the conclusion of the next Annual General Meeting and shall be eligible for re-election.

SCR 30. An Officer of the Club shall cease to be an Officer before the expiration of their term of office if they resigns from office or ceases to be a Member of the Club or the Association.

SCR 31. Officers of the Club must meet the requirements of the Association's Byelaw 9.

SCR 32. An Officer of the Club may be removed before the expiration of their term of office by a General Meeting called for the purpose at which a resolution to that effect is carried by a majority of not less than two-thirds of the Ordinary Members present and voting.

The Committee

Membership

SCR 33. The Committee shall comprise:

- a) The Officers of the Club who shall be ex-officio members;
- b) Not more than the number determined by the Club in General Meeting of Members elected by the Members at an Annual General Meeting who shall be known as the Additional Members.

SCR 34. The Committee may also comprise not more than a total of two Members who may be co-opted by the Committee and who shall be known as the Co-opted Members.

SCR 35. The Officers of the Club and the Additional Members and Co-opted Members of the Committee shall have full voting and deliberative powers.

SCR 36. The Additional Members shall hold office for one year from the conclusion of the Annual General Meeting at which they were elected to the conclusion of the next Annual General Meeting, and shall be eligible for re-election.

SCR 37. An Additional Member of the Committee shall cease to be a Member of the Committee before the expiration of his term of office if he resigns from the Committee or ceases to be a member of the Club.

SCR 38. The Co-opted Members shall hold office from the date of their co-option until the first meeting of the Committee after the conclusion of the next Annual General Meeting.

SCR 39. The provisions of Rules 31 and 32 regarding the disqualification or removal from office of an Officer of the Club shall also apply to the Additional and Co-opted Members of the Committee.

SCR 40. A Co-opted Member shall stand down from the Committee before the expiration of his term of office if required to do so by the Committee.

Powers and Duties

SCR 41. Subject to the provisions of these Rules, the Committee shall be the governing body of the Club and shall have the management and control of the affairs of the Club and the administration of the property and income thereof with the power to delegate, subject to such instructions, reservations or restrictions as it may think fit, any of its powers and duties to a sub-committee appointed from amongst its members.

Provided that, where the Club leases property from the Branch, it shall do so in compliance with the terms and conditions required by the Council.

Provided also that, the Committee shall not delegate any of its powers and duties in relation to the expulsion or suspension of a member of the Club under Schedule 2 to these Rules or its powers to invest monies under the Association's Rule 36.

- SCR 42. The Committee shall have the power to employ staff for the Club, to decide their duties, remuneration and other terms of employment and to terminate such employment.

Provided that, where an employee such as a Bar Steward has responsibilities for stock or cash, the person so employed shall be required to make a cash deposit and/or be insured by a fidelity bond in respect of deficiencies in stock or cash resulting from theft or other felony by the employee.

Provided also that, where a Member of the Club is a contracted employee of the Club, they shall be required, during their contracted term of employment, to have their membership of the Branch transferred to any other Branch of their choice and their membership of the Club shall be suspended for the period of their employment.

- SCR 43. The Committee shall have the power to suspend or expel a member under the provisions of Schedule 2 to these Rules.

- SCR 44. The Committee shall have the control of the purchase and supply of alcohol on the Club premises.

- SCR 45. The Committee shall ensure that the Club is operated so as to conform to the provisions of the Act including application for initial and renewal Club Premises Certificate or Premises Licence.

- SCR 46. The Committee shall ensure that any necessary licenses or certificates in respect of gaming, entertainment or other activities that take place in the Club shall be obtained and shall be displayed as required. The Committee is also required to notify the local Council of the details of the nominated person (usually the Club Secretary) who holds the Club Premises Certificate or Premises Licence.

- SCR 47. The Committee shall fix the hours for the supply and consumption of alcohol in accordance with the terms of the Act and shall ensure that the Club Premises Certificate of Premises Licence is prominently displayed in the Club bar(s).

- SCR 48. The Committee shall comply with instructions issued on the authority of the Council or the Area Council.

- SCR 49. The Committee shall provide such information regarding the Club, including regular financial reports, as may be required by the Council or Area Council to the Area Director.

- SCR 50. The Committee shall ensure that all appropriate insurances, including liability insurance for the Club against third party claims, are effected.

Proceedings

- SCR 51. The Committee shall meet together for the transaction of business as often as may be necessary but normally once a month.

- SCR 52. The quorum necessary for the transaction of business of the Committee shall be not less than half of those eligible to attend and to vote and shall include at least two Officers.

- SCR 53. The business of the Committee shall be transacted in such a manner as the Committee may determine subject to such direction on the conduct of business as may be given by the Club in General Meeting.

Casual Vacancies

- SCR 54. Any casual vacancy amongst the Officers of the Club shall be filled by appointment by the Committee and such a vacancy shall be filled forthwith. Any other casual vacancy in the Committee may be filled by appointment by the Committee at its discretion. The person appointed to fill a casual vacancy shall hold office until the conclusion of the next Annual General Meeting of the Club.

General meetings

Annual General Meetings

- SCR 55. An Annual General Meeting of the Club shall take place on such date as may be fixed by the Committee between 1 January and 31 March each year.

Provided that the Annual General Meeting of the Club shall take place before the Annual General Meeting of the Branch.

Special General Meetings

- SCR 56. A Special General Meeting may be summoned at any time by the Committee or on the direction of the Council, the Area Council or the Committee of the Branch. A Special General Meeting shall be so summoned on the written request of not less than one-tenth of the Ordinary Members of the Club.

Provided that a request by 30 Ordinary Members shall also be deemed to be a valid request if that number is less than one-tenth of the Ordinary Members.

- SCR 57. A Special General Meeting shall be held not less than 14 days nor more than 21 days after receipt of the requisition. No business other than that stated in the request shall be transacted at such a meeting.

Notice of General Meetings

SCR 58. At least 14 days' notice of all Annual or Special General Meetings shall be given to the members of the Club by a notice prominently displayed in the Club.

Notification of and Nominations for Election

SCR 59. The notice of an Annual General Meeting shall include notification of any Officer and Additional Member elections to take place at the meeting and shall invite nominations to fill the vacancies. Nomination forms, on which acceptances of nomination by the members concerned shall be certified, must be signed by two Members of the Club and forwarded to the Secretary at least seven days before the date of the Annual General Meeting.

Provided that, if there be no nomination for these positions, then the Members present shall be entitled to nominate any eligible member who is willing to accept the position.

Business to be Conducted at Annual General Meetings

SCR 60. The business to be transacted at an Annual General Meeting:

- (a) shall comprise:
 - i. Consideration of the Report from the Committee for the past year;
 - ii. Consideration of the Statement of Accounts for the preceding financial year and the Report of the Auditor or Independent Examiner;
 - iii. Election of the Auditor or Independent Examiner;
 - iv. Election of the Chairman, the Vice-Chairman, the Secretary and the Treasurer;
 - v. Consideration of any resolutions forwarded by Members of the Club to the Secretary at least seven days before the date of the meeting.
- (b) May comprise election of the Additional Members of the Committee.

Chairmanship of General Meetings

SCR 61. The Chairman or, in their absence, the Vice-Chairman shall take the Chair at General Meetings. In the absence of the Chairman and the Vice Chairman, the Meeting shall elect a Chairman from amongst the Members present.

Voting at General Meetings

SCR 62. Voting at General Meetings shall be by a count of hands or, where a majority of those present and entitled to vote demand, a ballot. In the case of a contested election voting shall be by ballot.

Conduct of Business at General Meetings

SCR 63. The business of General Meetings shall be conducted in such manner as the Committee may decide subject to such direction on the conduct of business as may be given by the Club in General Meeting.

SCR 64. The quorum for a General Meeting shall be not less than two Officers of the Club and such number of Ordinary Members as shall be present.

SCR 65. A copy of these Rules, of the Royal Charter, Rules, Byelaws and Standard Branch Regulations of the Association and of any Byelaws made by the Club shall be available at General Meetings.

Use of the Club

Limitations on Use

SCR 66. Subject to any contracted rights for the Branch to use the Club, the Committee may refuse admission to any member or members at any time or limit the admission of any member or members to such times and such parts of the premises as it deems necessary in the interests of the Club. Notice of any such limitations shall be effective if prominently displayed in the Club.

Guests

SCR 67. Guests of members, or of the Club may use the Club in such numbers, on such days and during such times as the Committee may decide.

Provided that:

- (a) On arrival, guests and their hosts shall sign their names in the book provided and guests shall enter their full address in the book;
- (b) Guests shall be accompanied by their host member and shall leave the Club at the time of or before the departure of their host;
- (c) No person shall be introduced as a guest who has been expelled from the Association; whose application for membership of

- the Branch or the Club has been rejected; whose membership of the Association and/or Club has lapsed, or whose conduct or presence is considered by the Committee objectionable or prejudicial to the interest of the Club;
- (d) A guest shall not be supplied with alcohol for consumption off the premises;
 - (e) Hosts shall be responsible for the conduct of their guests whilst on the Club premises.

Members and Other Guests

SCR 68. Any person who has joined the Association is automatically a member of the Inter-Affiliation Scheme and may, together with his guest or guests, be admitted to the Club and may purchase alcohol from the Club for consumption on the premises only.

Provided that admission shall be in accordance with the Regulations for the Inter-Affiliation Scheme at Schedule 1 to these Rules. Provided also that any guests of a member or the Club admitted under the Scheme shall conform to the provisions of SCR 67.

SCR 69. Subject to the approval of the Committee, the following Persons may be admitted to the Club premises and may purchase alcohol for consumption on the premises only as Guests of the Club:

- (a) Members of visiting sports teams, their officials and supporters engaged in matches in which a representative or representative team of the Club is participating;
- (b) Members of Her Majesty's Forces or ex-Service organisations visiting the Club for a Club function or for the purpose of conducting a meeting related to their organisation;
- (c) Persons attending a bona fide function of a member's personal or family nature;
- (d) Persons attending other functions organised to further the objects of the Club, not to exceed 12 functions in any 12 month period.

Provided that on arrival such persons shall sign the book provided stating the name of their club or organisation or reason for visit.

Gaming

SCR 70. Subject to the approval of the Committee and any Byelaws that the Committee may make, lawful gaming activities may take place at the Club.

Persons under the age of 18

SCR 71. Alcohol shall not be supplied to any person under the age of 18 years nor shall any person under the age of 18 years consume any alcohol on the Club premises.

SCR 72. No person under the age of 18 years shall take part in any gaming activities in the Club.

Conduct

SCR 73. The Committee shall take any necessary action in relation to the conduct of a member in accordance with the provisions of Schedule 2 to these Rules.

Finance and Accounts

Club Bank Accounts

SCR 74. All monies received for the Club shall be banked without delay into a bank account held in the full title of the Club. The account shall be operated by the Treasurer. There shall be two signatories on any cheques drawn on this account. The Committee shall determine the authorised signatories, at least one of whom shall be an Officer of the Club.

Provided that those persons authorised to sign, countersign, authorise or confirm authorisation are a) not related and b) not living in the same household.

Club Annual Accounts

SCR 75. The accounts of the Club for the period 1 January to 31 December shall be examined annually under arrangements made by the Committee and the audited accounts shall be forwarded to the Branch as soon as possible after the year end and in any event in time for the Branch to hold its Annual General Meeting before 31 March.

A qualified auditor shall be appointed by the Branch to audit the accounts of both the Branch and the Branch Club in accordance with Byelaw 25.

SCR 76. The annual accounts of the Club shall be provided to the Branch in the format laid down in administrative instructions made by or on behalf of the Council.

Expenses

SCR 77. Where reasonable expenses are necessarily incurred by a Member of the Committee, such expenses may be reimbursed from Club funds.

Payments to a Member of the Club

SCR 78. The business of the Club shall normally be carried out without payment to individual members of the Club. Exceptionally The Committee may authorise a payment to a member of the Club for a specific service provided in dealing with a necessary matter related to the functions and responsibilities of the Club.

Provided that any member who, because of such payments has a financial interest in a matter being considered at a General Meeting of the Club or at a meeting of the Committee, shall declare such interest and shall not vote on the matter.

Authorisation of Expenditure

SCR 79. Only the Committee, by a decision at a meeting of the Committee, or a person specifically authorised by the Committee shall have power to order stock or other goods from traders or to incur other expenditure on behalf of the Club.

Provided that any person specifically authorised by the Committee to incur expenditure shall be given a written instruction as to the limits of his authority to incur expenditure.

Stocktaking

SCR 80. Stock takers qualified by previous experience of this class of work shall be appointed to take stock at the end of each quarter of the year and at such other times as the Committee directs.

Provided that, where the gross annual turnover of bar sales exceeds such sum as the Council may direct, a professionally qualified stock taker shall be employed to take stock every month.

Investments

SCR 81. Any of the funds of the Club not immediately required for the purposes of the Club shall be invested to the credit of the Club in the Club's bank deposit account or a Building Society deposit account. Exceptionally, where the Committee wishes to invest the funds in other forms of investment such investment shall be referred for approval to the Committee of the Branch. Clubs must comply with Association Rule 36 and Standard Branch Regulation BR 12 (12) – (15).

Dissolution of the Club

SCR 82. Any resolution for the dissolution of the Club shall be considered at a Special General Meeting of the Club. At such a meeting, a majority of two-thirds of the Ordinary Members present shall be required for the resolution to be carried.

SCR 83. On dissolution, any remaining assets of the Club after payment of debts and liabilities shall be transferred to the Branch unconditionally.

Schedule 1 to Standard Club Rules

Regulations Governing the Royal Air Forces Association Inter-Affiliation Scheme Authority and Date of Effect

S1-1. These Regulations for the Royal Air Forces Association Inter-Affiliation Scheme, having been approved by the Council at its meeting on 21 June 1997, shall come into operation on 1 January 1998 and as from that date any Rules and Regulations then in force shall cease to have effect.

Definitions

S1-2. (1) In these Regulations words and expressions to which meanings are assigned by the Standard Club Rules shall, unless the subject or context otherwise require, have the same respective meanings and, if there is any discrepancy, the Standard Club Rules shall prevail.

(2) In these Regulations, unless the subject or context otherwise require:

- (a) "a Club" means a Branch Club of the Association;
- (b) "Inter-Affiliation Card" means the card used to identify a person who is eligible for membership of the Royal Air Forces Association Inter-Affiliation Scheme;
- (c) "the Scheme" means the Royal Air Forces Association Inter-Affiliation Scheme.

Amendment of the Regulations

S1-3. The Branch may seek amendment of these Regulations by forwarding a resolution for consideration by the Council. Any such resolution may only be forwarded following a resolution carried by a majority of the Ordinary, Life and Associate Members present and voting at a General Meeting of the Branch.

Object of the Scheme

S1-4. The object of the Scheme shall be to foster comradeship within the Association by providing members of the Association with a means of visiting Clubs.

Provided that the Scheme shall not be used to avoid membership of a Club or non-acceptance of an application for such membership.

Provided also that the Committee has absolute discretion to refuse admission either to an individual member of the Scheme and his guests or to members of the Scheme and their guests generally, either on specific occasions or for particular periods of time if that is in the interests of the Club.

Notice of any such limitations shall be effective if prominently displayed in the Club.

Membership

Eligibility for Membership

S1-5. A person shall be eligible for membership of the Scheme if they are a Ordinary, Life or Full Associate Member of the Association; Provided that a person who has been suspended from membership of the Association or membership of a Club shall not be eligible for membership of the Scheme whilst he is under suspension.

Admission to Membership

S1-6. For the purposes of the Scheme a valid membership card of the Association shall be deemed to be an Inter-Affiliation Card and prima facie evidence of membership of the Scheme.

Rights, Privileges and Conditions

S1-7. (1) A member of the Scheme has the right to request admission to a Club on his own behalf and that of his guests. Provided that, when requesting such admission, he presents a valid Inter-Affiliation Card.

(2) A member of the Scheme who is admitted to a Club under the provisions of the Scheme shall have the same privileges and conditions as members thereof.

Provided that he and his guests shall not be supplied with alcohol for consumption off the premises. Provided also that he and his guests shall not be entitled to attend General Meetings of the Club.

(3) A member of the Scheme shall, on each occasion that he visits a Club and is granted admission under the Scheme, enter his name and any other details required by the Club in the book provided for that purpose. If accompanied by guests he shall observe the requirements in the Rules and Byelaws of the Club as regards admission of guests.

(4) A member of the Scheme shall conform to the Rules and Byelaws of any Club to which he is admitted.

Cessation of Membership of the Scheme

S1-8. (1) A person who ceases to be a member of the Association for whatever reason shall cease to be a member of the Scheme.

Schedule 2 to Standard Club Rules Regulations Regarding Conduct

Power of the Committee as Regards Conduct

S2-1. If, in the opinion of the Committee, the conduct of a member is such as to cause injury to the Club's reputation or is against the interests of the members as a whole the Committee may formally warn the member as regards his conduct, suspend him from membership of the Club or expel him from the Club.

Power to Take Immediate Action

S2-2. If circumstances require immediate action to suspend a member then two Members of the Committee may take such action provided that such action is recorded and reported forthwith to the Committee.

Notification to Member

S2-3. (1) Where the Committee takes action against a member as regards his conduct the Secretary shall:

- (a) notify the member in writing of the allegations against him and the Committee's preliminary decision on the matter;
- (b) invite him to answer or explain the allegation or allegations;
- (c) indicate that in the event of no explanation being forthcoming or of his admitting the allegation or allegations or of his written answer being considered to be unsatisfactory, the Committee will confirm its action;
- (d) inform him that he has a right to appear in person before the Committee to answer or explain the allegation or allegations;
- (e) inform him of the date on or before which he must reply (not being less than seven days from the deemed date of receipt of the written notice) and the date on or before which a personal appearance must be made (not being more than 21 days from the deemed date of receipt of the written notice);
- (f) in the event of suspension or expulsion, inform him that his rights as a member are in abeyance other than those conferred

by the provisions of this Regulation.

- (2) The notification shall be sent in writing by registered post to the member's last known address, and shall be deemed to have been received within 14 days of posting.

Procedure at a Hearing by the Committee

- S2-4. In the case that the member appears in person before the Committee, the Chairman shall read the allegation or allegations to the meeting. Evidence in support of the allegation or allegations may be given either by calling witnesses or reading statements. The member shall be entitled to be present throughout the proceedings and shall have the right to cross-examine any witness who appears in person, to make a statement and to call a witness or witnesses in his defence. At the conclusion of the member's defence, he shall retire. The Committee shall then consider whether any of the allegations made against him have been proved and, if so, the penalty to be imposed. The Committee may suspend the member from the Club in place of expelling him. A period of suspension not exceeding six months may be imposed by a majority of those present and eligible to vote, but expulsion or a longer period of suspension shall not be imposed except by a majority of not less than two thirds of those present and eligible to vote. The Secretary shall forthwith notify the member in writing of the decision of the Committee.

Re-application for Membership

- S2-5. No person who has been expelled may re-apply for membership for a period of two years from the date of his expulsion.

Refund of Subscription

- S2-6. A member who has been expelled or whose membership has been suspended, shall not be entitled to the refund of any subscription or any part thereof.

Provided that if on appeal the sentence of suspension or expulsion is reversed he shall be entitled to a refund of such portion of his subscription as the Committee shall think proper.

Effect of Lapse of Membership During Procedure

- S2-7. Any member against whom proceedings have been taken under this Regulation who allows his membership to lapse before the prescribed procedure is concluded shall be considered as having resigned as a result of the proceedings.

Branch Club Finance and Accounts

Overall Responsibility for Financial Control

1. The Committee has the collective responsibility of routine review and overall control of the Branch Club's finances although many of the detailed responsibilities will devolve on the Treasurer. The requirement for the Treasurer to report regularly to the Committee on the Branch Club's financial position is a very important method of maintaining this control and should be insisted on by the Committee.

Operation of the Branch Club Bar Facilities

2. The key to the financial success of a Branch Club is careful management and close financial control of the bar facilities. There are many elements to such management and control but the main ones of direct concern to the Committee are:
- (a) Control Over the Ordering of Stocks. The Committee should ensure that there is a clearly defined practice as to who may place orders for bar stock and that there are clear financial limitations on individuals placing such orders;
 - (b) Stocktaking. A regular process of stocktaking is essential to have control over the finances of the bar operation. Minimum requirements for stocktaking are set out in Standard Club Rules but it is strongly recommended that stocktaking should be carried out at the end of each month;
 - (c) Security of Premises and Cash Holdings. Cash registers of the till roll type or with printout records in each bar, together with security locks on the bar shutters and doors, are essentials to controlled management. Duplicate keys for security locks and gaming machines should be limited to two or three at most. If a safe is installed, it should be bricked securely in position, with the master key lodged at the bank handling the Branch Club accounts and other key or keys held by nominated Committee Members. All key holders should be authorised by the Committee with signatures filed with the Secretary. After the bar is closed the cash till should be emptied, till rolls closed off and till drawers left open. Surplus cash should be banked as soon as possible;
 - (d) Financial Recording and Analysis. Careful recording and analysis of the financial transactions of the bar operation is a necessary element of control. There should be routine records of the various types of bar income and expenditure and any variation from normal levels should be examined closely as well as any adverse trends;
 - (e) Gross Profit Margin. Careful attention needs to be given to the gross profit margin on bar sales and, unless the bar is run

entirely on a self-help basis where a slightly reduced gross profit margin may be acceptable, a significant gross profit margin of at least 54% is needed to cover staff and other overhead costs, further advice should be sought from the Area Office;

- (f) Staff Costs. Staff costs are a key factor as regards the profitability of a Branch Club. Experience has shown that two proportions are of particular importance:
- (g) The percentage that bar staff wages and National Insurance represent of bar sales. If this percentage exceeds 18% and the gross profit margin has been set at a realistic level then attention needs to be paid to control of staff costs. This percentage guideline is used widely within the licensed trade as a measure of economic operation with some breweries and management companies considering that a lower proportion is more appropriate;

The percentage that bar staff wages and National Insurance represent of gross profit from bar sales. This figure should be calculated excluding income from gaming machines. If this percentage exceeds 50% and the gross profit margin has been set at a realistic level then attention again needs to be paid to control of staff costs.

Quarterly Returns to Area Office

- 3. There is a requirement that Branch Clubs make a financial return following the end of each quarter year to their Area Office. The purpose of the return is to enable Area Councils to meet their responsibilities in regard to the supervision of the activities within the Area. The returns provide a very useful way of analysing trends and identifying problems at an early stage with the aim of providing constructive support to Branch Clubs. This support is normally provided by the Association's Clubs Adviser who is located at HQ and is available for information and guidance on any club matter.

Branch Club Annual Accounts

- 4. Branch Clubs are required to produce audited annual accounts which have to be approved by the members at the Club's Annual General Meeting. A copy of the accounts is then included with the Branch Accounts when forwarded to the Area Office. The Branch Club annual accounts provide an important way of measuring the financial state of the Branch Club and should be carefully studied by the Committee. It can be helpful to have a historical analysis of the key figures from the accounts over recent years as this should highlight adverse trends in, for example, turnover or expenditure.
- 5. An example Branch Club Balance Sheet and Income and Expenditure Account is at Annex A.

Branch Club Treasurer

- 6. The general responsibilities of the Branch Club Treasurer are set out in the Standard Branch Regulations BR 10 (10). It is helpful if some of these responsibilities can be dealt with by an Assistant Treasurer.
- 7. Attention is drawn in particular to the paragraphs on the use of a Cash Book, on bank reconciliation statements, on the Balance Sheet, on the Income and Expenditure Account and on end of year adjustments and depreciation. The Branch Club Treasurer will, however, need to maintain additional accounts analysing takings in the bar on each day of trading and the purchases, sales and value of bar stocks. The analysis of takings in the bar should be straightforward but it is important to cover all elements of takings: e.g. gaming machines, billiards and cigarette machine revenue should all be included as well as normal bar sales. Recording of stock movements and values requires a detailed monthly analysis of stock purchases, sales and stock values and gross profit margin. Your stock taker will provide this. If the actual margin differs significantly from the planned margin this will require investigation to establish the reason for the variation.
- 8. Computerised accounting has increasingly become a practical and cost effective option for Branch Clubs. A number of software packages are now available to help both with the preparation of accounts and with financial management.

Bank Accounts

- 9. Standard Club Rules require that a Branch Club bank account is maintained in the name of the Branch Club. There should be two signatories on cheques one of which will normally be the Treasurer. The Committee needs to decide on the authorised signatories and to require that monies are banked without delay.

Investments

- 10. Surplus Branch Club funds should not be left in a current account but placed on deposit. Interest on deposit accounts is liable to tax. To limit tax liability, the Committee could lend surplus monies, recoverable on demand, to the Branch. It should be noted, however, that any interest can only accrue to the Branch and cannot be returned to the Branch Club. Any such loan from a Branch Club to Branch should be recorded in the Committee minutes and must be shown in both the Branch and Branch Club annual accounts.

Fair Rent Scheme

- 11. Where a Branch Club uses premises owned by the Branch or the Association then the Branch or the Association is required to

lease the premises to the Branch Club at a rental determined under the provisions of the Association's "Fair Rent" scheme. This scheme, which has been accepted by the Charity Commission, meets the requirement that the charitable property assets of the Branch provide an appropriate financial return when used for non-charitable purposes. Details of the scheme can be obtained from Area Office.

Fidelity Bonds

12. In order to protect the Branch Club from financial loss, the Committee should require either a cash deposit from or a fidelity bond insurance in respect of an appointed Steward. Where the fidelity bond is in the form of a cash deposit the monies should be placed in a separate, interest bearing bank account. The interest will be liable to income tax.
13. Fidelity bond insurance is an alternative measure to protect the Branch Club. The Association's brokers can provide competitive quotations for this. It should be noted that such insurance may be subject to specific conditions including obtaining and checking references for employees and establishing procedures for cash handling/checking and stocktaking and audit. Failure to meet the conditions could invalidate the insurance. The Committee should also consider extending the cover to include the Treasurer and/or other Members of the Committee with responsibilities as regards handling monies. Losses due to theft or fraud do occur but the temptation and opportunities can be reduced by an alert Committee which monitors the financial situation of the Branch Club closely and investigates swiftly any variations from normal income and expenditure and any unexplained changes in normal bar operation and practice.

Loans and Grants

14. Because the Branch Club is non-charitable neither the Association nor the Branch can loan or grant monies to the Branch Club. The Association has the power to loan or grant monies to the Branch in respect of the Branch premises but any such loan or grant would be restricted to essential repairs and alterations to the property to protect its value as a charitable asset or to comply with statutory requirements. If the Branch Club requires additional finance it will normally have to seek such finance either as a bank overdraft or a loan from a Brewer, if necessary using the lease as security. The Committee needs to give careful thought to any borrowing and be confident that the repayments can realistically be achieved. Where monies are borrowed from a Brewer the "small print" of the agreement should be examined very carefully as failure to meet certain conditions - for example quantity of beer ordered - can result in financial penalties.

Tax

15. Aspects of tax that will be of concern to Committees are:
 - (a) Pay As You Earn (PAYE) Income Tax and National Insurance. Branch Clubs employing full or part-time staff are required to deduct income tax from staff wages and to pay National Insurance in respect of the staff. It is also necessary to keep records of payments to casual workers and to deduct tax in respect of those payments.
 - (b) Tax on Branch Club Surplus and Income. Clubs have to pay Corporation Tax on their taxable income and chargeable gains which are called "profits". HMRC may treat some clubs and unincorporated organisations with very small tax liabilities, (collectively known to HMRC as 'small clubs'), as dormant for Corporation Tax purposes.
 - (c) To qualify, both of the following must apply:
 - i. your organisation's annual Corporation Tax liability must not be expected to exceed £100
 - ii. you run your club or organisation exclusively for the benefit of its members
 - (d) If both these statements apply, HMRC will not send you a 'Notice to deliver a Company Tax Return' and will treat your organisation as dormant. They will review this at least every five years.
 - (e) If a demand for such tax is received it is recommended that Branch Clubs seek advice from their accountants or from their local Corporation Tax Office. (Please note: Corporation Tax Offices can only deal with enquiries relating to Corporation Tax).
 - (f) (c) Value Added Tax. Businesses with an annual turnover over a certain amount are required to register with HMRC for VAT. The qualifying amount is varied in each Budget. Branch Clubs should check with their local HMRC Office as to the current registration requirements. It is important that proper records and accounts of all inputs and outputs are maintained and that returns to HMRC are regularly submitted. The subject can be complicated and it is recommended that a Branch Club liable to VAT should seek advice either from its accountants or from the HMRC VAT Helpline 0845 010 9000.
 - (g) (d) Council Tax. Council tax will be due on any residential part of a Branch Club such as the Steward's flat. Depending on the contract with the Steward it will normally be the responsibility of the Steward to pay this tax. In some cases, where the Branch club had previously paid the Domestic Rates for the accommodation, it may have been appropriate to have enhanced the Steward's salary to replace the benefit.

Uniform Business Rate

16. Non-residential property owned by Association Branches will be subject to Uniform Business Rate. The local authority will normally seek the Uniform Business Rate from the Branch as the owner of the property. Circumstances vary between local authorities but, because the Branch is charitable, the property could be given an 80% rate relief. Application may be made to the local authority for the additional 20% relief. The decision on whether or not to award rate relief lies with the local authority and may depend on the Authority's view as to the use of the premises for charitable purposes. If difficulties arise the matter should be referred to Area Office for advice.

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Notes

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