

# **BRETFORTON COMMUNITY SOCIAL CLUB**

## **RULES**

### **1. Name:**

The Co-operative Society (hereinafter called the 'Club') shall be named the Bretforton Community Social Club Limited.

### **2. Objects:**

- To carry out the business of a bona-fide Member's Club within the remit of the Co-operative & Community Benefit Societies Act 2014 (2014 Act), providing the means of social activity, mutual helpfulness, recreation and other advantages of club membership.
- To assist in organising fund raising and charitable activities for the community that is known as Bretforton village.
- To support and assist the Bretforton Royal British Legion Branch in its aims, with the exception of providing any financial support.

### **3. Office**

The Registered Office shall be at 60 Main Street, Bretforton, Evesham, Worcestershire, WR11 7JH. (Notice of any change in the situation of the registered office shall be sent within fourteen days thereafter to the Financial Conduct Authority (FCA) by the Secretary in the manner and form provided by statutory regulation.)

### **4. Seal of the Club**

The Club shall have its name engraved in legible characters upon a Seal. The Seal shall be in the custody of the Secretary or such officer as the Committee appoint and may only be used under the authority of the Committee.

### **5. Rules**

- The Secretary shall be supplied by the Committee with copies of the registered rules.
- An annotated PDF copy of the Club rules will be issued to all members on their full election.
- An annotated PDF copy of the Club rules will be issued to any person upon request, together with any copies of registered partial amendments and any Club bye-laws for a payment not exceeding £1.
- No amendment of these rules is valid until registered by the Financial Conduct Authority (FCA).
- Notice of any proposed amendment is to be posted prominently in the Club for a minimum of fourteen days previous to the meeting to which the amendment is to be submitted and any amendment shall require the assent of at least 66% of the members present and voting at such a meeting.

## **6. Bye-Laws**

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

## **7. Eligibility for Membership**

- All members of the Club shall be at least 18 years of age.
- Membership is to be singular and open to any person. Any person requesting Club membership is to be proposed and seconded by paid-up present members and such a proposal placed on the Club notice board by the Club Secretary within 14 days of the proceeding Committee meeting. Their application is to be discussed and accepted or declined by full Committee.
- A person is deemed not applicable for membership if their name has been circulated to the Club Secretary in relation to any offence or banning order that negates their purchase of alcohol in the area covered by the local District Council.

## **8. Application for Members & Associates**

- Applications for membership shall be made to the Club Secretary on the appropriate Club documentation.
- Applicants must sign the appropriate Club documentation to receive one share and provide a deposit of £1 which will be returned in the event of non-acceptance as a member.
- Each member equates to one share which in turn is one vote at any member's meetings where votes are taken. The Secretary is to keep a register of all up to date members and associated shares.
- Any family or dual member who wishes to take their own share and vote on Club matters thereafter has to apply to the Club Secretary for single membership in the manner noted.
- Applicants must provide their name, address and contact details on the appropriate Club documentation, signed by a proposer and seconder, who must each be a paid-up member of the Club.
- Notice of applications shall be posted in the Club for at least two days prior to the proposed member(s) names being considered by the Committee.
- The Committee has the sole authority to admit or refuse applicants.
- The decision of the Committee shall be final.
- The reasoning for refusal shall not be conveyed to the applicant.
- Upon admission the new member shall purchase a share valued at £1.
- Upon admission the new member shall receive a copy of the Club registered rules and bye-laws.
- Upon admission the new member shall pay the current joining fee and Club subscription or part thereof.
- Upon admission the new member will be registered on the Club register of members.
- Applications as a Club associate shall be made in writing to the Secretary.

- The names of applications for a Club associate shall be posted in the Club for at least two days before any associate membership becomes valid.
- The Committee may authorise the admission of a Club associate from a date being two clear days before association becomes valid.
- Payment of a subscription is required as directed by the Committee.
- Club associates shall use the facility in the same manner as a paid-up member, except they may not attend any member's meeting, vote on any resolution or hold shares of the Club.

## **9. Shares**

- Shares shall not be withdrawable or transferable.
- Shares shall be of the value of £1.
- No member shall hold more than one share.
- A family or dual membership equates to one voting share.
- No interest or dividend shall be paid on a share at any time.
- Any lapsed member shall forfeit their share value of £1.
- The Secretary is to keep an up to date list of the shareholders/members.
- Any share held by members prior to the registration of these rules shall remain as one valid share irrespective of price paid.

## **10. Subscriptions and Joining Fees**

- All members shall pay an initial joining fee together with a subscription as may be determined by the Committee and ratified by the members at the Annual General Meeting.
- Club Associates shall pay a joining fee and subscription as determined by the Committee.
- Subscriptions are due annually on 1<sup>st</sup> October
- Pro-rata part year subscriptions due are at the discretion of the Committee on individual cases.
- Any member who has not paid the subscription within 8 weeks of 1<sup>st</sup> October is considered 'in arrears'. The Secretary shall post a list of members in arrears on December 1<sup>st</sup> on the Club notice board. No member in arrears is permitted to use the Club or take part in its affairs.
- Any member whose subscription is not paid by December 31<sup>st</sup> shall be lapsed and cease to be a member. The Secretary shall post a list of lapsed members on January 1<sup>st</sup> on the Club notice board.
- The Committee, on receipt of notice in writing addressed to the Secretary may use its discretion to excuse payment of a member's subscription for a period of not more than one financial year.

## **11. Register of Members**

- The Club shall keep at its registered office a register in which the following particulars are kept.
- Name, address and a contact point (telephone/e-mail) of all members.
- A number of the share held by each member or lead member of dual/family members.
- A date at which each person was entered on the register as a member and the date at which any person ceased to be a member.

- The names and addresses of the Officers and Committee of the Club, with the offices held, and the date on which they assumed office.
- Any member who changes their particulars must notify the Secretary of such change within fourteen days thereafter.

## **12. Cessation of Membership**

- A member shall cease to be a member upon: -
- Non payment of subscription
- By expulsion
- By resignation in writing and subsequent acceptance by the Committee
- Upon death

## **13. Admission of Non-Members to the Club**

- In addition to members, the following may be admitted to the Club premises at the discretion of the Committee. Persons under the age of 18 shall not be sold or allowed to consume intoxicants on the Club premises, are subject to any relevant legislation and are under supervision of a person satisfying this condition.
- A member of a team attending the Club in connection with a sports or other contest is a Club Associate. They will be required to sign the guest book.
- A person specifically invited by the Committee is a Club Associate.
- A person engaged by the Club for a social event may become a Club Associate for the period of such attendance.
- Persons may only be admitted as Club Associates for a period or periods which do not exceed 30 days in a calendar year.
- Apart from a person attending in connection with a sports event or engaged at a social event any Club Associate will be subject to a 2 days' period between their nomination and admission to the Club. A list of the names of the Club Associate shall be posted on the Club notice board and their personal particulars held at the Club's registered office. The names shall be posted during the whole period of association.
- The total of Club Associates shall not exceed 10% of the total Club membership.
- Club Associates shall have the same rights and privileges of affiliated Club visitors and are subject to the same rules and bye-laws.
- Any employee of the Club may be a Club Associate for the period of their employment. They may not hold office or be a member of the Committee and may not vote at any meeting or hold a share in the Club.
- Any member or Club Associate may be accompanied by their spouse or partner and children under the age of 18 under the guise of dual/family membership.
- In addition, any member or Club Associate may introduce a maximum of four guests at any one time once in any calendar month. The member shall sponsor the guests and enter their names and addresses in the guest book held on the premises.

- Members are responsible for their guests' behaviour and are subject to disciplinary procedures should their guests misbehave.
- Members must be present throughout the period their guests are in using the Club.
- Persons attending functions organised by the Committee, or by a member and approved by the Committee may be admitted subject to the 2005 Licensing Act and any subsequent legislation or restrictions related to the Club's liquor licence and restrictions related to the Club's rules.
- Sporting teams and their officials and supporters engaged in sporting fixtures in which a representative team is participating.
- Occasions of a member's personal or family nature, not organised for profit. Any event organised is subject to guest list provided to Club Secretary 48 hours prior to the event. The Committee has a right to refuse access to persons they consider unfit to use the facility without reason given.
- Up to 12 other functions organised by the Club Committee to further the objects of the Club in rule 1. The Committee or their agents appointed has the right to refuse access to persons they consider unfit to use the facility without reason given.

#### **14. Hours of Trade**

- The Club shall be opened and closed at such hours at the discretion of the Committee and posted prominently in the Club facility. The Committee may vary these times within the strictures of any licence conditions the Club has.

#### **15. Permitted Hours**

- The permitted hours for the supply of intoxicants shall be in accordance with the times permitted on the Club Premises Certificate as determined by the 2005 Licensing Act. Any variances outside the hours laid down, will require administration as determined by the local district council.
- Within the permitted hours, the Club Committee may determine the times for sales of intoxicants and this information shall be incorporated in a bye-law to be displayed on the Club notice board.
- Changes to the bar opening hours may be made by the Club Committee within the permitted hours.
- The Club Premises Certificate determines the times the Club may be open for trade, separate to the permitted hours to the supply of intoxicants. The Club Committee is entitled to operate the business within those times and within the conditions of entry laid down in rule 13.

#### **16. General Meetings**

- **Ordinary General Meetings (OGM)** shall be held as directed by the Committee. The agenda for the meeting shall be posted prominently on the Club premises for at least 14 days prior to the meeting. Notice is to be given by advertisement in a local newspaper at least 14 days prior to the meeting. Notice of a motion submitted in writing by any member at least 7 days before the date of such meeting shall be added to the agenda by the Secretary. No matters other than those which appear on the agenda shall be discussed at the OGM.
- **Annual General Meeting (AGM)** shall be held in the month of December on a date to be fixed by the Committee. The date and time of the meeting together with an agenda of business to be

conducted and a copy of the annual accounts shall be posted prominently in the Club by the Secretary for at least 14 days prior to the date of the meeting. Notice shall also be advertised in a local newspaper at least 14 days prior to the meeting. The business of the meeting shall be to receive a report by the Committee for the previous financial year, to receive a statement of accounts, balance sheet and financial report for that period, to appoint the auditor where appropriate together with Club arbitrators, officers and committee and such other business as may be included on the agenda. Notice of a relevant motion in writing submitted by any member at least 7 days before the date of such meeting shall be added to the agenda by the Secretary.

- **Special General Meeting:** (SGM) shall be called by the Secretary in the following circumstances: -
- Upon direction of the Committee
- On a requisition signed by 20% of the paid up members (shares) or thirty paid-up members, whichever is the least, stating the reasoning of the requisition. Any requisition must include the printed name and signature of the member. Any meeting shall be held not less than 14 days and not more than 21 days from the date of receipt by the Secretary of this requisition.
- Under removal from office stated in rule 20.
- Notice of any SGM and the objects for which it is called shall be posted prominently in the Club by the Secretary for at 14 days prior to the date of the meeting. Notice shall also be given in a local newspaper at least fourteen days prior to the meeting.
- Should the Secretary not give notice in the manner laid down following receipt of a requisition within 7 days, any of those signing the requisition may call such a meeting, giving notice as detailed in this rule.
- No business other than that named in the notice shall be brought before an SGM.
- **Quorum:** An OGM, AGM, SGM may proceed to business if 20 paid-up members (shares) or 5% of the total paid-up members (shares), whichever is greater, are present within 1 hour after the time fixed for the meeting. If an SGM under requisition of the membership is not quorate, the meeting is dissolved. If an SGM, OGM, or AGM convened by the Committee is not quorate, the meeting shall be adjourned to the following week at the same time. The meeting will proceed to business regardless of number of members present.
- **Presiding Officer:** The President, Chairman or Vice-Chairman or in the absence of all three, a Club arbitrator shall preside at all General meetings. In the absence of an arbitrator, a member elected by the meeting shall take the Chair.
- **Voting:** All paid-up members who hold a Club shares (a family membership equates to one share) may attend and speak at any General Meeting. All paid-up members, as defined above, are entitled to vote on any resolution. Voting is by simple majority. In the event of a tied vote the motion is deemed as lost.
- **Adjournment:** Any General meeting may adjourn as the members present direct and re-convene at an announced time as determined by the Secretary. No business at an adjourned meeting may be transacted other than that on the previous agenda.
- **Resolution:** No resolution passed at a General meeting shall be rescinded except by another General meeting called in accordance with these rules.

## **17. Officers & Honorary Posts**

- The Club officers shall consist of a President, Chair and vice-Chair. These posts are elected annually by fully paid-up members attending the Club's Annual General Meeting. The noted officers must have been members of the Club for at least one full year and not be in arrears with their subscription.
- The Secretary and Treasurer shall be appointed by Committee. The post holders are to be members of the Club. The post holders hold voting rights at General meetings. The post holders are required, where necessary, to give notice of their willingness to be appointed annually. Upon resignation the Committee are to re-appoint post holders.
- Any elected officer shall vacate office upon removal under rule 20, upon ceasing to be a member, under suspension, upon acceptance of resignation by the Committee or upon death.
- In the event of a vacancy arising amongst elected officers the Committee shall have the power to appoint an eligible member to fill any vacancy until the next ballot.
- Only the Secretary and Treasurer may receive an Honorarium. Any sums payable are to be proposed by the Committee and voted on by the paid-up members at a General Meeting and are set annually. The Secretary and Treasurer and any other Committee member are entitled to submit receipts for out of pocket expenses to assist the good running of the Club. Their management are subject to Committee approval. Any sums awarded are subject to Inland Revenue declarations and it is the responsibility of the recipient to declare any award. The Club is not responsible for personal taxes due on Honorariums paid.
- The President or Club arbitrator is to preside at General meetings where it is inappropriate for the Chair to do so. This matter relates to any conflict of interest the Chair (or President) may have. The President or Club arbitrator will not normally participate in the day-to-day management of the Club.
- Other than the note regarding being inappropriate, the Chair shall preside at all General meetings of the members and committee meetings and will have overall responsibility for the Club's affairs as directed by the Committee.
- The vice-Chair shall deputise for the Chair as necessary.
- The Treasurer is responsible for paying into the Club's bank all monies received by the Club from all sources, without any deduction for any purposes. The Treasurer shall keep accounts of monies paid into the bank and records of any debits and debts payable. The Treasurer is to be directed by the Committee as to what debts are to be paid and must give details to the monthly Committee meetings of monies received and spent on behalf of the Club. The Treasurer will attend all General meetings and committee and sub-committee meetings as directed by the Committee. The Treasurer shall have no voting rights at any Committee meetings.
- The Secretary shall keep within the Club, an up to date register of members, subscriptions paid (and particulars) and associated voting shares. The Secretary shall carry out actions as directed by the Committee and with the Treasurer keeps any financial accounts up to date as the Committee may direct. The Secretary shall keep up to date minutes and relevant ledgers as required by law of the Club and attend all General meetings and committee and sub-committee meetings as directed by Committee. The Secretary and Treasurer are to ensure the Club's legal obligations are

met in relation to preparing Club accounts, submission of annual returns and any other legislative requirement relating to the good management of the Club.

#### **18. The Committee**

- The Committee shall be elected annually by paid-up members attending the Club's Annual General Meeting and shall consist of the President, Chair, Vice-Chair and a minimum of 4 and a maximum of 9 other members. The Secretary and Treasurer are excluded from the figures.
- The Committee shall have exclusive powers to appoint, dismiss and enter into a contract of employment and fix the remuneration of employees. With the exception of the Secretary and Treasurer, as honorariums, any remunerated employees and their spouse and immediate family may not be members of the Club. Employees are deemed to be Club associates.
- The Committee shall be responsible for the management of the Club having regard to these rules and any resolution agreed by the members at a General meeting called under rule 16.
- The Committee or officers authorised by them shall have the power to give orders for goods to be supplied (including staff) and work to be done as may be necessary for carrying out the purposes of the Club. Nothing in this rule empowers the Club Committee or personnel delegated to incur expenditure other than that which is consistent with the purposes for which the Club is established.
- No member of the Club or appointed personnel has authority to order goods or dispose of the property of the Club.
- Unless authorised by General meeting a member of the Committee may not supply goods to the Club for payment or enter into a contract for work to be done by the Club or hold any position of salary or profit paid by the Club. This rule applies to spouse and immediate family of Committee personnel.
- The Committee shall meet at least once a month for general business. The Club Chair, or in absentia vice-Chair, or thereafter a person elected by Committee members present shall take the Chair at Committee meetings.
- The quorum of the Committee shall be 33% of the total membership of Committee. A Committee meeting cannot carry out business without the noted quoracy.
- Each member of Committee shall have one vote. The Secretary and Treasurer do not vote. The meeting Chair is entitled to vote. Voting is by simple majority. In the event of a tied vote, the Chair is not entitled to a casting vote and the motion shall be deemed lost.
- No resolution of the Committee can be rescinded unless notice to rescind has been given at the previous meeting and all members of the Committee informed accordingly.
- Minutes of all meetings shall be taken by the Secretary (or in absentia a member appointed by Committee) in the Club minute book. The minutes of meetings shall be retained forever.
- Committee members vacate office upon removal from rule 20, upon cessation of membership, under suspension, upon resignation received in writing by the Secretary and authorised by the Committee, or upon death. Verbal resignation to the Club Committee at a general Committee meeting is not an accepted method.



- In the event of vacancy arising amongst the Committee, the Committee shall have the power to appoint an eligible member to fill the vacancy until the next ballot for Committee.
- The Committee may appoint sub-Committees as required and such sub-Committees shall be responsible to the Committee.
- The Committee, following any election, shall appoint a sub-Committee, to be known as the Finance sub-committee. It shall consist of three Committee persons who are not officers. The Secretary and Treasurer are to attend to provide matters of fact to the appointees and shall have no voting rights. Other officers may attend at the discretion of the finance sub-Committee, but may not vote or influence any voting.
- The Finance sub-Committee is required, but not exhaustively, to monitor the performance of the Club against any budget projections, arrange for external stock audits to occur at least quarterly and to convey results to interested parties (Steward and related personnel as well as full Committee), check all demands for payment within the order book of the Club, to ensure payment for goods received are made in good time, to check the Treasurer and Secretary's cash records are correct, up to date and correctly reconciled and to give up to date records of the Club's finances to the Committee.
- The proceedings of the Finance sub-committee shall be recorded by the Club Secretary in a minute book.
- All cheques drawn on behalf of the Club and authorisation for electronic payments shall be signed by at least one officer and a member of the Finance sub-committee. The Secretary is to hold records of all Club signatories.
- All officers, Committee members and employees of the Club, whose duties may involve handling Club money or stock must be insured under a policy which protects the Club from dishonesty and fraud. The premium shall be paid by the Club.

## **19. Conduct of Elections**

- The election for officers shall be followed by that for Committee and both, where necessary, shall be ballot. A paid-up member may be nominated for more than one position, but may not hold more than one position. Each paid-up member who holds one share shall have a vote for each vacancy at the AGM. The appointment of Club arbitrators shall also take place at the AGM.
- Ballots shall be held at the Annual General Meeting.
- Ballots shall be carried out under the directions of the Committee by three scrutinizers appointed by the AGM. Scrutinizers shall not be candidates, committee members or voting members. They must therefore be persons who have no interest in proceedings.
- At the conclusion and result of the ballot announced the scrutinizers shall seal the ballot papers and these shall be retained by the Secretary for 7 days. A scrutiny may take place if a written demand is presented to the Secretary within 7 days of the close of the ballot. The written demand must be signed by 10% of the paid-up membership. A scrutiny shall be carried out by three different scrutinizers appointed by the outgoing Committee. The scrutiny and result shall be final.
- Any member (or lead member) on completion of 6 month's membership may be eligible for election to the Club Committee. Any person wishing to stand as an officer of the Club must have

been a Club member for 2 continuous years and served on the Club Committee for at least 6 months. Nominees must be proposed and seconded by a paid-up member (or lead member) who has been a Club member for at least 6 months.

- At least 21 days before the fixed date of a ballot (or AGM) a nomination sheet shall be posted on the notice board by the Club Secretary. All names of candidates and the nominators are to be recorded in addition to the position the candidates wish to stand for. Nominations are to remain open until 24 hours prior to the ballot.
- Results of the ballot are to be announced at the AGM and posted on the notice board, attested by the signatures of the scrutiners. This shall include the number of votes polled by each candidate and note which candidates are elected. Candidates with the highest number of votes are elected.
- If a member is elected to more than one position, the member may choose which position he wishes to hold, the other position filled by the member receiving the second highest number of votes.
- If a ballot results in two or more candidates receiving equal votes, the names of those candidates shall be placed in a sealed container and the President or a Club scrutiner shall draw names as required to fill the vacant posts. Those persons drawn shall be elected.

## **20. Removal from Office**

- The Committee or any member of Committee or any elected officer (Secretary/Treasurer) may be removed by the votes of 66% of voting members present and voting at an SGM called for that purpose. In the event of the removal or resignation of the whole or part of the Committee, the Secretary shall obtain nominations and appoint scrutiners and arrange for the holding of a ballot to elect a functioning Club Committee. The result shall be declared to a further SGM to be called by the Secretary. The requirements of rule 16 shall not apply. Instead, 3 days will be allowed for nominations, the ballot shall be held within 3 days of close of nominations at the SGM and results announced thereafter.

## **21. Misconduct of Members**

- No gaming (other than that permitted by law), drunkenness, prohibited substances, bad language or other misconduct shall be permitted on the Club premises. Any officer or member or member of staff authorised by the Committee shall have the power to order immediate withdrawal from the premises any member or guest offending under provision of this rule and will be dealt with under rule 22. A guest, 'signed in', is deemed to be a temporary member of the Club and subject to the same benefits as a Club member. The sponsoring Club member is responsible for a guest's action and may be subject to disciplinary powers related to guest misbehaviour.
- No member is to bring the Club into disrepute or cause reputational damage of the Club by either expressing their opinion externally by means of social media or as a result of their actions external to the Club. Any person deemed to have contravened this rule will be dealt with under rule 22.
- Any member whose actions fall under the remit of this rule shall have no right of entry to the Club or benefits of membership until requested to attend the next meeting of the Committee.

## **22. Disciplinary Powers of the Committee**

- The Committee shall have the power to reprimand, suspend (for a time period greater than 3 months) or expel any member who infringes any rule or whose conduct as noted but not exclusively in rule 21, whether within or without the Club premises. The Committee has this opinion under the remit of bringing the Club name into discredit and therefore render the member unfit for membership of the Club.
- No member shall be suspended or expelled without being given an opportunity to be heard by the Committee and to advance a defence. 66% of the Committee members are required to be present to hear any defence. As such receipt is expected within one day of dispatch.
- Any member required to appear before the Committee under this rule shall receive 7 days' notice in writing from the Secretary of date to appear. The appearance must be within 28 days of any alleged offence. Written notice is to be sent by 1<sup>st</sup> class post. As such, receipt is expected within one day of dispatch.
- The decision of Committee shall be notified by the Secretary in writing within 7 days.
- Any member suspended shall remain liable to pay the Club subscription, but cannot take part in any Club activities.
- The Club Secretary shall invalidate any Club membership as necessary and hold any related records.

## **23. Appeals**

- The decision of the Committee is final, unless within 28 days of receipt of the decision of the Committee, the member lodges an appeal to the Secretary.
- A member subjected to disciplinary action shall have the right to appeal only to the Club arbitrators. The appeal proceedings are to occur within 28 days of the receipt of notice of an appeal by the Secretary.
- Arbitrators are to be persons who are not Club members and are considered to have no interest in the Club. Where possible 3 arbitrators should be appointed. One arbitrator may hear an appeal.
- Arbitrators must be aware of Club rules any disciplinary appeal proceedings.
- Application for arbitrators must be supported by a fee of £100 which is non-refundable and applied to cover the costs incurred by arbitrators.
- The result of arbitration shall be final.

## **24. Disputes**

- If a dispute is between a member and Club officer, the matter will be settled by the Committee. The decision of the Committee shall be final unless any party aggrieved shall, within 7 days produce a requisition satisfying the conditions mentioned in rule 16, whereupon the decision shall be reviewed by an SGM.
- If a dispute is between a member and the Club the matter will be referred to Club arbitrators with the same procedure as rule 23. Their decision is final.

## **25. Inspection of Records by Members**

- Any paid up member (or lead member) has an interest in the Club funds and may, having given 7 days' notice in writing inspect the record of account and records containing the member's register. It shall be the duty of the Secretary to produce such records. Inspection of any loans secured against member assets may be carried out by an officer of the Club or person authorised by a resolution of the Committee.
- A member, may, at the discretion of the Committee, on giving 7 days' notice, inspect the minutes of the Committee or any sub-Committee. Minutes of General Meetings will be available for reference by a member on giving 7 days' notice to the Secretary. However, the minutes are not considered a true record of proceedings until accepted at a subsequent General Meeting.

## **26. Annual Returns**

- Every year, within the time period provide by statute, the Secretary or an external auditor if appointed by the Committee shall provide an annual return and other required documentation to the Financial Conduct Authority (FCA) as required by the 2014 Co-operative & Community Benefit Societies Act.

## **27. Surplus**

- An AGM may resolve to apply the whole or any part of the surplus in the following ways: -
- Providing for redemption of loan capital
- Promoting mutual activities and united action between members
- To support the objects of rule 2.

## **28. Application of Funds**

- No profits or funds of the Club shall be distributed amongst the members other than in pursuance of rule 27.

## **29. Investments**

- The Committee is entitled to invest the funds of the Club in or upon any security.

## **30. Loans & Loan Stock**

- The Committee may obtain advances of money for the purposes of the Club from members or other organisations. The total amount obtained shall not exceed £50,000.
- The Committee may take loans on terms as to the rate and manner of repayment as it thinks fit with the exception that the rate of interest shall not exceed 5% or the base rate of interest plus 2%, whichever is lowest.
- An exception to the interest rate is money borrowed by means of overdraft or as a mortgage on the Club's premises.
- Loan stock for sums of £1 or multiples thereof may be issued by the Committee to members and are subject to certificates being signed by two members of the Committee and the Secretary, stating the amount of loan stock credited and the interest payable and related to the rates noted

above. The document shall be stamped with the Club seal. The Secretary shall keep a register of loan stock and any particulars relating to repayments, sums accrued, repayment dates and related matters.

- A certificate of loan stock may be transferred to another member by a form containing such particulars as the Committee direct. A register of all transfers is to kept by the Secretary containing such particulars as the Committee direct. Any transfer documents will be signed by two Committee persons, the Secretary and the stamped with the Club seal.
- If a loan stock holder receives notice of repayment from the Club Secretary and leaves the sum payable, plus any interest accrued in the hands of the Club and does not redeem, the stock holder will not be entitled to any interest on sums loaned after the due repayment date. The Club Secretary is to arrange for any repayment to be made within 90 days of the loan stock expiry date.

### **31. Audit Requirements**

- An audit shall be carried out of the Club's accounts and balance sheet for that year as required by law or by the membership. The audit shall be carried out by a registered auditor or two or more lay auditors where appropriate under the Co-operative and Community Benefits Societies Act 2014.
- If appointed, the auditor, in accordance with Co-operative & Community Benefits Societies Act 2014 will make a report to the Club on the accounts examined, the revenue account and the balance sheet of the Club for the year which has been audited.
- The Club shall keep a copy of the last balance sheet together with any auditor's report at the registered office.

### **32. Nominations and Proceedings on Death or Bankruptcy**

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

### **33. Statutory Application to the Registrar**

- The requisite number of members as laid down in these rules and, in accordance with the Co-operative & Community Benefits Societies Act 2014 may apply to the registrar.
- For the appointment of an accountant or auditor to inspect the books of the Club and report thereon.
- For the appointment of an inspector to examine into the affairs of the Club and report thereon.
- For the calling of an SGM of the Club.

### **34. Dissolution**

- The Club may at any time be dissolved by the consent of 75% of the members, testified by their signatures to an Instrument of Dissolution in the form provided by the “Act” in that behalf, or winding up in a manner provided for by the Act.
- Any funds held by the Club following dissolution and liquidation of assets will be shared in a manner agreed by the members to local community activities or charities within the parish of Bretforton providing those bodies are either registered charities or activities registered with the local district or parish council. The only exception to that note is that the Royal British Legion, either locally or nationally, is not to be a beneficiary of this rule should it be activated.

### **35. Interpretation**

- Words importing the singular or plural shall include the plural and singular respectively.
- Words importing gender shall include male or female persona.
- ‘The Act’ shall mean the Co-operative & Community Benefits Societies Act 2014 or any Act or Acts amending or substituting for the same.
- ‘Records’ shall mean books or any computer data held.
- ‘Local newspaper’ shall mean a newspaper circulating in or about the locality in which the Club’s registered office is situated.

Signatures appended to rules for Bretforton Community Social Club

Submission to FCA, dated 20<sup>th</sup> February 2016-

Secretary: Edward Philip Stanley Signed E Stanley

Treasurer: William John Keyte Signed W. J. Keyte

Chairman: Ashley Bevington Signed A. S. Bevington

Committee: Anthony Jack Shilham Signed A. J. Shilham

## BYELAW

By adopting a motion passed by the members voting at the Bretforton Community Social Club Annual General Meeting held 12<sup>th</sup> December 2021 & for the good order and management of the club applications for associate or family membership will no longer be accepted under the rule that the committee has the sole authority on membership.

*This byelaw was adopted at the management committee meeting held Sunday 5<sup>th</sup> November 2023.*

*W. J. Keyte, secretary*