

WESTBURY LABOUR CLUB & INSTITUTE LIMITED Reg.No: 9774
- THE CLUB RULES -
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1. Interpretation & Scope

- a) In these rules, unless the contrary intention appears, words denoting the masculine gender shall be deemed to include the feminine.
- b) These rules supercede all previously issued rules and therefore and thereafter are to be known as 'The Club Rules' .
- c) These Rules can be supplemented but not contradicted by appropriate Bye-Laws see Rule 14.2
- d) The Club Rules are to be adhered to by all Members and where relevant all Guests Employees and Visitors to the Clubs premises.
- e) Any reference to the Chief Registrar, Registrar, Central Office, Assistant Registrar (for Scotland) or the Registry of Friendly Societies includes reference to the statutory successor carrying out the function of any of them.

2. Names and Objects

The society (hereinafter called "The Club") shall be called the Westbury Labour Club and Institute Limited commonly known as the Westbury Labour Club and The Paragon Hall. Its objects are to carry on the business of a club by providing for the use of its members, the means of social intercourse, mutual helpfulness, mental and moral improvement, rational recreation, supporting the local community, to sustain its own future and the other advantages of a club.

3. Registered Office.

It's registered office shall be at Haynes Road, Westbury, Wiltshire, BA13 3HA. Notice of any change in the situation of the registered office shall be sent by the Secretary within 14 days thereafter to the Financial Services Authority or it's successors in manner and form provided by the Statute.

4. Use of name.

The name of the Club shall be kept signposted, painted or affixed on the outside of every office or place in which the business of the club is carried on, in a conspicuous position, in letters easily legible, and shall be engraved in legible characters in all business letters, notices and advertisements, and other official publications of the club and in all bills of exchange, promissory notes, endorsements, cheques and orders for money or goods purporting to be signed by or on behalf of the club, and in all bills, invoices, receipts and letters of credit of the club.

5. Powers.

The Club shall have full power to do all things necessary or expedient for the accomplishment of all objects specified in its rules, including the power to borrow, purchase, hold, sell, mortgage, rent, lease or sub-lease, lands of any tenure, and to erect, lease, sub-lease, pull down, repair, alter, or otherwise deal with any building thereon.

6. Shares.

Shares shall not be withdrawn or transferable and shall be of the value of 30p or at a revised value passed by the AGM. All shares regardless of when purchased or at what cost are considered to be equal. No member shall hold more than one share and no interest or dividend shall be paid upon it. A member shall forfeit his share on ceasing for whatever cause, to be a member.

7. Admission of Members

- a) Any two members of not less than six months standing may propose and second a candidate for membership provided they are able from personal knowledge to vouch for his respectability and fitness to be a member and both shall sign a nomination form to this effect. The candidate shall deposit the full amount payable for one share and the current year's subscription. Such sums deposited shall be returned in the event of non-acceptance as a member. The candidate shall sign such (if any) declaration of his concurrence with, and adherence to, the purposes of the Club as shall be required by the committee. The election shall be by the committee, and the candidate and his proposer and / or seconder shall appear, if required, in person before the committee. No candidate shall be elected who is less than 18 years of age. The name and address of the candidate, with the names of his proposer and seconder, shall be prominently displayed in the principle Club premises in a part frequented by the members, for at least fourteen days before the day on which his name is submitted for election.
- b) Every member on election shall be supplied with a copy of the rules, at such charge, to be deemed appropriate as the committee may determine from time to time.

8. Subscriptions.

- a) Every member shall pay to the funds of the Club a subscription, which shall become due on the first of January each year. The subscription must be paid before the member is entitled to any of the privileges of the Club. The rate of subscription shall be such sum as determined by the members at the Annual General Meeting. The subscription is payable during January of each year. Any member who has not paid his subscription by 1st February shall be considered in arrears, and if not paid by 1st March he shall cease to be a member.
- b) No member in arrears shall be permitted to use the Club, or be considered a member for the purposes of these rules, except in the following circumstances.
- c) The committee, on receiving information that any member is unable to pay his subscription owing to want of work or other good cause, May, at its discretion, in writing, excuse payment of such member's subscription for such period as they think fit and the member shall not forfeit the privileges of membership.

9. Register of Members

The Club shall keep at its registered office a register of members in which the Secretary shall enter the following particulars.

- a) The names and addresses of the members.
- b) A statement of the number of shares held by each member and of the amount paid or agreed to be considered as paid on the shares of each member.
- c) A statement of other property in the Club, whether in loans, deposits or otherwise, held by each member.
- d) The date at which each person was entered in the register as a member, and the date at which any person ceased to be a member.
- e) The names and addresses of the Officers of the Club, with the offices held by them respectively and the dates on which they assumed office.

(For the purposes of this rule an "Officer" includes every member of the Management Committee)

9.1 Inspection of Register

The Club shall so construct the register of members that it is possible to be open to inspection by any member to see their own particulars only - entered therein as mentioned in paragraphs (a), (d) and (c) either hard copy or electronic copy.

9.2 Members Change of Address

Each member shall, within 14 days, give notice to the Secretary of any change in his address. Correspondence sent to a member's last known address as entered in the register of members shall be deemed to have been received.

10. Cessation of Membership

Members shall cease to be members:

- a) By non-payment of subscription. Any person whose membership has ceased from this cause shall not again be elected to membership unless he is proposed, seconded and re-elected as in Rule 7.
- b) By expulsion
- c) By resignation by notice of not less than three months given to the Secretary in writing unless the committee waives the requirements for the same.
- d) By death.

11. Misconduct of Members

- a) The Secretary or Chairman, or in the absence of both, any officer or Committee Member present upon the Club premises shall have the power to order the withdrawal from the Club premises and/or the commencement of disciplinary action against any member who shall infringe any rule or bye-law or whose conduct whether within the Club or elsewhere shall in their opinion render a member unfit for further entry to the Club and/or unbecoming of membership of the club. A member who is subject to proceedings in a court of law and who is excluded from the Club by an officer under the above provision may not use the Club premises, until the courts have disposed of the matter and until such time as the committee may decide to permit entry conditionally or otherwise. Where the member continues to be excluded for a time, after the courts have disposed of the matter, greater than 12 months the provisions, so modified to meet the circumstances, in Rules 12 (b) and (c) shall apply.
- b) The Secretary or Chairman or Officer / Committee Member who orders the withdrawal of a member for misconduct as per Rule 11 (a) or 34 b) & c), that member not being the subject of proceedings in any court of law shall, at the earliest opportunity and no later than the next ordinary meeting of the committee thereafter lay a complaint upon which an investigation is to be initiated by the Secretary. The outcome of the investigation will determine if the Member has a case to answer. The Secretary will write to the Member / Members setting out the charge or charges summoning them to appear before a Disciplinary Hearing. The case will be brought before the General Committee or quorum (see 15.1 b)) thus forming a Disciplinary Hearing, after the Secretary has written to the member setting out the charge or charges summoning them to appear, giving not less than 7 clear days notice. This is to afford the member/members an opportunity to advance a defence, to attend in person to make a personal representation and / or forward a written representation to be read by the Secretary who will Chair the Disciplinary Hearing and be non-voting.

- c) The Disciplinary Hearing having found a member guilty of a charge by a simple majority of their number present and entitled to vote, must by at least two thirds of the said Hearing vote for the member to be reprimanded, suspended (for a period not exceeding twelve months) or expelled to render it effective. Any punishment can also include reasonable financial penalties should any damage to the Clubs property (or property in its charge) be incurred as a direct result of a members misconduct and/or the option of undertaking service to the club if the Hearing deems appropriate. A member convicted of any offence by any court of law may be suspended or expelled in his absence. A suspended member shall not be entitled to any of the rights and privileges of Club membership but shall remain liable to pay his subscription. The decision of the Hearing shall be sent to the member in writing within seven days of the Disciplinary Hearing at which the decision was reached.

12. Right of Appeal

- a) A member suspended, expelled or punished with financial penalties shall have the right of appeal. The appeal panel shall consist of the following people.
- i) The Secretary (whose function is to take minutes only) who shall not contribute to the meeting or have the power of vote.
 - ii) The Vice-Chairman who will Chair the meeting but not have the power of Vote.
 - iii) 5 randomly selected members. These members will be selected from the member's register by the use of a random number generator. The suspended or expelled member will be invited to witness the selection process.
- b) The appeal panel will hear defence from the suspended / expelled / punished member and may call witnesses as required. A decision will then be rendered based on the facts presented to them. The decision of the panel must be reached by a simple majority.
- c) No appeal shall be heard unless made within 30 days of the date of the Disciplinary Hearing meeting at which the member was so suspended or expelled. The appeal must be made in writing, addressed to the Vice Chairman of the Club at the registered office of the Club.
- d) The appeal panel shall have full power to alter or rescind such suspension or expulsion or other punishment, as they may think fit.
- e) There will be no appeal from the decision of the appeal panel.

13. General Meetings

13.1 Ordinary Meetings.

- a) There shall be one Annual General meeting held each year, to be held no later than 31st June. At least 1 Months notice of the annual general meeting, with a copy of the agenda shall be posted in the Club. A copy of the Accounts to be displayed at least 14 days before the AGM. A personal copy of the balance sheet will be provided to any member upon written request to the Secretary and sufficient copies are to be made available at the AGM, based on the previous years attendance numbers.
- b) The business of the Annual General Meeting shall be to:
- i) Receive the account or accounts and balance sheet or balance sheets as audited if required.
 - ii) Any report of the Accountants on the revenue account or accounts and balance sheet.
 - iii) Receive a report for the year as presented by the committee (Chairman's Report).

- iv) Treasurers report.
- v) To deal with election of Committee & Officers and to initiate any Voting arrangements if necessary such as confirmation of Scrutineers, voting days/times etc.
- vi) Consider such other business as may be submitted by the committee or any motion to be proposed by a member of which at least 14 days notice has been given to the Secretary in writing.
- vii) Review the following years Membership Subscription rate.

13.2 Special Meetings / Extraordinary General Meetings

A special meeting / EGM shall be called by the Secretary in the following cases.

- i) Upon the direction of the committee, and in accordance with such direction.
- ii) On a requisition signed by one fifth of the total number of members entitled to attend and vote at a general meeting or 30 such members, whichever is the less, stating the special object thereof. Such meeting shall be held within 30 days from the date of the receipt by the Secretary of the requisition.

13.3 Notice to be given

Notice of any special meeting / EGM , and the object for which it is called, shall be posted by the Secretary in the Club at least 15 days prior to the date of the meeting. Should the Secretary not convene a special meeting / EGM in the manner required hereby within 30 clear days after a duly signed requisition has been delivered to him, any of the members who requisitioned may call such a meeting, giving such notice as is provided by this rule.

13.4 Business

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

13.5 Quorum

A general meeting may proceed to business if there are in total at least 15 voting members present including voting members of the management committee as provided by Rule 15.1 within an hour after the time fixed for the meeting, otherwise the meeting, if convened on the requisition of the members, shall be dissolved, but if a meeting convened by order of the committee, it shall stand adjourned to the week following, at the same time, and the meeting so adjourned may proceed to business whatever the number of members present. No meeting shall become incompetent to transact business from the want of a quorum arising after the chair has been taken.

13.6 Adjournment

Any general meeting duly constituted may adjourn to such time as the members present direct, and may continue any such adjournment from time to time. No business shall be brought on at any adjourned meeting, which could not have been transacted at the original meeting.

13.7 Voting.

Each member present shall be entitled to one vote on each motion.

14. Rules

The Secretary shall maintain a master updated copy of the rules that shall be made available on demand for any member to view with any changes/amendments from the latest printed version to be clearly marked. A copy of the latest printed version shall be available to any person, on demand, on such payment as the committee may from time to time determine.

14.1 Amendment

- a) These rules may be amended only at an AGM or Special Meeting / EGM called for that purpose. Notice of any proposed amendment shall be posted in the Club for at least 14 clear days previous to the meeting to which the amendment is to be submitted. Any amendment shall require the votes of at least two-thirds of the members present at such meeting. No amendment of rules passed is considered valid until registered in accordance with the Financial Services Authority Acts.
- b) Written notice of any amendment of rules must also be given by the Secretary to the requisite Local Authority, Police and/or any other relevant body that requires notification within 28 days of the registration of the amendment in accordance with the said acts.

14.2 Bye-Laws.

The committee shall have the power to make such bye-laws as it may consider necessary for the good government and order of the Club, provided that no such bye-laws shall directly conflict with any of the rules. A copy of all such bye-laws shall be maintained / updated as appropriate by the Secretary and posted in a conspicuous place within the Clubs premises.

15. Committees

15.1 Powers of Main Committee

- a) The committee shall consist of the following (all of whom shall be above the age of 21)
 - i) Secretary
 - ii) Assistant Secretary
 - iii) Chairman
 - iv) Vice-Chairman
 - v) Treasurer
 - vi) 8 committee members
- b) The committee shall control the Management of the Club and shall have exclusive power to engage or dismiss a Steward and other servants. It shall have the power to purchase such articles and do all such things practically and financially as it may deem necessary for the survival of the Club and carrying out of the objects of the Club. It shall have due regard to any resolution or recommendation of any General Meeting, but shall not be bound to give effect to the same if in its judgement such action would be injurious to the best interests of the Club. Nothing in these rules shall enable the committee to declare any dividend or make any monetary grants to the members, or to apply the Club funds, except for the purposes of the Club itself, and for the purposes specified in Rule 23. The committee shall meet not less than once a month or as may be agreed from time to time by the committee and not less than one half of the total of the committee shall form a quorum. No resolution of the committee shall be rescinded unless notice to rescind has been given at the previous meeting of the committee.

- c) A qualifying criteria for eligibility to become a member of the Committee is that the person applying (or being co-opted in the event of filling a casual vacancy), must be a current member and must have been a member of the Club for a minimum of 1 year immediately prior to any application / co-option.

15.2 Powers of Sub-Committees

There are a maximum of 3 sub-committees subject to availability of willing and able Committee Members & Officers.

- a) Finance Sub-Committee

This Committee is to be chaired by the Secretary / Treasurer or other Officer of the Club and It shall have the power to purchase such articles and do all such things of a financial nature as it may deem necessary for the carrying out of the objects of the Club. The Finance Committee reports back in to the main Committee on any significant matters.

- b) Entertainments Sub-Committee

This Committee is to be chaired by the Chairman / or other Officer of the Club and shall have the power to Book Entertainment, make bookings for the Paragon Hall etc. and generally determine the Entertainment and Sports aspects of the Club. The Entertainments Sub-Committee reports back in to the main Committee on any significant matters and to the Main and/or Finance Committee on any matters where there is a requirement to commit to spend.

- c) Buildings Sub-Committee

This Committee can be chaired by any Officer or Member of the Committee and shall have the power to review any works requirements for the Club with a particular responsibility to maintain the Club in good order for the mutual benefit of the Club and its Members. The Buildings Sub-Committee reports back in to the main Committee on any significant matters and to the Main and/or Finance Committee on any matters where there is a requirement to commit to spend.

15.3 Retirement, Vacation or Cessation of Membership

Any officer of committee member not attending for three consecutive meetings shall, unless he send an explanation which the committee consider satisfactory, cease to be a member of the committee and in the case of an officer shall also be removed from office. Any committee member or officer who shall cease to be a member of the Club, or who is suspended under Rule 11, or tenders his resignation in writing or who shall cease membership of the Club by any reason shall vacate his seat. Any vacancy so occurring, or by any other cause, shall be filled by the committee, or in such other manner as the committee may decide. All those committee members who were elected before the date of the last election, shall retire at the elections held at the Annual General Meeting, but shall be eligible for re-election. Any committee members selected to fill a casual vacancy shall hold office until the next AGM and subsequent elections.

15.4 Removal or Resignation

The committee or any member or members thereof, may be removed by the votes of two thirds of the members present at a Special General Meeting called for that purpose. In the event of the removal or the resignation of the whole or the majority of the committee, the Secretary shall obtain nominations and appoint scrutineers and arrange for holding a ballot. Three days shall be

allowed for nominations and the ballot shall be held on three successive days within the following seven days. The result shall be declared by the scrutineers by notice posted in the Club.

16. Purchasing

No officer or committee member of the Club shall by virtue of his appointment, have power to order goods or dispose of the funds of the Club. No goods or labour shall be supplied, nor any contract entered into for work to be done for the Club, nor any office of salary, profit or remuneration, be held by any member of the committee, nor shall any honoraria be paid to committee members, unless authorised by a General Meeting or on the authority of two officers in an emergency for the benefit of the Club.

17. Officers

- a) The Club shall have the following officers:
 - i) Secretary
 - ii) Chairman
 - iii) Vice-Chairman
 - iv) Treasurer
 - v) Assistant Secretary
- b) The Chairman, Vice-Chairman and Assistant Secretary shall be elected by ballot at the elections held each year following the Annual General Meeting and shall remain in office until their successors are appointed. The Secretary and Treasurer shall be appointed by the committee and shall remain in office during the pleasure of the Club
- c) Any of the Officers shall be removable at any time provided two-thirds of the members present at a special meeting called for that purpose shall vote in favour of such removal.
- d) In the event of a vacancy arising amongst the officers by death, resignation, or other causes, apart from suspension or expulsion, the vacancy shall be filled, the committee having power to appoint a member to fill the vacancy. Any member so appointed shall hold office for the unexpired period for which his predecessor was elected. This provision shall not apply to the office of Secretary. In the event of a vacancy arising in the office of Secretary, the same shall be filled by ballot. Scrutineers are to be appointed by the Chairman and they shall obtain nominations and arrange for holding a ballot under the supervision of the Chairman. Seven days shall be allowed for nominations and the ballot shall be held on three successive days within the following seven days. The result shall be declared by the scrutineers by notice posted in the Club.
- e) Any officer shall vacate his office if suspended from membership under rule 11 or upon ceasing membership from any cause. A vacancy occurring on the suspension or expulsion of an officer shall not be filled until the hearing of any arbitration appeal made in accordance with the rules.
- f) Any change in the office of Secretary must be notified by the Chairman or incoming Secretary to the appropriate authorities.
- g) The Officers of the Club can receive such honorarium, if any, or in the case of the Secretary such salary or remuneration, as the committee or a general meeting may from time to time determine. Every officer dealing with Club monies shall be insured with a

recognised guarantee society for the due performance of his duties in such sum as the committee or a general meeting may determine.

- h) A qualifying criteria for eligibility to become an Officer of the Club is that the person applying must be a current member and must have been a member of the Club for a minimum of 2 consecutive years immediately prior to any application for an Officer position.

17.1 The Chairman.

The Chairman, or in his absence the vice-chairman, or in the absence of both such officers, an elected chairman shall take the chair at all general meetings and managing committee meetings of the club. The Chairman can nominate the Secretary or other Officer to Chair. The Chairman has a Vote and holds the casting vote in any voting matter in any forum where the vote is tied.

17.2 The Treasurer.

The treasurer shall pay all moneys received by the Club from any source whatever, without deduction for any purpose whatever, to the credit of an account opened in the name of the Club at such bank and in such manner as the committee may direct, and further, shall keep such accounts and pay such debts of the Club as the committee shall direct, and shall, when required to do so, render to the committee, or a general meeting, an account of any moneys received and expended by them.

None of the following shall be appointed as Treasurer: -Any person who is a relation to another officer of the Club.

- a) Any person who has been declared bankrupt.
- b) Any person who has not held membership for a minimum of 2 years.
- c) Any person who is not deemed suitable as a result of a CRB check (to be undertake before appointment is confirmed)

Dispensation can be granted to a) above if the Management Committee agrees that it is in the best interest of the Club and it is voted for and passed at a Management Committee Meeting with neither the persons concerned being eligible to vote should they actually be on the Committee.

17.3 The Secretary.

The Secretary shall be the executive officer of the Club. He shall keep upon the Club premises a register of the names and addresses of the Club members as per Rule 9 in which shall be recorded the payments of such members. He shall carry out the directions of the committee and subject to such directions, shall receive moneys on account of the Club, and pay them to the treasurer, and keep such accounts as the committee may direct. He shall attend all meetings of the committee, or any sub committee if so directed, take minutes of the proceedings, prepare accounts and balance sheets and submit them to the Accountants or Auditor in the event of 20. 1) applying.

None of the following shall be appointed as Secretary: -

- a) Any person who is a relation to another officer of the Club.
- d) Any person who has been declared bankrupt.

Dispensation can be granted to a) above if the Management Committee agrees that it is in the best interest of the Club and it is voted for and passed at a Management Committee Meeting with neither the persons concerned being eligible to vote should they actually be on the Committee.

18. Annual Return to Registrar.

The Secretary shall send to the registrar once in every year, within the time allowed by legislation, an annual return relating to the Club's affairs for the period required by the Financial Services Authority, together with a copy of the Club's accounts for the period included in the return and a copy of each balance sheet made during that period and of any report of the Accountants on that balance sheet. The annual return must be made in the form prescribed by the chief registrar, and contain such particulars as may from time to time be required to be in the return.

19. Inspection of Books.

Any member having an interest in the Club funds may at all reasonable times inspect all books and accounts, at the registered office or any place where they are kept, and it shall be the duty of the Secretary to produce them for inspection and/or arrange for viewing of such where electronic media is utilised for Accounting purposes.

20. Audits

- 1) Any audit, where necessary in law or as otherwise required, will be carried out by a registered auditor appointed by the Management Committee.
- 2) Stock Checks – Annual & Periodic
 - a) The Management Committee of the Club are to ensure that a Stock Check is conducted across the full range of Stock - Annually to be undertaken on 1st January.
 - b) The Management Committee of the Club are to ensure that a Stock Check is conducted across the range of significant products sold, Monthly/ Bi-Monthly or at a periodicity as deemed appropriate, to include at minimum all Drink products. Furthermore, the results of such audits are to be checked against previous Stock Check holdings and the results to be analysed and discussed at the Finance Committee or any other appropriate forum with action to be taken as deemed appropriate depending on the outcome.

20 a). Accountants

To engage Accountants to advise and assist in the production of a Balance Sheet for the Club commencing FY 2008 until further notice and thereafter to Report on the Balance Sheet as per Section 9 A of the Friendly and Industrial and Provident Societies Act 1968 thereby applying a

disapplication under Section 4A(1) of the Friendly and Industrial and Provident Societies Act 1968 (power to disapply the obligation under section 4 of that act to have accounts audited). Subsequently to align with any further amended accounting standards within the Acts the Club is registered with to ensure that minimum standards are complied with and that the relevant financial returns are provided for timely submittal to the Financial Services Authority.

21. Nominations and Proceedings on Death or Bankruptcy

Upon a claim being made by the personal representative of a deceased member or the trustee in a bankruptcy or a bankrupt member to any property in the Club belonging to the deceased or bankrupt member the Club 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 Industrial and Provident Societies Act 1965, 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 Club shall is 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 there under.

22. Application of Funds

Except by the dissolution of the Club, no profits or funds of the Club shall be distributed amongst the members.

23. Investments & Loans

23.1 Investments

- a) The Club may invest the funds of the Club at such rate of interest and on such terms as they see fit as below
 - i) Upon the security of real estate.
 - ii) In the shares or in the security of any society registered under the Building Societies Act.

23.2 Loans

The Club shall have the power to borrow money for the purposes of the Club and to secure the repayment of any money borrowed by mortgaging or charging any of its property, provided that the amount of money borrowed for the time being un-discharged shall not exceed £200,000.00 or 50% of the current market value of the Property / Land that the Club currently owns at the time of the Loan (whichever is the higher). Interest paid on any money borrowed is to be at fair and reasonable current Market Rate for the type and value of any such loan made.

24 Statutory Applications to the Registrar

24.1 Exceptional Appointment of Actuary or Accountant

Ten Members of the Club each of whom has been a Member for not less than 12 months immediately preceding the date of application, may apply for the appointment of an actuary or accountant to inspect the books and to report thereon.

24.2 Exceptional Appointment of Inspectors

- a) One Tenth of the whole number of members, or if the number of Members shall at any time exceed 1000 then 100 members may by an application in writing to the Chief Registrar signed by them in the forms respectively prescribed by the Statute.
 - i) Apply the appointment of an inspector or inspectors to examine into the affairs of the Club and to report thereon.
 - ii) Apply for the calling of a special meeting of the Club.

25 Dissolution

The Club may at any time be dissolved by the consent of three-fourths of the members, testified by their signatures to an instrument of dissolution in the form provided by the Statute, or by winding up in a manner provided by the Financial Services Authority. The remaining assets after the payment of all liabilities shall be distributed amongst the members in equal shares.

26 Conduct of Elections.

26.1 Nominations

The election of officers and committee members shall be by ballot where there are more candidates than available positions. At least 28 days before the day fixed for any ballot a nomination sheet shall be posted in the Club by the Secretary, on which the names of all candidates for any office must be entered, and such sheet shall remain open until at least 10pm on the day following the closing of the Annual General Meeting. No member shall be eligible for nomination unless he has been a member for at least six calendar months prior to nominations closing, and has been proposed and seconded by two members, who must themselves sign the sheet. No member under suspension at the date of closing of the nomination sheet shall be eligible for nomination. No candidate shall be nominated for more than one position, and if nominated shall be deemed to have resigned from his present position.

26.2 Scrutineers

The arrangements for ballot shall be carried out under the direction of the Secretary by three scrutineers appointed at the general meeting, who shall not be candidates or officers unless sufficient appointees cannot be found, if so, Committee Members can fill any appointment. The scrutineers so appointed shall remain as scrutineers until their successors are appointed.

26.3 Ballot. When Held

Ballots shall be held during the week following the Annual General Meeting or in the succeeding week. Ballots shall remain open during not less than two hours on the evenings of not less than three consecutive days to be fixed by the committee, and the results shall be made known by

the posting of a notice in the Club, signed by the scrutineers, recording the number of votes polled by each candidate, and indicating which of the candidates are elected.

26.4 Who May Vote

Each voting member shall have one vote for each vacancy but no member may give more than one vote to any candidate.

26.5 Tie

The candidates receiving the highest number of votes shall be declared duly elected. In the event of two or more candidates receiving an equal number of votes for the last vacancy or vacancies, the names of such candidates shall be written on slips of paper, which shall be placed so that the names are concealed, and the Chairman or in his absence, some person appointed by the scrutineers, shall then draw as many slips as there are vacancies to be filled, and the members whose names are so drawn shall be declared duly elected.

26.6 Scrutiny

The scrutineers shall, at the conclusion of the ballot, seal up the ballot papers and hand them to the Secretary, who shall retain them for seven days. A scrutiny shall take place if a written demand be presented to the Secretary within seven days from the close of the ballot, signed by not less than one-tenth of the members, and the scrutiny shall be carried out by three fresh scrutineers, to be named by the Chairman of the Club. The Scrutineers decision shall be final.

27 Settlement of Disputes.

27.1 Disputes between a member and an Officer of the Club

All disputes between a member and an officer of the Club shall, unless the committee elect to refer the matter directly to a special meeting, be settled by the committee. An officer who is on the managing committee must not vote or act as a committee member in any dispute concerning him personally. The decision of the committee shall be final, unless any party aggrieved determines their right to appeal and complies with the notification required in Rule 12.

27.2 Disputes between a member and the Club

All disputes between a member or person aggrieved who has for not more than three months ceased to be a member, need to be submitted in writing clearly stating nature of the dispute and addressed to the Secretary who will refer it to the next Committee Meeting whose decision shall be final. The Secretary will notify the complainant in writing of the outcome within 10 days of the Meeting.

28 Introduction of guests.

A member may personally introduce friends as his guest, but no member may introduce more than three guests at any one time. The member introducing the guest shall sign his name in a book kept for the purpose together with the name of the guest. A fee, to be determined by the committee shall be payable for each guest so introduced. The fee can be varied according to event / occasion at time of introduction.

The following shall not be admitted as guests.

- a) Former members who have ceased to be members through non payment of subscriptions.
- b) Persons who, having been nominated for membership, have not been accepted.
- c) Members who are under suspension.
- d) Persons who have been expelled from any other licensed establishment by the pub watch organisation.

The committee may debar a member or associate introducing any particular person as a guest if they so think fit.

29 Hours of Opening and Closing of the Club Premises

The Club shall be opened and closed at such hours as may from time to time be fixed by the committee.

30 Permitted Hours for Supply of Intoxicants

The permitted hours are such as may from time to time be determined by the Committee in accordance with the provisions of the Licensing Act 2003 or any other relevant legislation.

31 Value Added Tax

Where under any of the provisions of these rules or any amendments thereto for the time being in force any sum of money is payable to the Club by a member or guest whether by way of subscription or otherwise and such payment attracts Value Added Tax then, unless any rule specifically provides to the contrary, a member/guest shall in addition pay to the Club such further sum as shall be equal to the amount of Value Added Tax at the rate for the time being in force attributable to the sum.

32 Life Members

There will be no new Life Members by right but the Committee may, at their discretion, and/or upon considering written application, grant life membership to any member who has rendered special service to the Club, or who in their opinion is deserving of that distinction. Unless under very special circumstances as agreed by the Committee, no consideration shall be given to Life Membership unless or until the qualifying age of 65 years for both Male & Female members has been reached. Life members shall pay a reduced subscription as set by the Annual General Meeting, and shall be entitled to all the rights and privileges of Club Membership, including the right to attend meetings, vote at elections and be nominated for committee or other office. The membership card of any Life Member shall be duly marked as such.

33 Children.

33.1 Persons under the age of eighteen years of age are not permitted

- a) To enter the premises unless accompanied by a responsible adult who will take responsibility for their behaviour whilst on the Clubs premises.
- b) To use the Jackpot gaming machines.

- c) To become a member.
- d) To purchase or consume intoxicants.
- e) To purchase Tobacco products

33.2 Persons under the age of fourteen years of age are not permitted

- a) To use the dartboards, snooker or pool tables unless closely supervised by an adult
- b) Approach any of the bar areas.

33.3 Any other age restriction to comply with any legislation passed by Government or by any other relevant Acts or Statutes.

33.4 No member or guest is to buy for, encourage and / or knowingly allow any under-age person to consume intoxicants.

- a) Any breach of 33.4 will be considered a serious offence against the Club as it threatens the Clubs licence to sell alcohol. It will therefore carry with it an automatic ban for any person found guilty – length of ban to be determined by the committee.

34 Committee & Bar Staff Rights.

34.1 The committee reserves the right to

- a) Refuse entry onto the premises, any person and/or member whom they believe to be underage or who appears to be under the influence of alcohol or other substances.
- b) Eject any person and/or member whom they believe to be underage or who appears to be under the influence of alcohol or other substances.
- c) Eject any member who's behaviour is disruptive and/or is deemed to detrimental to the best interest of the majority of the remaining members.

34.2 The bar staff reserves the right to

- a) Refuse to serve any person and/or Member whom they believe to be underage and/or who cannot provide suitable and acceptable evidence of their age or who appears to be under the influence of alcohol or other substances, in addition the bar staff may refuse to serve any person and/or Member if they have due cause.

35 Language & Behaviour.

Swearing, disruptive, abusive or violent language and/or behaviour and/or damage to Clubs property or premises will not be tolerated on the Club premises, any member found guilty of the above will be dealt with under the provision of Rule 34 and subsequently Rule 11.

36 Health & Safety

- a) The Club shall undertake all its activities and Objects with due regard to Health & Safety for all its Employees, Members and Guests and will ensure that a regularly reviewed Health & Safety Policy is available and on display in a suitable prominent location.
- b) Health & Safety is to be an Agenda item for the monthly meeting held by the Main Committee.

37 Member Representation

- a) Members can make representation to the Committee and/or the Officers of the Club at any time by submitting in writing to the Secretary the detail of their representation and the confidentiality or otherwise of the issue and/or the response required.
- b) Members can also make personal representation at a Committee Meeting by requesting in writing to the Secretary and agreeing with the Secretary a suitable time-slot to make such representation. No other business other than that being represented is to be discussed at any such time-slot whilst the member is present.

38 CCTV & Security

The Club maintains a CCTV System with 24/7 recording for the purposes of Security and Safety of the Club and its Members, Guests and Visitors. All necessary data protection precautions are adhered to whilst in the event of an incident the Club reserves the right to enable any such relevant recordings to be passed to the appropriate authorities.

Signatures of Application for Amendment - 05/08/10

Member 1
Member 2
Member 3

Ken Newson (Secretary)

INDUSTRIAL AND PROVIDENT SOCIETIES ACT 1965

Register No: 9774R

The amendment of the rules of the **Westbury (Wilts) Labour Club and Institute Limited** to which this acknowledgement is attached, is this day registered under the Industrial and Provident Societies Act 1965.

Date: 06th September 2010

Financial Services Authority
25 The North Colonnade
Canary Wharf
London
E14 5HS
