

# FRIENDLY SOCIETIES ACT 1974

Register No. 1529W

## RULES OF THE BARNT GREEN SOCIAL CLUB

Registered Office: 1 Blackwell Road, Barnt Green, Birmingham, B45 8BT.  
Telephone Number: 0121 445 2610

Note: Any reference to the Chief Registrar, Registrar, Central Office, Assistance Registrar (for Scotland) or the Registrar of Friendly Societies includes reference to the statutory successor carrying on the relevant function of any of them.

# **Rules of the Barnt Green Social Club**

## 1. **NAME AND OBJECTS**

The society (hereinafter called 'the Society') is a working men's club, it shall be called the Barnt Green Social Club.

Its objects are to carry on the business of a club by providing for the use of its members, the means of social interaction, mutual helpfulness, mental and moral improvement, rational recreation and the other advantages of a society.

## 2. **OFFICE**

Its registered office shall be 1 Blackwell Road, Barnt Green, Birmingham, B45 8BT. Notice of any change in the situation of the registered office shall be sent by the Chair within 14 days thereafter to the Registrar in form provided by the Act.

## 3. **USE OF NAME**

The registered name of the Society shall be mentioned in legible characters in all business letters, notices, advertisements, and other official publications of the Society 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 Society, and in all bills, invoices, receipts and letters of credit of the Society.

## 4. **POWERS**

The Society shall have full powers to do all things necessary or expedient for the accomplishment of all objects specified in its rules.

## 5. **MEMBERSHIP**

There shall be no restrictions on candidates for membership provided they are over 18 years of age.

There shall be six categories of membership.

- (i) Full membership
- (ii) Student membership – candidates would be between the age of 18 and 23 years of age and would pay a reduced fee
- (iii) Associate membership for those members who have not yet completed their two month probationary period
- (iv) Lapsed membership – see section 6

- (v) Life membership – life membership will be awarded at the discretion of the Management committee to members who have given distinguished service to the club over a significant period of time
- (vi) Stakeholders – Full members who have achieved a minimum of two years' continuous membership of the club will be classified as stakeholders.

The candidates for membership shall complete a proposal form, present it either to the Club Steward or to the Membership Secretary along with payment of the appropriate proportion of their membership fee and will then be able to use the club as an Associate member, for a probationary period of two months. The appropriate fee is calculated as follows:

- A full year's fee if the application is made prior to 1<sup>st</sup> July
- 50% of the full year's fee if the application is made between 1<sup>st</sup> July and 31<sup>st</sup> December

During the two month probationary period, the Membership Secretary will send the applicant a letter with a brief set of the Club Rules and a link to the full Rules on the club's website.

After two months, full membership will be considered by the Committee. On acceptance as a member, the Membership Secretary will contact them to confirm their membership and to ask them to collect their door security fob when they next visit the club.

No candidate who has been rejected by the Committee shall be proposed for membership of the club within a twelve month period from the date of rejection.

On admission to the Society and payment of the subscription members will be entitled to a copy of these rules.

The amount of such subscription will be decided at each Annual General Meeting.

Subscriptions are due on the 1<sup>st</sup> January each year.

## 6. **ARREARS OF SUBSCRIPTIONS**

Any member who has not paid his/her subscriptions 31 days after it has become due shall be considered in arrear, and if it be not paid within 14 days thereafter he/she shall become a lapsed member. Lapsed members are eligible to apply for full membership provided their membership application is received within 24 months of the date their membership lapsed. If a lapsed member applies for membership after 24 months, they will have to apply as associate members in the first instance and serve the two month probationary period before becoming a full member.

## 7. **REGISTER OF MEMBERS**

The Society shall keep at its registered office a register of members in which the Membership Secretary shall enter the following particulars:-

- (i) The names and addresses, telephone number and where available email of the members

- (ii) 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.

The names and addresses of the Officers of the Society with the offices held by them respectively and the dates on which they assumed office.

For the purpose of this rule “an Officer” includes every member of the Committee.

Every member shall at the earliest opportunity, give notice, in writing, to the Membership Secretary of any change in his/her address.

#### 8. **CESSATION OF MEMBERSHIP**

Any member on ceasing membership of the Society shall forfeit all right to and claim upon the Society, its property and funds.

#### 9. **MISCONDUCT OF MEMBERS**

Officers and Members of the Committee, or the Steward, if no one is present, of the Society shall have power to order the withdrawal from the Society premises of any member who misconducts him/herself and such members shall have no right of re-entry to the Society premises until summoned to meet the Committee as provided in Rule 10. If the next ordinary meeting of the Committee be within less than three days, such member may claim to appear before them, and to have his/her case dealt with waiving the length of notice required by the said Rule 10.

Such members will receive notification of appearance before the Committee within 28 days of the misconduct.

#### 10. **EXPULSION OF MEMBERS**

The Committee shall have power to reprimand, suspend (for a period not exceeding 12 months) or expel any member who shall infringe any rule or bye-law, or whose conduct, whether within the Society premises or elsewhere, shall, in their opinion, render him/her unfit for membership.

No member shall be reprimanded, suspended or expelled without being first summoned before the Committee, at least two thirds of those entitled to be at the management Committee to be in attendance, and a full opportunity afforded him/her to advance a defence, unless two thirds at least of the members of the Committee then present and entitled to vote shall vote for his/her suspension or expulsion. Every member so summoned shall (unless he/she shall elect to waive his/her right to receive notice) receive at least seven clear days’ notice in writing from the Chair Person. Such notice shall contain a statement of the charge brought against him/her.

The Chair person shall confirm in writing, the decision of the Committee, outlining that future misconduct could lead to expulsion from the club.

**11. RIGHT TO APPEAL**

A member suspended, expelled, see rule 10, or in dispute, see Rule 25, shall have the right to appeal to a Special General Meeting of the Society called by the Chair Person for the purpose of hearing the appeal. No appeal shall be heard unless made within 28 days and in writing, addressed to the Chair Person of the Society. The Special General Meeting, shall have full power to alter or rescind such suspension or expulsion as they may think fit and there shall be no appeal from the decision. The decision of the Special General Meeting will be on the basis of a two thirds majority of those members attending and entitled to vote.

**12. GENERAL MEETING**

- (i) Annual General Meetings – shall be held in April of each year.

Notice of the Annual General Meeting shall be posted in the club premises and published in the local press at least 21 days prior to the meeting.

This will be for the purpose of receiving reports on the year's work, accepting resignations and electing Officers and other Committee members, receiving the account or accounts and balance sheet as audited, and the report of the Auditor on the revenue account or accounts and balance sheet and to 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 Chair Person in writing. On receipt of such notice, the Chair Person shall add it to the agenda which shall be posted in the club premises.

At the Annual General Meeting a report for the year shall be presented by the Chair Person.

The Auditor shall be entitled to attend the Annual General Meeting and all Committee meetings of the Society and to receive all notices of and other communications relating to General Meetings and Committee meetings and to be heard at any meetings which he/she attends on any part of the business of the meeting which concerns the Auditor.

- (ii) Special General Meeting - shall be called by the Chair Person in the following cases.
  - a) Upon the direction of the Committee and in accordance with such direction.
  - b) On a requisition signed by one-fifth of the total number of members entitled to attend and vote at a general meeting, stating the special object thereof. Such meeting shall be held within 28 days from the date of the receipt of the Chair Person of the requisition.
  - c) Notice to be given - notice of any Special General Meeting, and of the object for which it is called, shall be posted by the Chair Person in the Society premises at least 14 days prior to the date of the meeting. Should the Chair Person not convene a Special General Meeting in

manner required hereby of the requisitionists may call such a meeting, giving such notice as is provided by this rule.

- (iii) Business - no business other than that named in the notice shall be brought before a Special General Meeting.
- (iv) Quorum - 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, shall form the quorum at all general meetings of the club. If a quorum is not achieved within 30 minutes of the time fixed for the meeting then, if convened on the requisition of the members, the meeting 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 be the number of members present. No meeting shall become incompetent to transact business for the want of a quorum arising after the Chair Person has been taken.
- (v) 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.
- (vi) Voting - each member present shall be entitled to one vote on each motion. In the case of a tie the Chair Person of the meeting, having not voted on the motion, shall have a casting vote.

### 13. **RULES**

These rules may be amended only at a General Meeting called for that purpose. Notice of any proposed amendment shall be posted in the club premises for at least fourteen days previous to the meeting to which the amendment is to be submitted. Any amendment shall require the votes for at least two thirds of the members present and entitled to attend and vote at such meeting. No amendment of rules is valid until registered in accordance with the Friendly Society Act 1974.

Written notice of any amendment of rules must be given by the Chair Person to the Chief Officer of Police and to the Clerk of the local Authority within 28 days of the registration of the amendment in accordance with the said Acts.

The Society shall supply gratuitously to every member or person interested in the funds of the society on his/her application a copy of the last annual return of the Society for the time being together with a copy of the report of the Auditor on the accounts and balance sheet contained in the return.

14. **MANAGEMENT COMMITTEE**

(i) The Management Committee shall consist of:-

The Chair Person shall be responsible to the Society for the management of the Society's facilities, control of the Management Committee and will report on all activities at the AGM.

The Vice-Chair shall deputise for the Chair person as and when required.

The Club Secretary/Administrator shall conform to the directions of the Society.

- a) shall summon and attend all meetings and take minutes of the same.
- b) shall keep all administrative and financial documents of the Society in such a manner and for such purpose as the Society requires.
- c) shall be responsible for all monies collected by the Society and ensure their safe keeping and banking.
- d) shall keep properly maintained books of account and present such accounts to each Annual General Meeting.
- e) shall prepare and submit all returns as are legally required of the Society at the appropriate time.

The Society may employ an Administrator if it is deemed necessary.

The Membership Secretary shall be responsible for maintaining the membership role and for the collection and recording of the Society's annual subscription.

The Bar Secretary shall be responsible for all aspects of the management of the bar through the bar manager.

The Estate Secretary shall be responsible for all aspects of the Society's estate.

The Sports Secretary shall be responsible for the sports activities of the Society.

The Social Secretary shall be responsible for all the social activities of the Society.

All members of the Committee shall be elected for a two year term in rotation, the first term being the Chair Person, the Membership Secretary and the Sports Secretary, the remaining Secretaries will form the second term.

All Members of the Committee shall be elected by a majority of the members of the Society present and entitled to vote at the Annual General Meeting or at a summoned meeting. All Members of the Committee shall be members of the Society and have been so for the preceding 2 years.

All Secretaries shall attend and present regular reports to the Management Committee.

The Management Committee shall meet on a regular basis, not less than quarterly for general business and with not less than one third of the total of Committee persons shall form a quorum.

The Committee may Co-opt members as it sees fit, such Co-opted membership of the Committee shall cease at the following Annual General Meeting, when that member may offer themselves for election.

The Committee shall have the power to form such sub-committees as it may from time to time decide and to determine their terms of reference.

The President and Trustees will also be members of the Management Committee, entitled to discuss and vote on all the issues under consideration.

(ii) Death, Retirement, Vacation or Cessation of Membership

Any Officer or Committee member, who shall cease to be a member or who is suspended under rule 10 shall vacate his/her 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.

(iii) Removal or Resignation

The Committee, or any member or members thereof, may be removed by the votes of two thirds of the members present and entitled to attend and vote 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 Chair Person shall have the power to call a Special General Meeting for the purpose of electing members to replace those who have been removed or resigned. Notice of the Special General Meeting shall be in accordance with Rule 12 (ii).

(iv) Orders

No Officer or Committee member of the Society shall by virtue of his/her 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 shall any office or salary, profit or remunerations be held by any member of the Committee, nor shall any honoraria be paid to Committee members, unless authorised by a General Meeting.

No person shall at any time be entitled to receive at the expense of the Society any commission or percentage or similar payment of or with reference to purchases of intoxicating liquor by the Society nor shall any person directly or indirectly derive any pecuniary benefit from the supply of intoxicating liquor by or on behalf of the society to members or guests apart from any benefit accruing to the Society as a whole and apart from any benefit which a person derives indirectly by reason of the supply giving rise to or contributing to a general gain from the carrying on of the Society.



**15. OFFICERS**

The Society shall have the following Officers - a President, and three Trustees. The President will be recommended by the Committee and elected by a majority of the members of the Society present and entitled to vote at the Annual General Meeting or at a summoned meeting, serving a minimum term of three years, extended if required at subsequent AGMs. The President will be well respected member of the Society, having been a member for at least five years.

The President may be removed by the votes of two thirds of the members present and entitled to attend and vote at a Special General Meeting called for that purpose.

**16. TRUSTEES**

There shall be three Trustees of the Society who shall be members of the Society. They shall have a tenure of office of three years, they shall resign in rotation and may offer themselves for re-election, The Trustees will be respected members of the Society, having been a member for at least five years.

They may be removed by resolution at a summoned General Meeting thereof.

In the event of any Trustee dying, resigning, being removed from office, another shall be elected at the next AGM of the Society to supply the vacancy. Every resolution appointing a Trustee shall be entered on the minutes of the meeting at which he is appointed. A copy of such resolution signed by such Trustees, shall be forwarded within 14 days, by the Chair Person, to the Registrar in the form prescribed by the Act.

The Trustees shall be admitted to all Management Committee Meetings, and shall be at liberty to take part in the proceedings thereof, and vote on any question under discussion. All deeds, documents of title, and securities for money of the Society shall be held by the Trustees, and they may take such measures for the safe custody and preservation thereof at the expense of the Society as they shall think fit, and they shall be responsible for the safe custody of all such deeds and documents, and securities as are placed in their hands, or under their control and shall produce them for inspection by the Auditors every year, and whenever else required by a resolution of a General Meeting or of the Committee, but they shall not be under any personal liability further than such as is imposed on them by the Act or by the law.

The Trustees, may be removed from their office if they refuse or neglects to assign or transfer any property of the Society at a summoned General Meeting , such Trustee shall be expelled, and cease to have any claim on the Society without prejudice to any liability to prosecution.

**17. ANNUAL RETURN TO REGISTRAR**

Every year not later than 31<sup>st</sup> July, the Chair Person shall send to the Registrar the annual return in the form prescribed by the Registrar relating to the Society's affairs for the period required by the Act to be included in the return, together with:-

- (i) A copy of the report of the Auditor on the society's accounts for the period included in the return and
- (ii) A copy of each balance sheet made during that period and of the report of the Auditor and that balance sheet.

**18. INSPECTION OF BOOKS BY MEMBERS**

Any member or person having an interest in the Society's 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 Chair Person to produce them for inspection, but no person, unless an Officer of the society or specially authorised by a resolution thereof, may inspect the loan or deposit account of any other member without his/her written consent.

**19. BORROWING POWERS**

The Society shall have power to borrow money for the purposes of the society, approved by a General Meeting.

The Committee shall have power to determine from time to time the terms and conditions upon which money is borrowed and to vary such terms and conditions.

**20. AUDIT**

The Society shall in each year of account appoint a registered accountant, hereafter called the 'Auditor' to audit its account and balance sheet for that year.

The Society shall at each AGM resolve the level of audit required for the subsequent year, in line with the Friendly Society Act requirements.

Save as provided for a casual vacancy, every appointment of an Auditor shall be made by resolution of a General Meeting of the Society.

The Committee may appoint an Auditor to fill any casual vacancy occurring between General Meetings of the Society.

An Auditor appointed to audit the accounts and balance sheet of the Society or preceding year of account (whether by a General Meeting or by the Committee) shall be re-appointed as Auditor of the Society for the current year of account (whether or not any resolution expressly re-appointing him/her has been passed) unless:-

- i) A resolution has been passed at a General Meeting of the Society appointing somebody instead of him/her providing expressly that he/she shall not be re-appointed or
- ii) He/She has given to the Society notice in writing of his/her unwillingness to be re-appointed or
- iii) He/She is ineligible for appointment as Auditor of the Society for the current year of account or
- iv) He/She has ceased to act as Auditor of the society by reason of incapacity. providing that a retiring Auditor shall not be automatically reappointed by virtue of this rule if notice of an intended resolution to appoint another person in his/her place has been given in accordance with the following paragraph of this rule referring to the General Meeting of the Society, and the resolution cannot be proceeded with because of the death incapacity or ineligibility of that other person.

#### A resolution at a General Meeting of the Society

- (i) appointing another person as Auditor in place of a retiring Auditor or
- (ii) providing expressly that a retiring Auditor shall not be re-appointed shall not be effective unless notice of the intention to move it has been given to the Society not less than 28 days before the meeting at which it is moved – On receipt by the Society of notice of the intention to move any such resolution the Society shall give notice of the resolution to the members and to the retiring Auditor in accordance with the Friendly Societies Act 1974 and shall give notice to the members in accordance with that section of any representation to be made or intended to be made by the retiring Auditor.

#### None of the following persons shall be appointed as Auditor of the Society:-

- i) An officer or Servant of the Society or
- ii) A person who is a partner of or in the employment of or who employs an Officer or Servant of the Society

The Auditor shall in accordance with the Friendly and Industrial and Provident Societies Act 1968 make a report to the Society on the accounts examined by him/her and on the revenue account or accounts and the balance sheet of the Society for the year of account in respect of which he/she is appointed. The Auditor shall have a right of access at all times to the books, deeds and accounts of the Society and to all other documents relating to its affairs, and shall be entitled to require from the Officers of the Society such information and explanations as he/she thinks necessary for the performance of the duties of the Auditors.

**21. APPLICATION OF FUNDS**

Except by the dissolution of the Society, no profits or funds of the Society shall be distributed amongst the stakeholders.

**22. INVESTMENTS**

The Committee may invest the funds of the Society at such rate of interest and on such terms as they see fit in any of the following investments:-

**23. STATUTORY APPLICATIONS OF THE REGISTRAR**

Any twenty members of the society, each of whom has been a member for not less than twelve months immediately preceding the date of the application, may, at their own expense, apply to the registrar in the form prescribed by the Act – to appoint an Inspector or accountant to inspect the books of the club and to report thereon, pursuant to section 90 of the Friendly Societies Act 1974. One-fifth of the whole number of members, or if the number of members shall at any time exceed 1000 then 100 members may be an application in writing to the Registrar, signed by them in the forms respectively prescribed the Act:-

- (i) Apply for the appointment of an inspector or inspectors to examine into the affairs of the Society and to report thereon; or
- (iii) Apply for the calling of a Special Meeting of the club. The Society may at any time be dissolved by a special resolution of the Society.

**24. CONDUCT OF ELECTIONS**

- (i) Nominations

The election of Officers and Committee members of the Society shall (other than as specified in Rule 14 (iii)) take place at the Annual General Meeting of the Society. No member shall be eligible for nomination unless he/she has been a member for the stipulated term.

Nominations shall be valid only when the proposer and seconder are members. No member under suspension at the date of the Annual General Meeting shall be eligible for nomination nor shall they be entitled to propose or second nominations or vote.

- (ii) Election by Show of Hands

The election of Officers and Committee members shall be by a simple majority of votes of those members present and entitled to vote. Voting shall normally be by show of hands. Two tellers shall be appointed by the General Meetings where elections take place. The tellers shall be responsible for giving the return figures of the count of hand votes. The tellers shall not be candidates or Officers or Members of the Committee.

## (iii) Election by Secret Ballot

The Society shall have the power to make provisions in its Bye laws for elections by secret ballot.

## (iv) Who May Vote

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

## (v) 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 Chair Person shall then draw as many slips as there are vacancies to be filled, and the member whose names are so drawn shall be declared duly elected.

25. **SETTLEMENT OF DISPUTES**

## (i) Disputes between a Member and an Officer or the Society

All disputes between a Member and an Officer or Member of the Committee or the Committee of the Society shall be settled by the Committee. The aggrieved Member may appeal the Committee decision by reference to Rule 11 and Rule 12 (ii) (c).

## (ii) Disputes between a Member and the Society

All disputes between a member or person aggrieved who has ceased to be a member for less than six months, or any person claiming through such member or person aggrieved or under the rules and the Society or the Committee shall be referred to a Special General Meeting as in Rule 11 and Rule 12 (ii) (c) whose decision shall be final.

26. **INTRODUCTION OF VISITORS**

A member may personally introduce guests at any one time. The visitor and the member introducing him/her shall sign their names in a book kept for that purpose. No-one shall be introduced more than three times in any three month period, unless he/she is a visitor staying in the area.

A member having resigned from the Society for genuine reasons, may be considered by the Committee a bone-fide Non-member and afforded the same facilities.

Visiting groups may be granted temporary membership at the discretion of the Committee provided that at least 48 hours notice is given to members by a notice displayed conspicuously in the Society premises giving the individual names and addresses and the name and address of the group. Such persons shall be individually granted temporary membership and their membership shall cease at

midnight on the day of the grant. Temporary membership shall in no case confer the right to attend or vote at any meeting of members.

The following shall not be admitted as visitors.

- (i) Former members who have been expelled.
- (ii) Lapsed members who have ceased to be members through non-payment of subscriptions.
- (iii) Persons who, having applied for membership have been rejected.
- (iv) Members who are under suspension.

Visitors who are not temporary members shall not make a purchase of intoxicating liquor. All visitors must be aged 18 years and over, unless accompanied by their parent/ guardian. The Committee may debar a member introducing any particular person if they so think fit. Members shall be responsible for the behaviour of their guests and in the event of any misconduct by the guest(s) the member responsible for their introduction may be subject to disciplinary action which may include suspension of the privilege of introducing guests for a period not exceeding twelve months and/or suspension of membership, or expulsion from membership.

27. **HOURS OF OPENING AND CLOSING OF THE SOCIETY PREMISES**

The Society shall be opened and closed at such hours (within the hours applied for under the Licensing Act 2003) as may from time to time be fixed by the Committee, and as posted in the Society.

28. **PERMITTED HOURS FOR SUPPLY OF INTOXICANTS**

The permitted hours shall be such as may from time to time be determined by the Committee in accordance with the provisions of the Licencing Act 2003 and as notified to the Clerk of the Justices. Provided that if an order is made under Section 60, sub-sections, (3) or (4) of the said Act, the provisions of section 62, sub-section (2) shall apply.

29. **SPECIAL FUNCTIONS**

Notwithstanding anything hereinbefore mentioned, intoxicating liquor may be supplied during the hours specified in Rule 28 to members and non-members of the society attending at the Society premises when functions are authorised by the Committee. Such function is promoted by and the responsibility of a member of the Society who is present at the function or such other function being for the purpose of raising funds for the society.

30. **BYE-LAWS**

The Management Committee shall have power to make such bye-laws as it may consider necessary or proper for regulating the opening and closing of the Society premises, for the conduct of members, admission and conduct of visitors, as to refreshments and the playing of games and generally for the good government and order of the Society.

The Society may vary and rescind any such bye-laws.

But no bye-laws shall be made which is inconsistent with any of the rules or contrary to law.

A copy of all the bye-laws for the time being shall always be kept hung up in a conspicuous place in the Society premises.

Three members:-

Chairman/Trustee:-

Date:-