

THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES

Branch Rules

1. ORGANISATION

This <NAME> branch ('the branch') of the Chartered Institute of Legal Executives (CILEx) shall be constituted and at all times managed in accordance with the Royal Charter and Bye-laws of CILEx. In these rules the Chief Executive means the Chief Executive of CILEx or such person as the Chief Executive nominates and a Fellow means a Fellow of CILEx who has paid a Practising Certificate Fee and all sums owing to CILEx for the current year.

NOTE: Further guidance on all aspects of the running of the branch can be found in the Branch Toolkit.

2. GEOGRAPHIC AREA OF OPERATION

The branch shall be based, and operate, in the geographic area defined by its title.

3. OBJECTIVES OF THE BRANCH

The objectives of the branch shall include (but not be limited to) the following:

- To promote the interests of CILEx within its area of operation;
- To provide support to its members and members of CILEx generally, in relation to practice, training, Continuing Professional Development, networking, career development and social events;
- To facilitate communication between members of the Branch and CILEx, in the first instance via the Membership Directorate;
- To provide assistance to the CILEx Membership Directorate wherever needed.

4. AUTHORITY

The branch solely derives its authority from CILEx and consequently all communications sent out by the Branch must be on CILEx headed stationery or CILEx pro-forma documentation.

5. BRANCH MEMBERSHIP

Membership of the branch is open to all members of CILEx whose subscriptions to CILEx are fully paid up.

Affiliated Membership of the branch (branch Affiliates) is open to those who are interested in CILEx and are supportive of the branch purposes. This can include but not be limited to:

- Tutors of CILEx courses at local CILEx accredited centres, etc.;

- Fellows qualified as solicitors of the Supreme Court but are not members of CILEx;
- Those who provide a service to CILEx members, e.g. recruitment consultants, experts.

Branch Affiliates cannot be Officers of the branch but may be members of the Committee and/or co-opted to take a role on a sub-committee.

6. MANAGEMENT OF THE BRANCH

The Committee

An elected committee ('the Committee') shall carry out the management of the branch. Voting to decide issues will be by majority of votes and, in the case of equality of votes, the Chairperson shall have a second or casting vote. Branch Affiliates may be members of the Committee. There is no prescribed quorum for the Committee, any sub-committees and/or meetings of those committees.

The Committee can appoint extra committee posts for short periods of time (e.g. to take responsibility for special projects). Any such posts should be considered at the next Annual General Meeting in order to establish whether any of the post should be extended in duration or made permanent posts.

Officers

The Officers are appointed to manage the affairs of the branch on a day to day basis during the period of their appointment and shall report to the Committee at each meeting.

The Committee shall elect the following Officers:

- Chairperson
- Secretary
- Treasurer

The Committee may elect other Officers (such as a Vice Chairperson)

NOTE: Further guidance on the establishment and running of Committees is contained in section 2a of the Branch Toolkit. The Chairperson and any Vice Chairperson may only be elected from the following categories of CILEx membership:

- Fellows (who may also be qualified as solicitors provided they remain fully paid up members of CILEx);
- Graduate Members;
- Associate Members.

The Secretary, Treasurer and any other Officers can be from any category of CILEx membership.

The role of Vice Chairperson is an optional role and can be combined with the Secretary or Treasurer role.

Should one of the Officer's roles become vacant, the Committee can invite other member of the branch (subject to the limitations above) to fill the vacant post until the post comes up for re-election, along with the other full Committee posts, at the next Annual General Meeting of the branch.

7. DURATION OF OFFICE OF THE COMMITTEE AND OFFICERS

Committee members shall serve a term of 3 years.

One third of the Committee will retire by rotation every year. Committee members shall be eligible for re-election.

Officers shall serve a term of one year. Officers shall be eligible for re-election subject to the Chairperson serving a maximum of 3 consecutive terms (Unless an extension is approved in writing by the Membership Standing Committee).

Where two or more persons were elected on the same day and have served the same length of time on the Committee, those who shall retire shall be determined by lot.

Any Committee member who does not attend at least two of the Committee Meetings in any one year shall retire at the next Annual General Meeting, unless s/he has obtained a leave of absence from the Committee.

8. ENDURING DUTIES AND RESPONSIBILITIES OF OFFICERS

Following retirement from the Committee the duties and responsibilities of all Officers shall endure until such time as all affairs (financial or otherwise) of the branch for the year in which retirement takes place have been concluded.

9. ELECTION OF OFFICERS

Elections of Officers will take place at the first meeting of the branch and subsequently at each Annual General Meeting. The retiring Chairperson shall take an ex-officio role until the elections are decided. Only fully paid up subscribing members of CILEx are allowed to vote in the election of Officers. Branch Affiliates are not eligible to nominate or vote in the election of Officers.

10. SUB-COMMITTEES

The Committee may delegate any of its powers to one or more sub-committees.

11. SUBSCRIPTIONS

The amount of the branch annual subscription shall be decided at the Annual General Meeting of the branch. All subscriptions should be paid to the Treasurer within 28 days of the Annual General Meeting.

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The subscription shall not exceed the maximum annual branch subscription determined by CILEx.

12. CESSATION OF MEMBERSHIP

No person may be a Branch Affiliate if barred from membership of CILEx, the Law Society, The Council of Licensed Conveyancers or the Bar Council.

Any member or Branch Affiliate who does not communicate their wish to cease membership with the branch within 28 days after the AGM shall automatically continue to be a member of the branch, subject to the caveat that where membership to the branch attracts a branch membership fee that fee has been paid.

13. FINANCE

The branch shall be self-financing save for any discretionary grants made by the Council of CILEx or third party sponsorship approved by CILEx. The branch shall have no power to bind CILEx.

14. BRANCH MEETINGS

The Committee should aim to hold regular branch meetings and should, in any event, hold at least four meetings in any 12 month period.

In the event that the Chairperson and Vice-Chairperson cannot attend a branch meeting the Committee members present at the meeting shall appoint one of their number to act as Chairperson for the purpose of that meeting.

The Secretary or some other person appointed by the Committee shall take a minute of all branch meetings and circulated to the members of the branch by email as soon as practicable after the meeting.

15. ANNUAL GENERAL MEETING / ANNUAL REPORTING

The first Annual General Meeting (AGM) shall be held not later than 28th February in the year following the formation of the branch. Subsequent AGMs shall be held not later than 28th February in each succeeding year. Notice of the AGM shall be given in writing by email or by post to all members of the branch and the Chief Executive at least 14 before the date of the AGM which shall be accompanied by an

Agenda and details of any proposed resolutions.

The AGM agenda shall include the following items:

- A report by or on behalf of the Chairperson of the Committee on the work of the Branch and the Committee since the last AGM;
- Presentation of the Accounts of the Branch for the previous financial year;
- Election of members of the Committee;
- Proposed Resolutions;
- Annual subscription;
- Address by invited attendees;
- Any other business.

The AGM shall be chaired by the Chairperson of the Committee or if the Chairperson is not present by any Vice Chairperson. In the event that the Chairperson and Vice-Chairperson is not present the meeting shall elect one of their number to act as Chairperson for the purpose of that meeting.

The Chairperson of the Committee may invite a Council member, the President and the Chief Executive (or their nominees) to attend and address the meeting.

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The Secretary shall send to the Chief Executive an Annual Return accompanied by a list of members of the branch as at 31st December by 31st March in each year. This should be in the format prescribed by CILEx together with the Branch Accounts for inspection

Accounts for the branch's first year (or part year) of activity should end on 31st December of the year the branch started. For second and subsequent years, the accounts should cover the calendar year to 31st December.

16. ORDINARY BRANCH MEETINGS

Ordinary meetings of the members may be held for such purposes and at such times and places as the Committee may decide having given all members of the branch at least 7 days notice in writing by email or by post.

17. CONDUCT OF ORDINARY BRANCH MEETINGS

All members of the branch and Branch Affiliates may speak at the meeting but only CILEx members are entitled to vote.

Branch meetings shall be chaired by the Chairperson of the Committee or if the Chairperson is not present by any Vice Chairperson. In the event that the Chairperson and Vice-Chairperson are not present the meeting shall elect one of their numbers to act as Chairperson for the purpose of that meeting.

18. SPECIAL MEETINGS

Two or more Fellows of the Branch may in writing to the Chairperson or Secretary of the branch or if neither have been elected or are in post the Chief Executive request that a Special Meeting of the branch be convened. The request shall state the nature of the issue to be discussed and shall contain a proposed resolution for the meeting to consider. Written notice of the request shall be given to the Chief Executive by the person requesting the meeting and the Chairperson or Secretary of the branch. The Chief Executive shall take all necessary steps to convene a meeting of the branch within 6 weeks from the date of request and shall give notice by email or by post of the meeting the issue to be discussed and the proposed resolution in writing to all members of the Branch at least 28 days before the date of the meeting.

19. CONDUCT OF SPECIAL MEETINGS

All members of the branch and Branch Affiliates may speak at the meeting but only CILEx members of the branch are entitled to vote at any special meeting of the branch.

Special meetings shall be chaired by a person appointed by the Chief Executive for that purpose (which may be the Chairperson of the Committee or a member of the Committee).

20. ALTERATION OF RULES

Any proposed amendments or variation of these “Branch Rules” shall be approved by an Ordinary Meeting of the branch or in writing by CILEx.

21. DATA PROTECTION

CILEx is registered under the Data Protection Act and Branch records such as mailing details and attendance records are the property of CILEx and are covered by the Head Office registration. The branch may only record and retain the following membership information:

- Name and home and office addresses;
- Name and address of employer;
- Contact telephone numbers;
- Email addresses;
- CILEx status;
- Committee position and status;
- Subscription information.

No other personal information shall be recorded or retained by the branch. Branch records shall be produced to the Chief Executive on demand.

Branches are reminded that Data Protection rules give members the right to see all personal records about them and any personal information held about them.

Branch membership records and must comply with such Data Protection Rules

stipulated by CILEx from time to time.

22. INSURANCE AND CONTRACTS

The insurance cover maintained by Head Office extends to cover branches. Accordingly, there is no need for a branch to insure branch events such as normal meetings, conferences, dinners, receptions.

Any contract to be entered into by or on behalf of a branch which exceeds £500 or one third of the current reserves of the branch whichever is the higher shall be referred to the Chief Executive.

23. BRANCH RECORDS

Branches shall safely retain all branch records (including receipts, invoices, subscription records, annual returns, expense claims, minutes and agendas) for a minimum of two years. The Committee may decide that records for earlier years may be destroyed on a confidential basis.

24. EXPENSES

Expenses incurred by Committee members wholly, exclusively and necessarily in the performance of branch duties approved by the Committee shall be reimbursed by the branch. All claims must be supported by invoices or receipts and specify the reason for the expenditure. HMRC's Authorised Mileage Rate allowance may be claimed if private cars are used on Branch business. The branch is at liberty to pay a lower rate than HMRC's Authorised rate at its absolute discretion.

25. CLOSURE OF BRANCH

If branch members consider that there is insufficient interest/member engagement to sustain the current branch then the Committee or Member (if branch membership is lower than 5) can apply to CILEx for the branch to be closed. If CILEx consider that a branch is inactive then they can instigate the branch closure. Before a branch closes a review will take place with all interested parties to agree on the plan for closure, return of CILEx property and distribution of remaining funds.

A review of branch closure shall take into account the activity of the branch including planning and delivery of events, communications with branch members, CILEx and other stakeholders, membership growth as well as administration of the branch. This list is not exhaustive.

Any remaining funds returned to CILEx following a branch closure shall be held by CILEx for a period of 6 months and thereafter shared amongst remaining CILEx branches.