

CONSTITUTION of the South Cumbria & North Lancs AREA of the MILITARY VEHICLE TRUST

This Constitution was voted into force at the 1st March 2011 meeting of the South Cumbria & North Lancs Area of the Military Vehicle Trust, held at Th'Owd Tithebarn, Garstang, Lancs.

Proposed by *Paul Higgins (Secretary)*. Seconded by Boyan Holmes (Treasurer)
Passed with no objections.

Amendments made and agreed at the AGM, November 2013, to specify how and when proposals and seconding of committee members should take place.

Proposed by Paul Higgins. Seconded by Norman Callaghan.
Passed with no objections

This Constitution contains four pages including this one. Nothing in this document shall attempt to alter amend the Articles of Association of the Military Vehicle Trust.

THE AREA

- 1a The Area shall be known as 'South Cumbria & North Lancs Area of the Military Vehicle Trust' hereinafter referred to as 'the Area'.
- 1b The Area shall be an Area of the national Military Vehicle Trust, a company registered under the Companies Act 1985 and registered under the 1960 Charities Act No. 327768

THE AIMS OF THE AREA

- 2a The primary aim of the Area shall be to promote and encourage the restoration, preservation, use and enjoyment of ex-military vehicles and associated equipment of all ages.
- 2b In furtherance of the primary aim, the Area shall promote, organise, sponsor and support military vehicle shows and other associated events, and encourage the attendance and appearance of military vehicles and associated accoutrements at public events, and shall from time to time raise funds to support such activities.
- 2c A secondary aim of the Area shall be to research and preserve documentation, equipment, and other items and articles appertaining to the main aim as stated above.

MEMBERSHIP

- 3a Membership shall be open to any current and fully paid up member of the Military Vehicle Trust that chooses to affiliate his or herself with the South Cumbria & North Lancs Area of the Military Vehicle Trust.
- 3b Members joining or affiliating with the Area will be deemed to have accepted the Articles, Memorandum of Association, and the Code of Conduct of the Military Vehicle Trust, and will abide by the same and conduct themselves in a way so as not to bring the reputation of the Trust and the Area into disrepute.
- 3c Members may be excluded from the Area should they act in a manner prejudicial to the interest of the Area, or bring the reputation of the Area or the Military Vehicle Trust in to disrepute. Any period of exclusion shall be determined by the members of the Area. Any person so excluded shall be informed of the reason for his/her exclusion in writing and then

shall be given 28 days during which time he/she will be given an opportunity to state their case in writing, and of defending his/her self to the membership.

- 3d A membership list shall be held by the Area. Any such list may be kept on computer. Any such list is held within the Area and not to be passed onto a third party without the prior consent of all the members concerned. The Military Vehicle Trust is registered under the Data Protection Act. Members may request, in writing, a copy of their details held by the Area and/or the Military Vehicle Trust, and shall receive all relevant personal information so held, in writing, on payment of £2 to Area funds. Such sum may be amended at any time to cover expenses in accordance with the Data Protection Act. Members shall be given the right to have their personal information so held to be corrected as they require.

OFFICERS AND ORGANISATION

- 4a The Officers of the Area shall be elected at the Annual General Meeting (AGM-see Section 5b) and shall stand for a period of one year.
- 4b Officers of the Area shall include an Area Secretary who shall be the Area Delegate at national meetings of the Military Vehicle Trust unless otherwise decided at the preceding AGM (in which case, an Area Delegate shall also be elected at the same AGM). In addition to an Area Secretary, other officers of the Area shall include a Treasurer (who must be solvent and not disbarred from office under the Companies Act 1985), three Signatories (one of whom may be the Treasurer) for the purpose of signing cheques on behalf of the Area (see 'Finances'), and any other office as may be decided by the membership to be beneficial to the organisation of the Area.
- 4c Officers of the Area shall have nominations proposed and seconded by the members present at the October meeting prior to the AGM, then elected by the members present at the AGM. Any member who has attained the age of 18 years at the date of the AGM shall be entitled to propose, second and vote unless excluded under Section 3c or Section 4g of this constitution. Members may vote once for as many candidates as there may be vacancies. No member shall be entitled to vote more than once for any one candidate, except that:
- (a) if there should be a tie in respect of a vote for the incoming Area Secretary, the outgoing Area Secretary shall either re-hold the vote or have an additional casting vote at his/her discretion
 - (b) if there should be a tie in respect of a vote for any post or position of committee member subsequent to the election or re-election of the Area Secretary, the Area Secretary shall have an additional casting vote.
- 4d No officer of the Area shall hold office for more than one year without standing for re-election.
- 4e No member shall be nominated for election without that member first indicating willingness to stand for such office.
- 4f If any Committee member shall absent themselves from three consecutive monthly meetings, he/she shall be deemed to have resigned from the said Committee post, unless the members present at the third period of absence by the said Committee member shall decide by ballot to the contrary. The said person having resigned by means of absence shall be barred from holding office within the Area for a period of twelve calendar months.
- 4g Following an officer of the Area resigning, or otherwise vacating his or her post, an election to fill the vacant position shall be held at the earliest possible meeting following the event, and not more than two meetings after such vacancy being notified to the membership. Any such officer having been elected other than as the result of election at an AGM, or taking up post as the result of resignation of a previous holder, or as a result of a new post or office

being created, shall not hold such office beyond the AGM following his/her election without standing for re-election.

- 4h Each and every officer of the Area shall give a report with regards to their special responsibility/responsibilities to the membership at the AGM and at any other meeting as may be required by any member present at any monthly Area meeting.

MEETINGS

- 5a An AGM shall be held on the first Tuesday in November each year.
- 5b An AGM may be postponed for no more than one month if it is the wish of not less than fifty percent of the membership present and voting at the October meeting.
- 5c Regular meetings shall be held at Th'Owd Tithebarn, Garstang, Lancs.
- 5d Meetings shall be held starting at 8pm on the first Tuesday of each month.
- 5e A record of the proceedings of the AGM shall be taken by the Secretary or his/her nominated deputy, and presented at the following Area meeting for approval as a true record of the proceedings and decisions taken.

FINANCES

- 6a The Area shall have one or more bank accounts (hereinafter referred to as 'the Area accounts'). The accounts shall be in the name of 'The Military Vehicle Trust South Cumbria/North Lancs Area'. The accounts shall be held at a bank and branch as decided by the members.
- 6b The Treasurer shall be responsible for the good management of the Area accounts.
- 6c The Treasurer shall report to the membership as to the state of the finances of the Area at each AGM and at any time as required by the membership. The Treasurer shall give their report to the AGM in writing.
- 6d No monies shall be withdrawn from the Area accounts without the prior agreement of the membership. Any such agreement shall be indicated by proposal, seconded and a majority vote in agreement at a monthly meeting prior to the withdrawal being made.
- 6e Any withdrawal shall only be made by means of a cheque drawn on the Area's current account, or a signed withdrawal slip. No withdrawal shall be made without two of the three previously decided signatures on any cheque or withdrawal slip.
- 6f Monies may be withdrawn from the Area accounts in association with, or promotion of, the Area activities, or in furtherance of the aims of the Area, but only after prior agreement has been indicated at a preceding Area meeting in accordance with this constitution.
- 6g The names of three Signatories along with examples of their signatures shall be notified to the bank holding the Area accounts as may be required by the bank, and after each and every change of each or all Signatories. Any such notification shall be made by the Area Secretary. Should the Area Secretary change, this fact shall be notified to the bank by the outgoing Area Secretary along with the name and example of the signature of the incoming Area Secretary.
- 6h Any donations, monies due to, or raised on behalf of, the Area shall be paid into one of the Area accounts by the Treasurer and the fact reported to the membership at the following Area meeting.

- 6i In the event of the Area being wound up, any monies held by the Area shall be disposed of in a way to be decided by not less than fifty per cent of the membership present and voting at the meeting to wind up the Area.
- 6j The members may appoint an auditor from time to time as required and decided by the members, to examine and report to the members on the state of the account. Any auditor so elected shall remain in post until such time as the report is given to the members.
- 6k The Treasurer may be removed from office if an order is made against him/her pursuant to Section 383 of the Companies Act 1985. Should such a case arise, Clause 6j shall become a mandatory clause.

THIS CONSTITUTION

- 7a A copy of this constitution shall be held by the Area Secretary and shall be made freely available on demand for perusal by members, and a further copy shall be lodged with the General Secretary of the Military Vehicle Trust. Further copies of the document may be purchased, for personal use only, on payment of the sum of £5 per copy to Area funds to cover the cost of printing. Such sum may be amended at any time as required to cover the printing expenses.
- 7b This constitution may be amended from time to time as may be required for the benefit of the Area, to reflect any change in circumstance, subject to Clause 7d of this constitution. Any such amendments shall be voted upon and ratified by not less than 50 per cent of the membership present and voting at an AGM or any extraordinary AGM as required by the membership of the Area.
- 7c Any amendment made shall be appended to the copy of this constitution held by the Area Secretary and shall be made freely available on demand for perusal by the membership of the Area and a further copy shall be lodged with General Secretary of the Military Vehicle Trust.
- 7d No alteration, deletion, amendment or addition shall be made to:
(a) Clause 1b of this document,
(b) any Clause in Section 2 of this document,
(c) any Clause in Section 6 of this document, or
(d) this Clause,
if the effect or enactment of any such alteration, deletion, amendment or addition would cause the Trust or Area to cease to be a charity in law.
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