

# BRITISH COUNCIL for CHINESE MARTIAL ARTS



CONSTITUTION AND RULES

## BRITISH COUNCIL for CHINESE MARTIAL ARTS

### CONSTITUTION RULES and STANDING ORDERS

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## **1 TITLE**

The title of the organisation shall be THE 'BRITISH COUNCIL FOR CHINESE MARTIAL ARTS', working title 'the Council'.

## **2. OBJECTIVES**

The objectives of the Council shall be to: -

- a. Promote equally the study and practise of all the Chinese Martial Arts in Great Britain and Northern Ireland.
- b. Organise, regulate, and control the study and practice of the Chinese Martial Arts in Great Britain and Northern Ireland.
- c. Affiliate to, assist, co-operate with, and support national and international organisations having objectives approved by the Council.
- d. Act as an advisory body on all matters appertaining to the practice of the Chinese Martial Arts, through liaison with statutory and voluntary bodies, news media and other relevant parties.
- e. Provide members with such services and support as may be available through their membership.
- f. Do all such other things as are incidental or conducive to the furtherance of the objects of the Council.

## **3. MEMBERSHIP**

Membership to the Council shall be defined in the following categories: -

- a. **FULL MEMBERS** Amended 27/11/2004, amended 01/02/2017: shall be any group with 15 or more licensed members which the executive, in its discretion and has elected to full membership of the Council by a simple majority of its complement present and voting at a meeting convened as hereinafter provided. A full member need not have previously been a provisional member. Full members will have the right to speak, propose or second items and vote at an AGM. If at any time a Full Member's student numbers falls below 15 then they are liable to be demoted to Associate Member if Executive Committee so decides.
- b. **ASSOCIATE MEMBERS** Adopted 20/7/99 amended 19/01/2005 amended 28/5/11 amended 01/07/2017: shall be any group, which has less than 15 licensed members. The Executive Committee reserves the right to deal with Associate Members in its absolute discretion.
- c. **PROVISIONAL MEMBERS** Amended 27/11/2004 amended 28/5/11 shall be groups, which the executive, in its discretion, elects by a simple majority. Provisional membership shall be granted under such terms and conditions as the executive committee shall, at the time of the election of the provisional member, deem appropriate. It is normal for members whether applying for full or associate status to be admitted as provisional members in the first instance.
- d. **HONORARY MEMBERS** Amended 27/11/2004 shall be persons that the executive committee elects by a simple majority of its complement present and voting at an executive committee convened as hereinafter provided, as honorary members.
- e. **Subcategories** Adopted 20/08/2006 **EXECUTIVE MEMBERS** please see Standing orders

- f. INDIVIDUAL LICENCE HOLDERS shall be persons in current membership of a full, associate, or provisional member group of the Council and has paid their annual registration fee to the Council via their Head of Association or appointed person.

#### 4 ORGANISATION

The Council shall consist of three bodies: -

The Members Council (AGM or EGM)  
The Executive Committee  
The Management Committee

#### 5 THE MEMBERS COUNCIL (AGM & EGM)

Constituents, voting and quorum.

- a. The Members Council of the British Council for Chinese Martial Arts will convene annually for the purpose of an Annual General Meeting or exceptionally when an Emergency General Meeting is convened as hereinafter provided

Φ	The President	adopted 1/8/96	] Officers
	The Chairman		
	The Vice Chairman		
*	The Secretary		
	The Treasurer		

Φ The post of President of the Council shall be that of an honorary member it will receive no payment and will act as an honorary adviser to the Council. The President may offer assistance and advice but may not make proposals, second proposals, vote on or veto any proposal. The term of office of the President shall be open ended. If the Members Council wishes to change the person in the post of President, it may do so by voting such a proposal. Voting shall be at a Members Meeting, where postal votes will be accepted; the proposition shall require a simple majority vote for it to be carried.

*\* This officer may be honorary secretary or general secretary. A general secretary is one who receives a salary, either directly or indirectly from the Council.*

- b. Amended 1/8/96: A quorum for a meeting of the members shall be 10% of the full members entitled to vote.
- c. Amended 20/7/99 Voting on the Member's Council will be by simple majority of Full Members present and entitled to vote, plus the postal votes received from Full Members entitled to vote, by the Secretary not later than the due date stated. The Chairman, Vice Chairman, Secretary and Treasurer will be entitled to exercise their Association's vote at the meetings of the Member's Council. In the event of a tie, the Chairman shall have a second or casting vote. No proxy votes will be allowed.
- d. Amended 10/6/01 Term of office for Executive Members increased from the current two-year period to a four-year period.

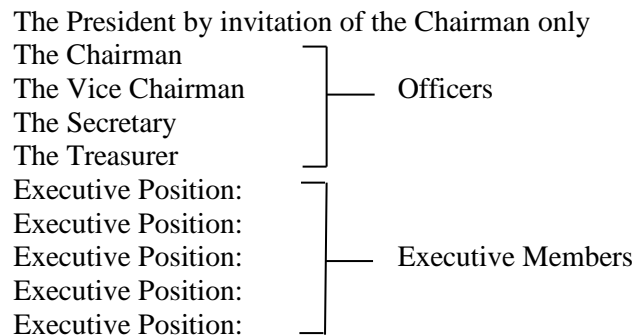
## 6. POWERS AND DUTIES OF THE MEMBERS COUNCIL

- a) Electing and dismissing members and officers of the Executive Committee. Amended 28/05/2020 *Caveat* In the event of an ‘Executive Officer’ or ‘Executive Member’ failing to adequately fulfil their allotted role or fails to attend at least two executive meetings per year without just cause, the Executive Committee under the guidance of the chairman reserve the right to establish a special disciplinary hearing, to which the individual will be invited, the outcome of which could result in the ‘Executive Officer’ or ‘Executive Member’ being dismissed from post. Voting at the specially convened disciplinary hearing will require a 75% majority of the ‘Executive Committee’ members present, to carry a decision of dismissal from post. Members will have an opportunity to replace the dismissed individual at the next scheduled Members Council Meeting.
- b) Deciding the Councils general policies to be followed and debating other issues of concern to the membership.
- c) Interpreting and amending the Councils constitution and objects in its discretion.
- d) Terminating membership of the Council of any category of member or individual licence holder.
- e) Dissolving the Council.
- f) Ratifying the actions, decisions, and recommendations of the Executive Committee.

## 7. THE EXECUTIVE COMMITTEE

Hereinafter referred to as the E/C - Constituents, voting and Quorum.

- a. The E/C of the Council will consist of: -
  - i. The officers and members of the E/C shall be those elected by the Members Council none of whom shall be from the same group unless specially agreed by the AGM in which case not more than two may come from the same group and they will jointly carry only one vote at meetings.



- Adopted 28/5/2020 the roles of Executive Members will be allocated by the Chairman
- Amended 28/05/2020 The Executive Committee will be formed as above, four ‘Executive Officers’ and five ‘Executive Members’.
- Adopted 22/05/2021 the posts of The Secretary, Treasurer and Coaching Officer will be paid posts. The level of remuneration has been set at £200 per month per post £7200 for all three posts per annum.

- ii. The President is not entitled to vote, propose, second or veto.

- b. A quorum for a meeting of the E/C shall be one half of its members who shall include half of the officers whether voting or not.
- c. Voting on the E/C shall be by simple majority. No proxy voting will be allowed.
- d. All officers and members shall be entitled to one vote each or as stipulated above. In the event of a tie the Chairman shall have a second casting vote.

## 8. POWERS AND DUTIES OF THE E/C

The E/C shall have the power to: -

- a. Act in the name of the Council.
- b. Carry out the objects of the Council.
- c. Make such levies upon members for financial contribution, to obtain funds and to make such charges as the Committee may determine.
- d. To arrange the affiliation and registration of such groups, persons or organisations as the committee may deem it desirable to affiliate or register.
- e. To impose disciplinary measures and sanctions against members and licence holders in accordance with the regular procedures.
- f. Adopted 28/05/2020 To impose disciplinary measures on Executive Officers or Executive Members as aforementioned.
- g. To appoint, determine the terms of reference and revoke such sub-committees as are required and to delegate to these sub-committees such matters as the E/C may decide.
- h. To delegate to duly appointed sub-committees such authority as the E/C may consider appropriate to act on the E/C's behalf.
- i. To co-opt and dismiss such persons as may be required by the E/C.
- k. Set budgets to enable budget holders to complete their allotted programme of work.

## 9. EXECUTIVE MEMBERS (Budget Holders)

- a. Executive member budget holders will be financed after written submission to the E/C, who are responsible for setting budgets annually.
- b. To work within agreed budgets and comply with accounting procedures set by the E/C.
- c. Shall be responsible for arranging their own team and support structure and will be directly responsible to the E/C. Their prime role will be developing their activity in accordance with the agreed objectives of the Members Council and the E/C.

## 10. THE MANAGEMENT COMMITTEE

Hereinafter referred to as the M/C - Constituents, voting and Quorum.

- a. The M/C of the Council will consist of: -

The Chairman	}	Officers
The Vice Chairman		
The Secretary		
The Treasurer		
Invited Guests (at the discretion of the Chairman only)		

- b. A quorum for a meeting of the M/C shall be three quarters of its members.
- c. Voting on the M/C shall be by simple majority.
- d. All officers shall be entitled to vote. In the event of a tie the Chairman shall have a second or casting vote.
- e. Guests will not be able to vote and may be asked to leave the meeting when their specialist input has been given.

## **11. POWERS AND DUTIES OF THE M/C**

The M/C shall have the power to: -

- a. Implement the decisions of the E/C between meetings of the E/C and shall perform all such other tasks as may be delegated to them by the E/C and shall report their actions to the next meeting of the E/C for ratification.
- b. To arrange for the management and administration of the Council and its property, including real property (both freehold and lease hold), purchase of materials and services, the taking of lease(s), provision of security or securities for loans and generally using and investing the assets and funds of the Council for the benefit of the members and in the furtherance of the objects of the Council.
- c. To indemnify all or any of its officers or agents, for the cost of authorised expenses or actions taken in the name of the Council.
- d. To charge persons for the sale, hire, provision, supply or disposal of equipment, clothing, furniture, premises, fixtures, and fittings of whatsoever nature. In addition, the M/C shall be responsible for acquiring such items by such means as it may determine.
- e. To make disbursements of funds, assets and equipment as may be decided by the M/C.
- f. To receive, co-ordinate and administer grant applications on behalf of the Council and its members.
- g. To arbitrate, mediate and conciliate in such matters as are requested by the members of the Council.
- h. To make, amend and rescind such regulations and byelaws as the M/C may require.
- i. To make recommendations to the Members Council and to the E/C on all matters concerning the Council and its members.
- j. To co-opt and dismiss such persons as may be required by the M/C.
- k. To monitor budget spending and report concerns and issues to the next meeting of the E/C for action.

## **12. REPRESENTATION, RESIGNATION AND TERMINATION OF MEMBERSHIP**

### **12.1 Representation**

- a. FULL MEMBERS may appoint two representatives to sit on the members Council, one of whom will be entitled to vote on behalf of the full member. Full members shall provide such credentials to their representatives, as the Members Council considers necessary.
- b. ASSOCIATE MEMBERS may appoint a representative to sit on the Members Council. The representative shall not be entitled to vote. Associate members shall provide such credentials to their representative, as the Members Council considers necessary.

- c. PROVISIONAL MEMBERS may appoint a representative to sit on the Members Council. The representative shall not be entitled to vote. Provisional members shall provide such credentials to their representative, as the Members Council considers necessary.
- d. HONORARY MEMBERS may sit on the Members Council and the E/C but shall not be entitled to vote, propose or second motions on either body.

## 12.2 Resignation and Termination of Membership

- a. Any member of the Council may terminate their membership of the Council upon giving three months prior notice in writing to the Secretary of the Council. Upon expiration of the period of such notice, the membership to the Council of such party shall cease without prejudice to any outstanding claims at the said date by the Council against such member or by such member against the Council.
- b. The Members Council may, by a resolution passed by a simple majority of its full members, present and the postal votes received from Full Members entitled to vote, by the Secretary not later than the due date stated and voting at a Members Council meeting convened as hereinafter provided, terminate the membership to the Council of any full, provisional, Associate or honorary member or licence holder with effect from the date decided in such resolution. Upon such date the membership to the Council of such party shall terminate without prejudice to any claims at the said date of termination by the Council against such party, or by such party against the Council.

## 13. ADMINISTRATION

- a. The Members Council, the E/C, and the M/C will meet for the dispatch of business, adjourn and otherwise regulate their meetings in accordance with the standing orders for meetings and rules for debate as appended to this constitution.
- b. Minutes of meetings of the Members Council, E/C, and M/C will be taken, and the minutes kept and properly preserved by the nominated person. A copy of all Committees minutes will be sent to the Secretary of the Council for central filing. The said minutes will be circulated and available at all reasonable times for inspection by the member's representatives and officers of the Council.
- c. The Members Council for the purpose of an AGM or EGM, shall meet on notice from the Secretary as hereinafter provided, at the request of the Chairman, or any three or more full members of the Executive Committee.
- d. The E/C shall convene on notice from the Secretary as hereinafter provided, at the request of the Chairman, or collectively, any four or more officers and members of the E/C.
- e. amended 01/07/2017. The Secretary or a nominated person, shall send by e-mail, a written notice 60 days prior to the scheduled date of and for every meeting of the Members Council and 14 days prior to the scheduled date of and for every meeting of the E/C to the last e-mail address nominated to the Secretary for the sending of such notices by the officers and members. An agenda which shall state the general particulars of the business to be transacted at any meeting shall be sent at least 14 clear days beforehand. Non-receipt of any such notice by a member or its representatives shall not invalidate a meeting.



- f. The Chairman of a meeting may, subject to the approval of that meeting invite any persons, whether or not they are representatives of members or offices, to be present at, or to address a meeting of the Council.
- g. The Chairman for any meeting of the Members Council or E/C shall be the Chairman of the Council. In his absence, the Vice-Chairman shall chair the meeting. In his absence the meeting shall elect a 'Meeting Chairman' from those present. During the election of officer at the Members Council the Chairman and all officers will step down during the election and the elections will be chaired and conducted by the President. After the elections, the President will hand over to the elected Chairman.

#### **14. ANNUAL GENERAL MEETING**

- a. An Annual General Meeting shall be held not less than ten months nor more than fourteen months from the date of the previous Annual General Meeting.
- b. The precise date and venue of the Annual General Meeting shall be at the discretion of the E/C.
- c. Amended 1/9/96: At least sixty days clear notice of the Annual General Meeting shall be given to all officers and members.
- d. The Business of the Annual General Meeting shall include:
  - d.1 amended 27/11/2004: The submission and adoption of verified not audited accounts for the last financial year.
  - d.2 The submission and adoption of an annual report
  - d.3 Election of officers. Candidates for election shall provide a written manifesto of between fifty and two hundred words, which shall be circulated to all members with the agenda for the Annual General Meeting. Candidates receiving a seconder shall present their manifesto to the Annual General Meeting.
  - d.4 Election of members to the E/C. Candidates for election shall provide a written manifesto of between fifty and two hundred words, which shall be circulated to all members with the agenda for the Annual General Meeting. Candidates receiving a seconder shall present their manifesto to the Annual General Meeting.
  - d.5 amended 27/11/04: Appointment of verifier.
- e. Amended 1/9/96: Nominations for election of officers and members of the E/C must be made in writing to the secretary, or a nominated person. Such nominations to be received at least thirty days prior to the date of the meeting so as to be included in the agenda for the Annual General Meeting.
- f. Amended 1/8/96: Secretary to circulate to All Members, an Agenda which will include any nominations for election for Officers or Executive Members, all suggestions for changes to the constitution or a resolution for the dissolution of the Council, at least 14 clear days prior to the scheduled date of the meeting.

#### **15. VETO**

- a. A representative of a full member may veto discussion on a topic considered at a meeting of the Members Council. if they feel inadequately briefed to decide upon the topic. The vetoed topic shall be reinstated at a meeting following the meeting at which the topic was vetoed. In this subsequent meeting, no further veto on the previously vetoed discussion may be exercised.

- b. A veto may not be used on a motion, the terms of which have been properly notified in the agenda for that meeting.

## **16. GENERAL**

- a. Verifiers used by the Council shall be incorporated or chartered accountants.
- b. The financial year of the Council shall run from the first of April to the thirty first of March inclusive.
- c. Amended 1/9/96: Any alterations or amendments to this constitution and rules, or a resolution for the dissolution of the Council must be notified in writing to the Secretary at least thirty clear days before the scheduled date of the meeting at which such will be tabled. Such alterations or amendments to the constitution and rules, or resolution for dissolution of the Council shall require a simple majority of the full members present (Amended 20/7/99) plus the postal votes received from Full Members entitled to vote, by the Secretary not later than the due date stated and voting at the Annual General Meeting, or a members Council meeting convened for that purpose.
- d. If upon the dissolution of the Council there remains, after satisfaction of all its debts and liabilities, any funds or other assets, they shall be applied, as far as is possible, to the furtherance of such objects, similar to those of the Council. Insofar as the remaining assets cannot be so applied, then they shall be applied for any purpose and in any way that the Members Council may decide.
- e. The Council believes in equal opportunity therefore in all texts produced by the Council the masculine shall include the feminine.
- f. The interpretation act of 1978 shall apply to this constitution and rules as amended modified or re-enacted from time to time.

## STANDING ORDERS and PROCEDURES

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## 1. EQUALITY, DIVERSITY and INCLUSION POLICY

The BCCMA are totally committed to providing equality, diversity, and inclusion in the context of Chinese Martial Arts but recognizes that some Chinese Martial Arts activities may not be appropriate to everybody. However Chinese Martial arts systems are sufficiently diverse and rich in content that it should be possible, with some provisos, to cater for all prospective members.

It is a legal requirement for Coaches to create a working environment free of bullying, harassment, victimisation, and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all are recognised and valued.

It is the responsibility of Lead Coaches to ensure that members of their coaching team (assistant coaches, volunteers, helpers) are made aware of, and sign up to, these requirements and their obligations to comply with the regulations before they are employed in the coaching environment.

- Treating any individual on grounds of age, gender, colour, marital status, race, nationality or ethnic of national origin, religion, sexual orientation, or disability less favourably than others.
  - Expecting an individual solely on the grounds stated above to comply with requirement(s) for any reason whatsoever related to their membership, which are difference from the requirements for others.
  - Imposing on an individual's requirements which are in effect more onerous on that individual than they are on others. For example, this would include applying a condition which makes it more difficult for members of a particular race or sex to comply than others not of that race or sex.
  - Victimisation of an individual.
  - Harassment of an individual, by virtue of discrimination.
  - Any other act of omission of an act, which has as the effect of disadvantaging one member against another, or others, purely on the above grounds. Thus, in all the BCCMAs recruitment, selection, promotion and training processes, as well as disciplinary matters, it is essential that merit, experience, skills and temperament are considered as objectively as possible.
- 
- The BCCMA commits itself to the immediate investigation of any claims of discrimination on the above grounds and where such is found to be the case, a requirement that the practice cease forthwith, restitution of damage or loss (if necessary) and to the investigation of any member accused of discrimination.
  - Any member found guilty of discrimination will be instructed to cease forthwith. Since discrimination in its many forms is against the BCCMA's policy, any members offending will be dealt with under its disciplinary procedure.
  - The BCCMA commits itself to the disabled person whenever possible and will treat such members, in aspects of their recruitment and membership, in exactly the same manner as other members. The difficulties of their disablement permitting, assistance will be given, wherever possible to ensure that disabled members are helped in gaining access. Appropriate training will be made to such who request it.

## **2. REGULAR PROCEDURES**

These Standing Orders and Procedures should at all times be considered in conjunction with appropriate sections of the Councils Constitution and Rules.

## **3. STANDING ORDERS for MEETINGS**

- a. If the Chairman is not present after the time appointed for the commencement of the meeting, the Chair shall be taken by the Vice Chairman, or in his absence, by a person elected by those present at the meeting.
- b. The Chairman of the meeting shall conduct the meeting in accordance with these Standing Orders and Rules of Debate and subject thereto his ruling on any matter of procedure shall be final.
- c. No member or officer shall be entitled to hold the proxy of any other member or officer.
- d. The Chairman of the meeting shall ensure that all who vote are entitled to do so.
- e. Except as otherwise may be provided for in the Rules. In the case of an election or motion put, the candidate or candidates, or motion, receiving the greater number of votes cast, shall be declared elected, or adopted. An abstention shall not count as a vote cast.
- f. It shall be the duty of the members to ensure that their views are represented on the board of control.
- g. Amended 27/11/04: These Standing Orders and Rules of Debate, or any of them may be suspended in whole or in part for the whole or any part of a meeting by a resolution carried by a simple majority of those present and voting at a meeting of the Members Council.

## **4. RULES of DEBATE**

- a. Any person entitled to be present and wishing to speak at a Members Council, E/C or M/C meeting of the Council shall address the Chairman of the meeting. If more than one person wishes to speak, the Chairman shall decide the order of speakers.
- b. Any motion, unless the terms are set out in the agenda circulated prior to the meeting shall, if required, be put in writing before the vote is taken.
- c. A motion shall not be debated until it has been seconded.
- d. Any amendment proposed to a motion must be relevant and not be a direct negative. It shall not be debated until seconded.

- e. When any amendment has been moved and seconded, no further amendment may be moved until it has been disposed of. However notice of intention to move a subsequent amendment may be given, without comment, except the general nature of the amendment, during the course of the debate.
- f. The proposer of a motion, with the consent of a seconder, may signify that he is willing to accept an amendment.
- g. Any motion or amendment, having been proposed and seconded, may only be withdrawn by consent of the meeting.
- h. Any person entitled to be present at the meeting and entitled to vote may, at the conclusion of the speech of another person move without comment: -
  - That the question be put.
  - That the debate be now adjourned to the next meeting.
  - That the meeting proceeds to the next business.
  - That a time limit be imposed on the debate of the question.
- i. If the motion is seconded, the Chairman shall at once put it to the meeting. If a motion that the question be now put is carried, the proposer of the motion may nevertheless exercise his right of reply. If either of the other procedural motions in accordance with sub-paragraph (b) and (c) above is passed, the meeting shall immediately proceed to the next item of business.
- j. If a motion under paragraph (h) or (i) is lost, it is within the Chairman's discretion whether or not he will accept a further motion under any of the three paragraphs during the course of the same debate. Subject to paragraph (i) and this paragraph, the Chairman shall decide when the vote is to be taken.
- k. Any person entitled to be present at the meeting and entitled to vote may seek the Chairman's ruling on a point of order at any time during the meeting and this shall be disposed of before debate is resumed or further business introduced.
- l. The report of any committee or subcommittee may be discussed informally but the Chairman may at his discretion ask for a motion that it be 'received', 'approved', 'rejected or 'referred back'. The Rules of Debate shall be applied to any such resolution.
- m. These Rules of Debate or any part of them may be suspended in whole or in part for the whole or any part of the meeting on a resolution agreed by a majority of those voting at a meeting of the Members Council.

## 5. MEMBERSHIP

- a. FULL MEMBERS of the Council shall be Clubs or Associations of Clubs, or Federations of Associations of Clubs (Hereinafter referred to as **groups**) practising Chinese martial arts in Great Britain and Northern Ireland which have: -
  - Amended 01/07/2017: 15 or more registered members.
  - Been elected to Full Membership by the E/C of the Council.

- Paid all fees due.
  - Agreed to comply with such terms and conditions of membership as the Council may impose upon its Full Members generally or specifically.
- b. ASSOCIATE MEMBERS Adopted 20/7/99 amended 27/11/2004 further amended 28/5/11: shall be any **groups**, which have less than 15 licensed members. The Executive Committee reserves the right to deal with Associate Members in its absolute discretion.

#### SUBCATEGORIES of FULL and ASSOCIATE MEMBERSHIP

- EXECUTIVE MEMBERS Adopted 20/8/2006 (member of the Executive Council) regardless of whether they are full members or associate members, will have the right to vote at an AGM.
  - INSTRUCTOR MEMBERS Adopted 20/8/2006 Mandatory for all Coaches / Instructors. It is a requirement of membership of the BCCMA, for all Coaches / Instructors of a Member Group to pay an annual registration fee to the Council. This fee shall be set by the Executive Committee the rate of which will be published on the BCCMA WEB page.
- c. PROVISIONAL MEMBERSHIP of the Council shall be granted to **Groups** practising the Chinese martial arts in Great Britain and Northern Ireland and seeking eventual Full Membership of the Council, which have: -
- Been accepted to Provisional Membership by the E/C of the Council.
  - Paid all fees due.
  - Agreed to comply with such terms and conditions of membership as the Council may impose upon its Provisional Members generally or specifically.
- d. INDIVIDUAL LICENCE HOLDERS It is a requirement of membership of the BCCMA, for all individual licence holders of a Member Group to pay an annual registration fee to the Council, via their Association Head or nominated person. This fee shall be set by the Executive Committee the rate of which will be published on the BCCMA WEB page.
- Individual Licence Holders do not have a right to speak, propose or second items or vote at an AGM or EMG.
  - However Individual Licence Holders will have a right to speak, propose or second items or vote at an AGM or EMG when they are the nominated representative of their Member **Group**.
- e. Provisional Membership is seen as a means of confirming the membership of an applicant group for eventual consideration inter alia the number of individual licence holders registered to the Council by the Provisional Member during its period of Provisional Membership.
- f. In determining the suitability of a Provisional Member for election as a Full Member, the E/C will take into consideration inter alia the number of individual licence holders registered to the Council by the Provisional Member during its period of Provisional Membership.

- g. The Executive Committee reserves the right to deal with a Provisional Members application in its absolute discretion.
- h. Adopted 19/9/93 amended 27/11/2004 updated 19/01/05 It is a requirement of membership of the B.C.C.M.A., for all students of a Member Group to pay an annual registration fee to the Council. This fee shall be set by the Executive Committee. All fees to be directed through the appointed representative of the Member Group. (In order for the Council to work within the Data Protection Act 1998 (the Act) the name and address of students will need to be passed on to the relevant insurance company. The Act requires students to consent to this requirement and this will be obtained via the student's enrolment form or renewal of membership. If consent is withdrawn or refused the Council will not be able to process your membership application form and Member to Member insurance will not be available.
- i. Adopted 19/9/93 amended 27/11/2004 It is a requirement of membership of the 'the Council' for all **groups** practising Chinese martial arts in Great Britain to pay an annual Association subscription fee. This fee to be set by the Executive Committee.
- j. The Secretary shall make application in writing to the members for payment of such fees, as agreed by the Executive Committee, at least thirty days prior to the AGM of the Council.
- k. Payment of such fees in conjunction of fulfilling the membership criteria itemised in paragraph 5a above is directly linked to the member's right to vote either at the AGM or at any subsequent meeting that the Members may normally be entitled to attend. The right to vote is established when the payment is made in full by the member and received by the Treasurer not later than ten full days prior to the AGM and membership numbers have fulfilled the minimum criteria itemised in 5a above. In the event of late payment of the fee or of an under payment of the fee, the right to vote shall be forfeit. It shall be the member's obligation to provide proof of posting if payment is made by letter post.
- l. In the event that a member fails to make payment of such fees for a period of more than sixty days following the AGM despite further application by the Secretary for payment, disciplinary procedures as hereafter provided for shall be instigated against the member.
- m. No member organisation shall be permitted to take or use a name for themselves which is in any form similar to that of the Council.
- n. Adopted 17/7/92: Any Member Group wishing to change the name of their organisation as defined above, or to trade under a name different to that which they applied and were accepted into the Council under, whether as a provisional or full member, shall seek the approval of the E/C prior to its adoption or use of any such change of name.
- o. Adopted 17/7/92: No member whether as an individual or as a group may represent the Council as a National or International representative or team of a governing body without the consent of the E/C. This applies equally at home and abroad.

## **6. POSTAL VOTES**

Adopted 20/7/99 The Proposition to include Postal Voting was accepted and carried at the AGM.



## 7. POSTAL VOTING PROCEDURES

- a. The Chairman to draft all proposals and nominations on suitable headed notepaper and to ensure they are sent to the Secretary or nominated person for distribution as provided in the Constitution paragraph 13e.
- b. All Postal votes are to be received by the Secretary by the due date stated. Postal votes received after this date will be null and void and will NOT be eligible for inclusion in the final count.
- c. The Secretary must send all eligible received votes to the Chairman in time for his or her presentation at a Members Council. Alternatively, the Secretary may bring in person all eligible received votes to a Members Council, in either case, this is at the discretion of the Chairman. **ALL POSTAL VOTES MUST REMAIN UNOPENED** until they are presented to the Members Council or Specially convened Executive Meeting. Full members have a right to attend any such specially convened Executive Meeting in the capacity as observers only.
- d. In the case of a fully postal vote where no Members Council has been convened. All postal votes must remain unopened and presented to a specially convened Executive Meeting.
- e. A minimum of three Officers to include the Chairman or his nominated representative, must be in attendance on the opening of any postal votes.
- f. The President has a right to attend any specially convened Executive Meeting where the counting of postal votes has been specifically requested.
- g. Any irregularities in this postal voting system or abuse of the postal votes noted by the President will result in the proposition/s not being carried and by default any such vote taken, will be null and void. In this eventuality The President has the responsibility to close the specially convened Executive Meeting.
- h. Amended 01/07/2017. In the eventuality of any irregularities in the postal voting system or abuse of the postal votes being observed. The President if not satisfied by the explanations given may call for a vote of no confidence in the Executive Members present and a specially convened EGM will be called. The Secretary or a nominated person shall send by e-mail, a written notice 30 days prior to the scheduled date of such a meeting to the last e-mail address nominated to the Secretary for the sending of such notices. Non-receipt of any such notice by a member or its representatives shall not invalidate a meeting.

## 8) DISCIPLINARY PROCEDURES

- a) For the purposes set out in Clause 4. Section 'Powers and Duties of the E/C' paragraph (e) of the Constitution and Rules, the E/C shall establish a Disciplinary Sub-Committee of at least three persons, which shall be convened from time to time as and when required. The Disciplinary Sub-Committee shall comprise persons selected by the E/C in its absolute discretion, whether or not such persons are members of the Council.
- b) Notice of any matter to be considered by the Disciplinary Sub-Committee shall be sent by the Secretary, or nominated person, to the party against whom the complaint has been made. Such notice shall state the facts upon which the matter is based and the place date and time of the proposed meeting of the Disciplinary Sub-Committee to hear the complaint. The party

against whom the complaint has been made shall, within ten days of receipt through the post of a request by an authorised member of the Disciplinary Sub-Committee, inform the Disciplinary Sub-Committee whether they wish to be represented, or to appear personally at the hearing, or give a written explanation of the matter to be considered by the Disciplinary Sub-Committee.

- c) The Disciplinary Sub-Committee shall hear and determine the complaint referred to it. It shall within fourteen days of the hearing, produce a report and recommendations to the E/C. The said report shall be sent to the party against whom the complaint has been made and they shall have the right of appeal to the E/C in respect of the report or its recommendations. Any appeal shall be delivered in writing to the Secretary of the Council within twenty-eight days of receipt of a copy of the report.
- d) The Disciplinary Sub-Committee may recommend the penalty to be imposed; it is however, the responsibility of the E/C to impose any such penalty by way of fine, censure, suspension, or a penalty of expulsion, as it deems appropriate.
- e) Amended 28/05/2020: The E/C have powers to dismiss from post an 'Executive Officer' or 'Executive Member' for failing to adequately fulfil their allotted role or failing to attend a minimum of 2 executive meetings per year. Under this condition the Disciplinary Committee will be formed by the remaining members of the Executive Committee and decisions made will be in accordance with the process laid out in the Constitution. In the event of the E/C issuing a dismissal notice para f) no longer applies.
- f) The appeal shall be heard by the Full E/C (excluding those persons who constituted the Disciplinary Sub-Committee) by way of re-hearing and the appellant shall be entitled to the same notice and rights at the E/C hearing which they were entitled to, at paragraph (b) of this procedure.
- g) Any notice sent pursuant to these procedures shall be sent by recorded delivery post and shall be deemed to be received two clear days after the date on which it was posted.
- h) Depending on the severity of the complaint and particularly for Individual Licence Holders, the E/C may opt to allow the Head of that Individual Licence Holders **Group** to hear and adjudicate the case in accordance with their own disciplinary procedures.