

# MIDLAND GLIDING CLUB LIMITED

A Society incorporated under the Industrial and Provident Societies Act 1965  
Registration number IP11889R

These are the statutory Rules (2012) of the Midland Gliding Club Limited  
All previous Rules are rescinded

## Index

<u>Rule number</u>	<u>Heading</u>
1.	Name and registered office
2.	Objects
3.	Membership categories
4.	Application for membership
5.	Acceptance for membership
6.	Full membership
7.	Associate membership
8.	Terms and conditions of full and associate membership
9.	Executive officers
10.	Treasurer
11.	Secretary
12.	Committee
13.	General members of the Committee
14.	Election of the members of the Committee
15.	Meetings of the Committee
16.	Duties and powers of the Committee
17.	No Committee quorum
18.	Membership Register
19.	Annual General Meetings
20.	Special General Meetings
21.	Entrance fees, subscriptions and other charges
22.	Revenue surplus
23.	Auditor
24.	Share capital

25. British Gliding Association and Chief Flying Instructor
26. Members' obligations
27. Complaints
28. Alcohol and tobacco
29. Guests of Full Members
30. Visitors
31. Members' property
32. Dissolution of the Club
33. Amendments to the Rules
34. Notices to Members

## **Definitions**

In these Rules:

- (1) "1965 Act" means the Industrial and Provident Societies Act 1965.
- (2) "1968 Act" means the Industrial and Provident Societies Act 1968.
- (3) "Club" means the Midland Gliding Club Limited.
- (4) "Club Property" means any type of property owned or used by the Club including land, premises, aircraft, furniture and machinery.
- (5) "Committee" means the committee referred to in Rule 12.1.
- (6) "General Meeting" means an Annual General Meeting or a Special General Meeting, as the context requires.
- (7) "Members" means the full members of the Club or the associate members of the Club, or one of them, as the context requires.
- (8) "Share" means an ordinary share of 10 pence in the capital of the Club.

## **The Rules**

### **1. Name and Registered Office**

- 1.1 The name of the society is the Midland Gliding Club Limited.
- 1.2 The registered office of the Club shall be at the Long Mynd, Church Stretton, Shropshire SY6 6TA.

## **2. Objects.**

The objects of the Club are:

- 2.1 To foster and promote gliding and associated aerial sports and activities.
- 2.2 To provide the appropriate facilities for the object defined in Rule 2.1.
- 2.3 To carry on any other activity which is reasonably necessary for pursuing and attaining the objects defined in Rules 2.1 and 2.2.

## **3. Membership categories.**

- 3.1 There shall be a single category of full membership of the Club, and a member in such category shall be called a Full Member.
- 3.2 There shall be the following two subcategories of full membership:
  - 3.2.1 ordinary full membership, and a member within this subcategory shall be called an Ordinary Full Member; and
  - 3.2.2 honorary full membership, and a member within this subcategory shall be called an Honorary Full Member.
- 3.3 There shall also be a single category of associate membership, and a member in such category shall be called an Associate Member.
- 3.4 The Committee may create subcategories of associate membership so that others may use the facilities of the Club other than on the terms of full membership. The terms and conditions and the maximum number of Members within each subcategory shall be determined by the Committee from time to time as it considers to be appropriate.
- 3.5 There shall be a subcategory of associate membership called staff associate memberships and a member in such subcategory shall be called a Staff Associate Membership.

## **4. Application for membership.**

- 4.1 An applicant for full or associate membership shall complete the Club's application form and deliver it to the Club Secretary at the registered office except as mentioned in Rule 4.7.
- 4.2 An application for associate membership, if under the age of 18 years, shall be endorsed with the written consent of the candidate's parent or guardian together with an undertaking by the parent or guardian to be responsible for the applicant during his or her membership.

- 4.3 Only an individual person may apply for membership in his or her own right.
- 4.4 There are no restrictions and no discrimination on who may apply to be a Full Member save as mentioned in these Rules.
- 4.5 The Committee may impose such terms and conditions on applications for associate membership as it considers to be appropriate.
- 4.6 The Committee may from time to time limit the number of applications for full and associate membership if reasonably required for the better management and use of Club Property and facilities of the Club.
- 4.7 No person may apply to be an Honorary Full Member.

**5. Acceptance for membership.**

- 5.1 An applicant for membership shall become a Member on his or her application form duly completed being delivered to the Club's registered office and accepted by the Club.
- 5.2 A person is accepted for membership on the following terms:
  - 5.2.1 acceptance is on a provisional basis for a period of six calendar months from the date of delivery of the application form to the Club's registered office;
  - 5.2.2 the provisional membership may be cancelled at any time within that period of six months on notice to the member if the Committee determines that the membership of the person will not be conducive to the good management and operation of the Club;
  - 5.2.3 any determination under Rule 5.2.2 shall be final; and
  - 5.2.4 in the event that any membership is cancelled under Rule 5.2.2, a proportion of the annual subscription shall be refunded to the applicant calculated on a daily basis according to the period of the provisional membership.
- 5.3 Rules 5.1 and 5.2 shall not apply to:
  - 5.3.1 staff associate membership; and
  - 5.3.2 honorary full membership.

**6. Full membership.**

- 6.1. A Full Member shall be aged 18 years or over.
- 6.2. A Full Member may:
  - 6.2.1 vote at a General Meeting; and
  - 6.2.2 have full use of Club Property and facilities of the Club in common with all others having membership upon such reasonable terms and conditions as the Committee may from time to time determine.
- 6.3. A Full Member shall hold one Share.
- 6.4. If a Full Member becomes employed by the Club under a contract of employment, he or she shall cease to be a Full Member and shall become a Staff Associate Member under Rule 7.4.
- 6.5. The Committee may appoint from time to time a person to be an Honorary Full Member in recognition of his or her services to the Club and upon such terms and conditions as the Committee shall determine.
- 6.6. There may not be more than five Honorary Full Members at any one time.
- 7. Associate membership.**
  - 7.1. An Associate Member may attend a General Meeting, but shall not vote.
  - 7.2. An Associate Member shall not hold a Share.
  - 7.3. An Associate Member may have use of Club Property and facilities of the Club upon such terms and conditions as the Committee may from time to time determine according to the subcategory of associate membership.
  - 7.4. Every person employed by the Club under a contract of employment shall be a Staff Associate Member on such terms and conditions as the Committee may determine in each case, and staff associate membership shall be restricted to such persons.
  - 7.5. Associate membership shall end on the Member ceasing to meet the requirements for such membership.
- 8. Terms and Conditions of full and associate membership.**
  - 8.1. All Members shall pay such entrance fee, membership subscription, and such other fees, costs and expenses for use of Club Property and facilities of the Club as the Committee shall determine from time to time.

- 8.2 In addition to any other Rule dealing with the termination of membership, a Member shall cease to be a Member upon the first of the following events to occur:
- 8.2.1 his or her death; or
  - 8.2.2 if he or she resigns by letter addressed to the Secretary; or
  - 8.2.3 if he or she fails to pay the annual subscription within six calendar months of it being due for payment; or
  - 8.2.4 if he or she fails to pay any sum which is due to the Club within twenty-one days of a demand for payment signed by or on behalf of the Secretary being sent to his or her last known address by first class post.
- 8.3 Every Member shall be subject to these Rules.

## **9. Executive Officers.**

- 9.1 The Club shall have the following executive officers:
- 9.1.1 Chairman;
  - 9.1.2 Vice Chairman;
  - 9.1.3 Secretary; and
  - 9.1.4 Treasurer.
- 9.2 Executive officers shall hold office from the date of their election until the next Annual General Meeting subject to Rules 9.7, 12.4 and 12.5.
- 9.3 Each executive officer shall be a Full Member.
- 9.4 Executive officers may stand for re-election.
- 9.5 The Club may have the following honorary officers:
- 9.5.1 President; and
  - 9.5.2 Vice President.
- 9.6 The honorary officers shall be appointed at an Annual General Meeting and shall hold office for such period and upon such terms as that Annual General Meeting shall determine.
- 9.7 An executive officer may resign from office by giving notice in writing to the Secretary, or in the case of the Secretary to the Chairman.

**10. The Treasurer.**

10.1 The Treasurer shall be responsible for all financial matters relating to the Club and in particular shall ensure that:

10.2.1 all cash, cheques and other payments of money are promptly paid into the Club's bank account;

10.2.2 all liabilities and other costs which are properly due by the Club are paid when due for payment;

10.2.3 the requirements of the 1968 Act are complied with regarding the Club's accounts and other financial matters; and

10.2.4 all accounts, financial statements, tax Returns and other financial records are kept properly and with due diligence.

10.2 The Treasurer shall at all times be accountable to the Committee with regard to the carrying out of his or her duties regarding Club matters.

**11. The Secretary.**

11.1 The Secretary shall be responsible for:

11.1 the keeping of the of Membership Register under Rule 18.1;

11.2 the taking of accurate minutes of all General Meetings and meetings of the Committee;

11.3 the giving of all notices to members under these Rules; and

11.4 all correspondence in the name of the Club.

11.2 The Secretary shall at all times be accountable to the Committee with regard to the carrying out of his or her duties regarding Club matters.

**12. The Committee.**

12.1 The general management of the Club shall be under the control of a Committee.

12.2 The following shall be members of the Committee:

12.2.1 all the executive officers; and

12.2.2 no more than six general members.

- 12.3 The Committee may fill any vacancy in the number of executive officers and general members of the Committee by the appointment of a suitable Full Member until the next Annual General meeting, but any such person may not vote at a meeting of the Committee.
- 12.4 A member of the Committee may only be removed from membership of the Committee by a resolution passed at a General Meeting.
- 12.5 A member of the Committee shall be automatically removed from membership if he or she:
  - 12.5.1 is convicted of an indictable offence; or
  - 12.5.2 is adjudicated bankrupt or enters into a voluntary arrangement with his or her creditors or is made subject to an administration order; or
  - 12.5.3 is made the subject of an order for compulsory admission to a hospital under the Mental Health Act 1983, or any statute which replaces it; or
  - 12.5.4 is directly or indirectly concerned in the profits of any contract made between the Club and a third party unless the member's interest has first been disclosed at a meeting of the Committee.

**13. General members of the Committee.**

- 13.1 General members of the Committee:
  - 13.1.1 shall hold office from the date of their election until the next Annual General Meeting subject to Rules 12.4, 12.5 and 13.2;
  - 13.1.2 shall be a Full Member; and
  - 13.1.3 may stand for re-election.
- 13.2 A general member of the Committee may resign from membership by giving notice in writing to the Secretary.

**14. Election of the members of the Committee.**

- 14.1 The executive officers and the general members of the Committee shall be elected annually at an Annual General Meeting.
- 14.2 The nominations of candidates as executive officers and general members of the Committee for election at an Annual General Meeting shall be delivered in writing to the Secretary by no later than noon on the day of the Annual General Meeting.



14.3 Each nomination shall be proposed by a Full Member and seconded by another Full Member.

14.4 Executive officers and general members of the Committee may be elected at a Special General Meeting in the case of a vacancy.

## **15. Meetings of the Committee.**

15.1 The Committee shall meet as often and at such place as it shall determine from time to time.

15.2 Not less than three members of the Committee may call a meeting of the Committee by giving notice in writing to that effect to the Secretary. The notice shall state the purpose of the meeting. The Secretary shall give notice of the meeting under Rule 15.3 within seven full days of receiving the notice. The meeting shall take place within fourteen days of the notice to the Secretary.

15.3 The Secretary shall give to each member of the Committee not less than five full days' notice in writing of a proposed meeting of the Committee specifying the date, time and place of the meeting.

15.4 Only members of the Committee attending a meeting may vote at the meeting.

15.5 Each proposed resolution at a meeting of the Committee shall be passed by a simple majority but, if the votes are equal in number, the chairman of the meeting shall have a casting vote

15.6 The quorum for a meeting of the Committee shall be three.

15.7 The chairman of each meeting of the Committee shall be the Chairman of the Club or, in the absence of the Chairman, such other member of the Committee then present as the members present shall elect.

15.8 Minutes of the meeting shall be kept by the Secretary or, in the absence of the Secretary, by another member present. A draft of the minutes shall be approved at the next meeting of the Committee.

15.9 The Chief Flying Instructor of the Club may attend all meetings of the Committee to advise and inform the meeting about flying matters, but may not vote.

15.10 The Committee may invite any person to attend a meeting to advise and inform the meeting about any matters to be discussed.

## **16. Duties and powers of the Committee.**

16.1 The Committee shall have the following duties:

- 16.1.1 to ensure that the Club is managed in a businesslike and efficient manner at all times and in the best interests of the Members;
  - 16.1.2 to ensure that the objects of the Club mentioned in Rule 2 are fulfilled so far as is reasonably possible;
  - 16.1.3 to make and publish regulations and bye-laws from time to time regarding:
    - 16.1.3.1 the running and management of the Club; and
    - 16.1.3.2 the good and orderly conduct of Members and their guests when on the Club's premises;
  - 16.1.4 to enforce the Rules of the Club and the regulations and bye-laws made under Rules 16.1.3;
  - 16.1.5 to keep all legal and other documents relating to Club Property and its operations;
  - 16.1.6 to appoint a Chief Flying Instructor;
  - 16.1.7 to ensure that all statutory and regulatory provisions relating to the Club and its operations and activities are observed at all times;
  - 16.1.8 to keep accurate accounts of the Club's finances;
  - 16.1.9 to publish a revenue account and balance sheet in each year not less than seven days before the Annual General Meeting;
  - 16.1.10 to keep all money belonging to the Club in a current or deposit account at a high street bank in England;
  - 16.1.11 to supervise all employees of the Club; and
  - 16.1.12 to take out appropriate insurance cover on all usual risks against loss and damage to Club Property and the interests of the Club and in respect of the liabilities to which the Club may reasonably be expected to be exposed from time to time.
- 16.2 The Committee shall have the following powers to assist it in carrying out its duties:
- 16.2.1 to acquire land and premises for the use of the Members upon such terms and for such interests as the Committee shall consider reasonable;
  - 16.2.2 to open bank accounts to comply with its duty under Rule 16.1.10;

- 16.2.3 to borrow money upon such terms and conditions as are commercially sensible, including the giving of security, provided that the total amount at any one time outstanding on such borrowing shall not exceed a sum equal to fifteen percent of the net value of Club Property as shown in the balance sheet published under Rule 16.1.9 for the previous year
  - 16.2.4 to employ and dismiss staff;
  - 16.2.5 to employ suitable contractors for carrying out work;
  - 16.2.6 to engage the services of accountants, lawyers, architects and other experts;
  - 16.2.7 to fix the amounts payable from time to time for entrance fees, membership subscriptions and fees for use of the facilities of the Club; and
  - 16.2.8 to do such other things as are appropriate for the proper management of the Club.
- 16.3 The Committee may not incur any liability in the name of any Member.
- 16.4 The Club shall indemnify each member of the Committee against any costs, expenses or other liability incurred by the member personally by reason of any claim made against the member arising from the carrying out his or her duties as an executive officer of the Club or otherwise as a member of the Committee provided that the member has acted properly in all respects.
- 17 No Committee Quorum.**
- 17.1 In the event that no meetings of the Committee may be held because there is an insufficient number of members to constitute a quorum, any three full members of the Club may declare that they constitute the Committee under Rule 12.1 by publishing a notice in writing to that effect in the Club's premises.
- 17.2 The members of the Committee constituted under Rule 17.1 shall:
- 17.2.1 have all the duties and powers of the Committee under Rule 16 subject to Rule 17.2.4;
  - 17.2.2 within seven days of their declaration being published call a Special General Meeting for the election of the members of a new Committee and for such other business as is necessary;
  - 17.2.3 appoint executive officers from amongst their number, if required;
  - 17.2.4 only make such decisions and take such action as is required for the management of the Club pending the election of a new Committee under Rule 17.2.2; and

17.2.5 give a full account for their actions to the Special General Meeting called under Rule 17.2.2.

**18. Membership Register.**

18.1 A Membership Register shall be kept by or under the control of the Secretary.

18.2 The following information shall be kept in the Membership Register:

18.2.1 the full name and address of each Member;

18.2.2 the membership category of each Member;

18.2.3 the dates when each Member was admitted to membership and ceased to be a Member;

18.2.4 the full name and address of each member of the Committee;

18.2.5 the dates when each member of the Committee became a member of the Committee and ceased to be such a member; and

18.2.6 such other information as is required by the 1965 Act.

18.3 The Membership Register may be kept in electronic form provided that all data in it is duplicated and saved in a separate electronic or paper form.

**19. Annual General Meetings.**

19.1 An Annual General Meeting shall be held in each calendar year by no later than the 30<sup>th</sup> April in that year.

19.2 Notice of the Annual General Meeting shall be sent to all Full Members not less than seven full days before the date of the Meeting and the notice shall include the following:

19.2.1 the date, time and place of the Meeting;

19.2.2 the agenda; and

19.2.3 a copy of the draft revenue accounts for the previous year produced under Rule 16.1.9;

19.3 The business of the Annual General Meeting shall be to:

19.3.1 confirm the minutes of the previous Annual General Meeting;

- 19.3.2 receive and adopt the revenue account and balance sheet for the previous year;
  - 19.3.3 elect an auditor for the following year;
  - 19.3.4 elect the executive officers of the Club and the general members of the Committee;
  - 19.3.5 appoint any honorary officers: and
  - 19.3.6 transact any other business which is proper to an Annual General Meeting.
- 19.4 The Secretary or, in the absence of the Secretary, a Full Member appointed by the chairman of the Meeting, shall keep minutes of the Meeting and a list of the Members in attendance.
- 19.5 Only Members of the Club and the Club's auditor may attend an Annual General Meeting.
- 19.6 The quorum for an Annual General Meeting shall be ten Full Members
- 19.7 The chairman of the Annual General Meeting shall be the Chairman of the Club or, in the absence of the Chairman, a Full Member in attendance and elected by a majority vote of the Full Members in attendance.
- 19.8 Decisions to be made at an Annual General Meeting shall be made by a simple majority of those Full Members present and entitled to vote except as provided for under Rule 32 for the dissolution of the Club. Voting by proxy is not permitted. The chairman of the Annual General Meeting shall have a casting vote if the votes are equal in number.
- 19.9 The following business at an Annual General Meeting shall be by ballot:
- 19.9.1 any election under Rules 19.3.4, if more candidates are nominated than are required; and
  - 19.9.2 any election under Rule 19.3.5;
- 19.10 In the event that an Annual General Meeting lacks a quorum within 30 minutes of the time appointed for that Meeting, it shall be adjourned to the same day fourteen days later and at the same time and place for the purposes of carrying out the same business. If the adjourned Annual General Meeting lacks a quorum, those Full Members in attendance at the time appointed for it shall constitute a quorum and the adjourned Annual General Meeting shall transact the business for which the original Annual General Meeting was called.
- 19.11 An Annual General Meeting may be adjourned once or more often to another place, time and date not less than fourteen days but no more than forty-two days

later by a resolution of that Annual General Meeting for transacting the unfinished business for which the original Annual General Meeting was called.

19.12 Notice of an adjourned General Meeting shall be given to all Full Members at their last known address by first class post not less than three full days before the date of it.

## **20. Special General Meetings.**

20.1 The Committee may convene a Special General Meeting at any time on giving the notice required under paragraph 20.3.

20.2 The Committee shall convene a Special General Meeting on the Secretary receiving a request in writing to that effect signed by at least such number of Full Members as represents ten per cent of the number of Full Members at the time, and the Special General Meeting shall take place within twenty-one days of receipt of the request.

20.3 Notice of the Special General Meeting shall be sent to all Full Members not less than seven full days before the date of the Meeting and the notice shall include the following:

20.3.1 the date, time and place of the Meeting; and

20.3.2 the purpose and any proposed resolution.

20.4 The Secretary or, in the absence of the Secretary, a Full Member appointed by the chairman of the Meeting shall keep minutes of the Meeting and a list of Members in attendance.

20.5 All Members of the Club may attend a Special General Meeting.

20.6 The quorum for a Special General Meeting shall be ten Full Members.

20.7 The Chairman of the Special General Meeting shall be the Chairman of the Club or, in the absence of the Chairman, a Full member in attendance and elected by a majority vote of the Full Members in attendance.

20.8 Decisions to be made at a Special General Meeting shall be made by a simple majority of those present and entitled to vote except under Rule 32 for the dissolution of the Club. Voting by proxy is not permitted. The chairman of the Meeting shall have a casting vote if the votes are equal in number.

20.9 All votes at a Special General Meeting shall be by ballot.

20.10 In the event that a quorum has not been reached within 30 minutes of the time appointed for a Special General Meeting, no business shall be transacted and the Special General Meeting shall be closed.

## **21. Entrance fees, subscriptions and other charges.**

- 21.1 Any entrance fee, the annual subscription for all categories of membership, the flying fees and other fees for use of Club Property and facilities of the Club shall be fixed by the Committee from time to time.
- 21.2 The entrance fee shall not exceed £100.
- 21.3 The annual subscription shall not exceed £500.
- 21.4 The sums mentioned in Rules 21.2 and 21.3 shall be increased in each year beginning on 1 April by the same proportion of increase, if any, as is shown in the Index of Retail Prices for the preceding month of January.
- 21.5 The entrance fee is payable on an application for membership being accepted.
- 21.6 The annual subscription is payable by all existing Members on the 1<sup>st</sup> April in each year in advance. An applicant for membership accepted for membership after 1 April in any year shall pay in advance a proportion of the annual subscription calculated on a monthly basis according to the date of acceptance.
- 21.7 The Committee may make provision for payment of the annual subscription by instalments.

## **22. Revenue surplus.**

- 22.1 Any surplus of revenue in the revenue account published under Rule 16.1.9 in any year may only be applied for the benefit of the Club in such amounts and in such ways as the Committee shall determine from time to time.
- 22.2 No dividends or other distribution may be made to any Member out of any revenue surplus.

## **23. Auditor.**

- 23.1 An auditor shall be appointed each year at the Annual General Meeting.
- 23.2 An auditor appointed under Rule 23.1 may only be removed by a resolution passed at a General Meeting.
- 23.3 Notice in writing of any proposed resolution under Rule 23.2 shall be given to the auditor not less than 7 full days before the General Meeting. The auditor shall have the right to attend and be heard at the General Meeting. A new auditor may be appointed at the same General Meeting provided that a proposed alternative

resolution to that effect has been included in the notice calling the General Meeting in the event that the resolution for removal is passed.

- 23.4 In the event that a single auditor appointed under Rule 23.1 should die, resign, fail to meet the requirements of the 1968 Act for being the auditor, the Secretary shall call a Special General Meeting within 28 days of being notified of the event for the purposes of appointing a new auditor.
- 23.5 The Club may appoint a single auditor under Rule 23.1 or a firm of auditors.
- 23.6 The Club may appoint a reporting accountant in place of an auditor if permitted by law to do so and in that event any reference to “auditor” in these Rules shall mean a reference to a “reporting accountant” during the period of the appointment.

## **24. Share Capital.**

- 24.1 The share capital of the Club shall consist of the Shares.
- 24.2 The Committee may issue such number of Shares as are necessary to ensure that every Full Member has one Share.
- 24.3 The Shares may not be transferred, sold, given as security or otherwise dealt with.
- 24.4 If a Full Member ceases to be a Full Member for any reason, his or her share shall be forfeited to the Club.

## **25. The British Gliding Association and Chief Flying Instructor.**

- 25.1 The Club shall be affiliated to the British Gliding Association.
- 25.2 The Club shall follow the Laws and Rules and recommended practices of the British Gliding Association.
- 25.3 The appointment of the Chief Flying Instructor shall be made by the Committee.
- 25.4 The Committee shall remove the Chief Flying instructor in the event that he or she is no longer a fit and proper person for the office, or no longer has the confidence of the Committee.

## **26. Members' obligations.**

- 26.1 Every Member shall:
  - 26.1 comply at all times with these Rules;



- 26.2 comply with all Local Flying Rules and other operational procedures of the Club in force from time to time;
  - 26.3 comply with all regulations and bye-laws made from time to time by the Committee under Rule 16.1.3;
  - 26.4 notify the Club of any change of their details kept in the Membership Register within 7 days of the change; and
  - 26.5 take all reasonable steps for the good care of Club Property when being used by the Member.
- 26.2 No Member shall take part in any of the following activities on the Club's premises: gambling, betting, drunkenness, disorderly conduct, offensive behaviour or other misconduct damaging to the best interests of the Club.
- 26.3 A Full member inviting a guest under Rule 29 shall be responsible for the good conduct of his or her guest during the visit.

## **27. Complaints.**

- 27.1 Any complaint regarding an alleged breach of any of these Rules or any of the regulations and byelaws made by the Committee under Rules 16.1.3 shall be set out in a letter addressed to the Secretary for consideration by the Committee. The brief particulars of the complaint shall be set out in the letter together with any points of evidence which are relied upon by the complainant.
- 27.2 The Committee may:
- 27.2.1 dismiss the complaint; or
  - 27.2.2 deal with the complaint itself; or
  - 27.2.3 appoint a sub-committee to deal with the complaint by way of a hearing.
- 27.3 The following provisions shall apply if the Committee decides to deal with a complaint under Rule 27.2.3:
- 27.3.1 A date, time and place for the hearing shall be fixed.
  - 27.3.2 The complainant, the Member complained about and any other person considered by the sub-committee to be concerned in the complaint shall be invited to attend the hearing to state their respective cases and to give evidence.

- 27.3.3 The sub-committee shall also hear from such other members and take such other evidence as it considers fair and necessary for the Committee to reach a final decision about the complaint.
- 27.3.4 Minutes of the hearing shall be kept and a copy of the minutes shall be given to the complainant and to the Member complained about.
- 27.3.5 The hearing shall be in private.
- 27.3.6 The sub-committee shall report to the Committee with its findings at the next meeting of the Committee.
- 27.4 The Committee may make such decision and take such steps regarding a complaint under paragraph 27.1 as it determines to be fair and reasonable having heard from any sub-committee and having followed the rules of natural justice, but no membership may be suspended and no member may be expelled from the Club unless the procedures set out in paragraph 27.3 have been followed.
- 27.5 Any Member aggrieved by the decision of the Committee under Rule 27.4 may appeal in writing to the Committee, and the Committee may make such decision on the appeal as it considers appropriate.
- 27.6 Any member whose membership is suspended or who is expelled following a hearing under Rule 27.3 may appeal to the Committee with the right to attend the Committee in person to make representations, and the Committee shall then make such decision on the appeal as it considers appropriate.
- 27.7 Any complaint about a Member under the age of 18 years shall be directed to that Member's parent or guardian, who shall represent the Member in all respects concerning the complaint.
- 28. Alcohol and tobacco.**
- 28.1 The sale and control of alcohol and tobacco at the Club's premises shall be under the control of the Committee.
- 28.2 Alcohol may only be sold to members and their bona fide guests.
- 29. Guests of Full Members.**
- 29.1 A Full Member may invite guests to the Club's premises at any reasonable time and as often and in such numbers as is reasonable.
- 29.2 The following may not be introduced as a guest:
- 29.2.1 a person whose application for membership of the Club has at any time been refused; or

29.2.2 a person who has been expelled from the Club; or

29.2.3 a person whose membership of the Club is suspended; or

29.2.3 a person prohibited from visiting the Club's premises by the Committee.

### **30. Visitors**

30.1 The Committee may invite members of other gliding clubs as visitors to the Club's premises to take part in gliding activities.

30.2 Each visitor under Rule 30.1 shall be an Associate Member.

### **31. Members' personal property**

31.1 The Club shall not be liable for any loss or damage to any item of personal property of a Member.

31.2 If any former Member fails to remove any item of personal property from the Club's premises within twenty-eight days of a demand in writing to do so signed by the Secretary, the Committee may take such steps as it considers appropriate to remove or dispose of the item. The reasonable costs of the disposal shall be deducted from any proceeds realised on the disposal and any cash balance shall be held by the Club in its bank account. The Committee shall make reasonable efforts to pay any cash balance to the person entitled to give a valid receipt, but if after a period of one year from the date of disposal no person has given such a receipt the cash balance shall be forfeited to the Club.

### **32. Dissolution of the Club**

32.1 The Club may be dissolved by a resolution passed at a General Meeting by a majority of three-quarters of the Full Members present.

32.2 Upon a resolution being passed under Rule 32.1 the Committee shall upon the date specified in the resolution for the dissolution proceed to wind up all the affairs of the Club including the realisation of all its assets and the discharge of all its debts and other liabilities in as speedy a manner as possible making such adequate provision for future or unknown liabilities as the Committee shall determine to be prudent.

32.3 Upon the completion of the winding up of the affairs of the Club under paragraph 32.2, any surplus of funds or other assets shall within 28 days following the completion of the winding-up be paid to or otherwise applied for the benefit of:

32.3.1 one or more of the Community Amateur Sports Clubs which provide gliding activities in the United Kingdom, or

32.3.2 a charity registered in the United Kingdom which provides gliding activities, or

32.3.3 a combination of both

in such a way and as to such amounts as the Committee shall determine.

### **33. Amendments to the Rules.**

33.1 An amendment to these Rules may only be made by a resolution passed at a General Meeting.

33.2 The details of the proposed amendment shall be given in the notice given under either paragraph 19.2 or 20.3, as the case may be.

### **34. Notices to Members**

34.1 Any notice required to be given to Members under these Rules may be given by electronic mail or by first class post.

34.2 A notice to a Member by electronic mail shall be sent to their last email address notified to the Club.

34.3 A notice to a Member by post shall be sent by first class post to the last known address of the Member given in the Membership Register

34.4 Any Member may opt out of receiving notices under these Rules by electronic mail by giving written notice to that effect to the Club. In the case of any Member giving an opt out notice, the notices under these Rules shall be sent to the Member in writing by post until the Member withdraws the opt out notice in writing.

PF  
22 June 2012