



# DEVON ADVANCED MOTORCYCLISTS

## CONSTITUTION



- 1.1 The name of the Group is Devon Group of Advanced Motorcyclists affiliated to the Institute of Advanced Motorists. (The Institute of Advanced Motorists is hereinafter referred to as "the Institute").
- 1.2 Affiliation to the Institute does not authorise any representation which would involve the Institute in any liability whatsoever.
- 1.3 The Institute shall have power to cancel the affiliation of the Group from time to time in its absolute discretion and to restore such affiliation upon such terms as it sees fit, provided that the Group shall first be given the right of appeal to the Institute's Council.
- 1.4 The name, scope and geographic area of operation of the Group may be defined by the Council of the Institute. Any intended change will not be implemented without prior advice to the Group Committee.

### MEMBERS

- 1.5 Group Full Members must be current Members of the Institute.
- 1.6 Group Committees may invite IAM Members or Non-IAM Members to be a President or a Vice-President of the Group. Non-IAM Members holding such positions must not describe themselves as Members of the Institute.
- 1.7 Group Honorary Members are permitted in recognition of past Membership of and services to the Group but must be fully paid up Members of the Institute. If they become active on the Group Committee or in Observing, the Group subscription must be paid.
- 1.8 The Group Committee shall be obliged to accept as a Group Full Member a current Member of the Institute on completion of the Group application form and payment of the annual Group subscription. The Group Committee is not necessarily obliged to accept an application from a person who has previously been expelled from any Group but in such cases the Institute Member has the right of appeal to the Institute.

### ASSOCIATES

- 1.9 The Group Committee may accept as Group Associate Members persons desirous of becoming full Group Members on such financial terms as the Group Committee may have notified to the Institute's Chief Executive.
- 1.10 Group Associate Members may continue as such for a period of up to one year only, during which time they must endeavour to be accepted into full Institute Membership. In individual cases where there are special circumstances this period may be extended by specific decision of the Group Committee.
- 1.11 FRIENDS - In the absence of special reasons rendering a particular applicant unacceptable, in the reasonable opinion of the Group Committee, it must accept applications from the general public to become Group Friends, on such terms as the Group Committee may decide.

This category is not intended for those who have been Group Full Members, for those who have been and are no longer IAM Members, or for those who have been Group Associate Members unless they have taken and failed the IAM Advanced Test and may only be awarded by individual decision of the Group Committee.

- 1.12 The only Group Membership categories permitted are Group Full Member, Group Associate Member, Group Honorary Member, and Group Friend.

- 1.13 Any proposed changes to the Group subscriptions for any Membership category must be notified to the Chief Executive of the Institute before being put before the Group Membership for approval (or before implementation, where the Committee has been empowered to make such changes without specific Membership approval).

## **2. OBJECTS AND POWERS**

- 2.1 The objects of the Group are for the public benefit to promote the improvement of the standard of driving and the advancement of road safety.
- 2.2 In furtherance of the above-mentioned objects but not further or otherwise the Group shall have the following powers:
- (a) to encourage and assist motorists to become Members of the Institute and to maintain their Institute Membership.
  - (b) to publicise the Institute and its work throughout the area.
  - (c) to provide road safety and competitive events for Group Full Members, Group Associate Members, Group Honorary Members, Group Friends and members of the general public. Driving events on a public road must not be timed.
  - (d) to arrange and provide for, or join in arranging and providing for, the holding of exhibitions, meetings, lectures, classes, seminars and courses.
  - (e) to cause to be written and printed or otherwise reproduced and circulated, gratuitously or otherwise, such papers, books, periodicals, pamphlets or other documents or films or recorded tapes (whether audio or visual or both) as shall further the said objects.
  - (f) to raise funds and invite and receive contributions from any person or persons whatsoever by way of subscriptions and otherwise, provided that the Group shall not undertake permanent trading activities in raising funds for the said objects.
  - (g) to invest the monies of the Group not immediately required for the said objects in or upon such investments, securities or property as may be thought fit, subject nevertheless to such conditions (if any) as may for the time being be imposed or required by law.
  - (h) to do all such other lawful things as are necessary for the attainment of the said objects.

## **3. CONSTITUTION OF THE GROUP**

- 3.1 The Group Committee must consist of fully paid up Group Full Members who are current Members of the Institute. It shall consist of Officers [a Chairperson, Secretary, Treasurer and a Vice Chairperson (if required) and a minimum of three other Group Full Members all duly elected at an Annual General Meeting. The total number of the Group Committee Members shall not exceed twenty.
- 3.2 No Group Full Member may serve as a Group Committee Officer whilst holding an officer position in another IAM affiliated Group, nor in a similar organisation where this will create a conflict of interest. Any Group Full Member denied eligibility on these grounds shall have the right of appeal to the Council of the Institute.
- 3.3 Members disqualified by law from acting as a Charity Trustee are not eligible to serve on the Group Committee.
- 3.4 All Officers and one-third of the remainder of the Group Committee Members must retire annually by rotation and may offer themselves for re-election by Group Full Members at the Annual General Meeting held each year.

- 3.5 Nominations for Committee Members shall be made in writing to the Secretary and received not less than seven days prior to an AGM. Nominations must be proposed and seconded by Group Full Members and have the signed approval of the nominee. Nominations will only be accepted from the floor of the Meeting if a written nomination for that Committee position has not been received and the person nominated from the floor is present and agrees to be so nominated.
- 3.6 The Council of the Institute reserves the right to appoint a senior representative of the Institute to any Group Committee (without voting rights).

Senior representatives appointed by the Council shall be authorised to attend Group Committee Meetings (without voting rights).

#### **4. DUTIES AND RESPONSIBILITIES OF THE GROUP COMMITTEE**

- 4.1 To further the objects of the Group.
- 4.2 To encourage and assist motorists and/or motorcyclists to become Members of the Institute.
- 4.3 To foster and maintain interest in the Institute amongst Members and to keep them informed by way of a periodic Newsletter.
- 4.4 To make arrangements for road safety and other events which further the objects of the Group.
- 4.5 To ensure that no Group Member derives any pecuniary benefit from Group resources through their Membership of the Group.
- 4.6 The Group Committee must seek to ensure that all Group Full Members are current Institute Members and must not renew the Group Membership of any Group Full Member where it is known that their Institute Membership has ceased.
- 4.7 Generally to co-operate with the Council of the Institute.
- 4.8 To record and retain Minutes of meetings of the Committee, AGM's and EGM's for a minimum of ten years.

#### **MEETINGS**

- 4.9 The Group committee shall call ordinary meetings of the Group Committee at least once every three months.
- 4.10 A Chairperson shall have a casting vote.
- 4.11 A quorum of the Group Committee shall be one third of all Committee Members or three, whichever is the greater.

#### **ANNUAL GENERAL MEETINGS AND EXTRAORDINARY GENERAL MEETINGS.**

- 4.12 An AGM must be held once in every calendar year and within 18 months of the previous AGM. At least 21 days but not more than 60 days' notice shall be given in writing to the Group Full Members. (Publication in the Group Newsletter shall be deemed sufficient if it is received by all Group Full Members to provide at least 21, but not more than 60 days' notice).
- 4.13 An EGM may be called at any time by the Committee to deal with any items deemed by the Committee to be special business. At least 21 days but not more than 60 days' notice stating the business to be discussed, shall be given in writing to Group Full Members.

- 4.14 Group Full Members also have the right to call an EGM. The matter/s for discussion must be put in writing, stating the business to be considered and signed by at least 5 Group Full Members or five percent of the total number of Group Full Members, whichever is the greater, and forwarded to the Group Secretary who will call an EGM within 36 days. The notice from the Group secretary to the Group Full Members shall be in writing giving a minimum of 7 days' notice, and state the business to be discussed.
- 4.15 A quorum for an Annual General Meeting or Extraordinary General Meeting shall be 5 Group Full Members or five per cent of the total number of Group Full Members, whichever number is greater.

#### **FINANCE**

- 4.16 To ensure that all Third Party Liabilities and Group Assets are covered at all times by an adequate policy of insurance.
- 4.17 To consider and if decided appropriate by the Group and approved by the Charity Commission (in Scotland and N. Ireland the Inland Revenue) to arrange and maintain Trustee Indemnity Insurance.
- 4.18 To open and operate a Bank or Building Society Account in the name of the Group. The Group Committee shall authorise in writing the Treasurer, the Secretary and two or more other Members of the Group Committee to sign cheques on behalf of the Group. All cheques shall be signed by not less than two of the authorised signatories.
- 4.19 To maintain and keep proper records of the Receipts and Payments and the Assets and Liabilities of the Group. These to be retained for at least seven years.
- 4.20 To apply the funds belonging to the Group only for purposes in furthering the objects of the Group.
- 4.21 To have prepared annual accounts and reports which are approved by the Group Committee, submitted to Group Full Members in general meeting (normally the AGM) and then sent to the Institute's Chief Executive.

#### **GENERAL**

- 4.22 To respect the Institute's copyright in its badge or logo, to use these in Group literature in the form allowed by the Institute and to endeavour to prevent the badge or logo from being otherwise reproduced without the consent of the Council of the Institute and to report to the Chief Executive of the Institute any such reproduction.
- 4.23 To endeavour to ensure that the good name of the Institute and the Group is maintained and is not brought into disrepute by the conduct of any Group Member.
- 4.24 To refer to the Institute Council for guidance in the event of any difficulties which may arise.

#### **RULES**

- 4.25 Groups are not permitted to add to or amend in any way the Group Rules of Affiliation. Committee Standing Orders or Group Local Rules, are permitted but these cannot contradict the Group Rules of Affiliation or be contrary to the aims or constitution of the Institute.
- 4.26 Changes to the Group Rules of Affiliation may only be made by the Institute's Council. The Charity Commission and the Inland Revenue Statutory Regulations will always take precedence over Group Rules.
- 4.27 Any proposal to choose or alter a Group name must be submitted to the Institute's Chief Executive for the approval of the Council of the Institute.

**EXPULSION**

- 4.28 The Group Committee may expel a Group Full Member, Group Associate Member, Group Honorary Member or Group Friend from the Group for conduct inconsistent with the aims and objects of the Institute and/or Group, but any such person shall first be given the opportunity to submit representations to the Group Committee and shall always have the right to appeal to the Council of the Institute.

**WINDING-UP**

- 4.29 If the Group Committee by a simple majority decide at any time that on the grounds of expense or otherwise it is necessary or advisable to wind up the Group, it shall call a meeting of all Group Full Members, of which meeting not less than 21 days but not more than 60 days' notice in writing shall be given. If such decision shall be confirmed by a two-thirds majority of those present and voting at such meeting, the Group Committee shall wind up the Group.

Any surplus assets remaining after the settlement of all liabilities shall be handed over to the Council of the Institute to be applied for the Institute's charitable objects. \*If the Institute is no longer in existence when the Group is wound up, then the surplus assets shall be paid to such charity or charities as the Group Committee shall select; to be applied for similar charitable purposes.

**NOTE**

All references to the Group Committee will, where appropriate, apply to the Group Council, if one exists.