

# **RULES OF THE LEICESTERSHIRE LAW SOCIETY**

Adopted Sept 2018

In 2018 a review of the Society's rules was carried out. The membership section was updated to reflect the new agreed membership categories.

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## 2. Name

The Society shall be called “The Leicestershire Law Society” and is hereinafter referred to as “the Society”.

## 3. Objects

The objects of the Society are:-

- To promote Leicester as a centre of legal excellence
- Through lobbying locally, regionally and nationally to give a voice to our members
- To be committed to promoting equal opportunities, diversity and human rights amongst the legal profession and those who employ their services
- To provide social and business networking opportunities within and amongst the local profession and business community
- By our relationship with the local universities to encourage and support the study of law and to promote interaction and an exchange of opportunities

## 4. Membership of the Society

### 4.1 Individual Membership

A Candidate for election for membership of the Society must be a solicitor practicing or residing in Leicester, Leicestershire or Rutland or be conducting or has conducted legal work within an appropriately regulated legal department or practice in Leicester, Leicestershire or Rutland or be a barrister or legal professional with a meaningful connection to Leicester, Leicestershire or Rutland.

### 4.2 Law Firms (Corporate Membership)

A candidate for election as a Corporate Member of the society must be a law firm, excluding ABSs, practicing or residing in Leicester, Leicestershire or Rutland.

### 4.3 Barrister’s Chambers (Associate Membership)

A candidate for election for Corporate Associate membership of the society must be a set of Barrister's Chambers comprising of members of the Bar Council with a professional connection with Leicester, Leicestershire or Rutland.

#### **4.4 Group Membership (Non Law Firm Organisation)**

A candidate for group membership of the Society must be an organisation that is not a law firm, that employs at least one solicitor with a current practicing certificate, with a professional connection with Leicester, Leicestershire or Rutland.

4.5 Every candidate for election as a member shall undertake if elected to conform to the Rules and Regulations of the Society

4.6 Candidates shall be elected by the Committee.

4.7 The Committee shall not oppose an applicant's membership unless they consider that the election of the member is at odds with the aims or interests of the Society.

4.8 candidate elected shall be admitted as a member on payment to the Treasurer of the annual subscription for the year in which they are elected or such proportion thereof as may be fixed by the Committee. Until admitted a candidate elected shall not be entitled to attend meetings of the Society nor represent themselves as being a member or prospective member.

4.9 Any solicitor who is for the time being a member of the Council of the Law Society representing a constituency in which Leicester or Leicestershire or Rutland shall fall shall be an honorary member of the Society.

4.10 The Committee may elect to be an honorary member of the Society:

4.11 any former member of the Society who has retired from practice or any solicitor residing in Leicester, Leicestershire or Rutland who has retired from practice whether or not a former member of the Society

4.12 Honorary members of the Society shall enjoy all privileges of membership (with the exception of the rights to receive notice of or attend or vote at meetings of the Society)

4.13 A member may retire from the Society by sending their resignation in writing to the Manager of the Society and shall not be entitled to the return of any subscription or any part thereof by retiring during the currency of any financial year of the Society

4.14 Any member who shall change their place of business (or if not in practice their residence) shall immediately give notice thereof in writing to the Manager

- 4.15 Every letter or notice relating to any matter concerning the Society which shall be sent by the Executive Board Chair, the Treasurer or the Committee to a member in the first instance by electronic means, by post or Document Exchange addressed to them at their place of business or otherwise their address as recorded by the Society shall be deemed to have been properly sent and they shall be deemed to have sufficient notice of the contents of such communication or notice within two days of it being sent.
- 4.16 If it shall appear to the Committee that there is reason to believe that any member has been guilty of conduct which, in the absence of satisfactory explanation, would render them unfit to remain a member or if the Committee shall receive any information concerning the conduct of any member which it shall appear to the Committee merits investigation then the Committee shall send to such member a statement in writing of the conduct imputed to them and shall afford them an opportunity of giving an explanation in writing or in person as they may elect.
- 4.17 If, on the consideration of such explanation, or in the absence of any explanation, two-thirds or more of the members for the time being of the Committee shall be of the opinion that such member ought to be expelled from the Society, they shall state their opinion in the form of a report to be laid before a general meeting of the Society of which not less than twenty-eight clear days' notice shall be given. Such report shall be signed by the members concerned and shall propose a resolution of expulsion. If such resolution shall be duly passed the member named therein shall therefrom cease to be a member of the Society but shall not be entitled to the repayment of any part unexpired of the subscription paid by such member for the then current year pursuant to rule 5 hereof.
- 4.18 The Committee shall exclude from the Society any member who is bankrupt, or who has made any arrangement or composition with his creditors.

## **5 Subscriptions**

- 5.1 Each member shall pay an annual subscription at the rate determined by the Committee from time to time and in determining such rate the Committee may have regard to the place of business or residence and the age of the member and to such other circumstances (if any) as the Committee shall decide
- 5.2 The annual subscription shall be payable in advance on the first day of January in each year. If any member fails to pay their annual subscription within three months after it has become due the Treasurer shall by letter draw their attention to the fact and if the subscription in arrear is not paid within seven days from the date of such letter or within such further time as the Committee may

grant, such member may by resolution of the Committee be excluded from the Society and shall thereupon cease to be a member.

## **6 General Meetings**

- 6.1 The annual general meeting of the Society shall be held once in each calendar year on such day and at such place as the Committee shall appoint.
- 6.2 Not less than seven clear days before an annual general meeting, particulars of the business to be transacted shall be sent to every member together with a notice specifying the candidates duly nominated to fill the vacancies on the Committee and the offices of President, Vice-President, Deputy Vice-President, Treasurer and Executive Board Chair and the names of those by whom they are nominated.
- 6.3 The business of an annual general meeting shall be to receive and, if thought fit, to approve the accounts submitted by the Treasurer, to approve and, if thought fit, to adopt (whether in whole or modified form) the report of the Committee, to elect the President, Vice-President, Deputy Vice-President, Treasurer, Executive Board Chair and members of the Committee, to dispose of business introduced by the Committee and any other matter which may be transacted at such meeting of which notice shall have been given.
- 6.4 A special general meeting of the members may at any time be called by the Committee and shall be called by the Committee if at any time ten or more members by notice in writing require the Committee to call a special general meeting for any object specified in such notice.
- 6.4.1 Notice of every special general meeting specifying the object of it, and if called on a notice, specifying the members who signed such notice shall be sent to each member at least fourteen clear days before the day appointed for holding such meeting.
- 6.4.2 No business shall be transacted at any such special general meeting other than business of which notice has been given.
- 6.5 At any general meeting ten members personally present shall constitute a quorum, and if within fifteen minutes after the time appointed for the general meeting ten members are not present the meeting shall fail.
- 6.6 At all general meetings of the Society the President, if present, and if not then the Vice-President shall preside as Chair, if not then the Deputy Vice-President, shall preside as Chair. In the absence of all three then a Chair shall be chosen from those members present by a show of hands.
- 6.7 At any general meeting, a resolution put to the vote shall be decided by a show of hands

unless a poll is (upon or before the declaration of the result of the show of hands) demanded by the Chair or by not less than three members present in person or by proxy.

6.7.1 Unless a poll is demanded a declaration by the Chair that a resolution has on a show of hands been lost or carried (as the case may be) by a particular majority, and an entry to that effect in the Minute Book of the Society, shall be conclusive evidence of that fact.

6.7.2 In the case of an equality of votes, whether upon a show of hands or on a poll the Chair shall have a second or casting vote.

6.7.3 Where a poll is demanded the Chair if he or she shall think fit may adjourn the meeting to a date not being more than 21 days thereafter at such time and place as the Chair shall direct and at which adjournment such poll shall be duly taken but otherwise such poll shall be taken immediately following the demand therefore. The result of the poll shall in all cases be deemed to be a resolution of the meeting at which the poll was demanded.

6.8 For the purposes of rule 6.7:-

6.8.1 Each member shall have one vote.

6.8.2 No member shall be entitled to vote whether in person or by proxy if the subscription payable in accordance with Rule 5 is in arrear

6.8.3 On a poll, a member may vote personally or by proxy

6.8.4 The instrument appointing a proxy shall be in such form, as the Committee shall from time to time determine

6.8.5 The instrument appointing a proxy shall be deposited with the Executive Board Chair not less than 48 hours before the time appointed for the meeting at which the proxy is to be exercised

6.8.6 The instrument appointing the proxy shall be deemed to constitute authority to demand a poll.

## **7. The Committee**

7.1 The Committee shall consist of twelve members (elected in accordance with section 6.3 hereof) who shall be competent to act until reduced by any means below the number of five and in addition the President, Immediate Past President, Vice-President, Deputy-Vice-President, Treasurer, Executive

Board Chair and any member of the Society who is for the time being a member of the Council of the Law Society shall be ex-officio members of the Committee.

- 7.2 On the day of the annual general meeting in each year three members of the Committee shall retire from office and their places shall be filled by election. The retiring members are those persons (other than the immediate prospective Vice-President and Deputy Vice President) who at that date have served for the longest continuous period whether as officers and/or members of the general committee. For the purpose of calculation the period of service shall be measured from the most recent date upon which election or re-election to the Committee took place. As between two or more members of the Committee who have been in office for the same length of time the members to retire shall in default of agreement between them be ascertained by lot. A retiring member shall be eligible for re-election without nomination. The outgoing members of the Committee (other than those referred to in section 12 hereof) shall be considered as in office not only until the annual general meeting shall be concluded but also until others shall be respectively elected in their place.
- 7.3 Any member of the Committee desirous of vacating their office may send their resignation in writing to the Executive Board Chair and on acceptance of such resignation by the Committee but not before, their office shall become vacant
- 7.4 The office of a member of the Committee is vacated by disqualification if they shall commit an act of bankruptcy or become of unsound mind or be absent without reasonable cause from three consecutive meetings of the Committee and a resolution of the Committee declaring them disqualified as aforesaid shall be conclusive as to the fact and grounds of disqualification stated in the resolution
- 7.5 A casual vacancy among the members of the Committee arising by death, resignation, disqualification or otherwise may be filled by the Committee. Any person elected by the Committee to fill such a vacancy shall (in addition to the three members retiring by rotation) retire at the next annual general meeting of the Society, but shall be eligible for re-election without nomination. Any casual vacancy may be filled (in addition to the vacancies created by the retirement by rotation) at the next annual general meeting of the Society
- 7.6 At any time after the last annual general meeting and not less than twenty-one clear days before the day fixed for the next annual general meeting, any two or more members may give to the Executive Board Chair a notice or notices in writing signed by them, nominating any member or members, as a member or members of the Committee. Such a notice shall be of no effect unless accompanied by the consent in writing of the nominee or nominees to act if elected
- 7.7 The Chair of the annual general meeting shall state the names of the candidates duly nominated to fill the vacancies announced and if the retiring members seeking re-election and the retiring members seeking re-election and candidates nominated are not together

more in number than the vacancies, such retiring members and the candidates so nominated shall be deemed and be declared to be re-elected. If the retiring members seeking re-election and the candidates nominated are together more in number than the vacancies and election shall be conducted by ballot of the members present and voting at the annual general meeting

7.8 The Committee shall meet at least six times in each calendar year and the quorum at their meetings shall be six, but subject thereto the Committee may make and revise regulations for their meetings and proceedings and for the appointment of sub-boards and generally for the management of the affairs of the Society, subject always to the provisions of these Rules.

7.9 The business and affairs of the Society shall be managed by the Committee who may exercise all such powers of the Society as are not by these Rules required to be exercised by the Society in general meeting.

7.10 A list of the members of the Committee showing how many times each member has attended at meetings of the Committee for the past year shall be included in the annual report of the Committee. Where a member of the Committee has attended less than one-third of scheduled Committee meetings their position shall lapse at the next annual general meeting resulting in a vacancy, unless for exceptional extenuating circumstances, reasons of ill health or maternity leave.

7.11 The Committee may delegate any of their powers to sub-boards consisting of at least two members of the Society as they think fit. Each sub-board shall have power to conduct its own business subject to such regulations and directions as may from time to time be given by the Committee. Each sub-board shall submit a report at each meeting of the Committee.

7.12 The Committee may from time to time appoint as co-opted members such persons whom it is thought can assist the Committee with the discharge of its functions subject to the number of co-opted members not exceeding nine in number at any one time. All co-opted members shall retire from the Committee at the end of the year in which they were appointed.

## **8. President, Vice-President and Deputy Vice-President**

8.1 The President, Vice-President and Deputy Vice-President, shall be elected at the annual general meeting in each year and shall continue in office until the close of the next annual

general meeting, or if for any cause their respective successors shall not be elected at such meeting, then until the election of their respective successors

8.2 In the event of a casual vacancy occurring in the office of the President, the Vice-President shall assume office as President until the next annual general meeting or the appointment of their successor, and there shall be deemed a casual vacancy in the office of Vice-President. In the event of a casual vacancy occurring in the office of Vice-President, the Deputy Vice-President shall assume office as Vice-President until the next annual general meeting or the appointment of their successor, and there shall be deemed a casual vacancy in the office of Deputy Vice-President

8.3 In the event of a casual vacancy occurring in the office of Deputy Vice-President, the Committee shall elect one of their members to serve until the next annual general meeting, or the appointment of their successor and upon such election there shall be deemed to be a casual vacancy on the Committee.

8.4 At any time after the last annual general meeting and not less than twenty-one clear days before the day fixed for the next annual general meeting any two members may give to the Executive Board Chair a notice or notices in writing signed by them, nominating any qualified member for the office of President, Vice-President, or of Deputy Vice-President and specifying the name and address of the candidate. Such notice or notices shall be of no effect unless accompanied by the consent in writing of the nominee to act if elected.

8.5 The same mode of giving notice of nominations for the office of President, Vice-President or of Deputy Vice-President and the same modes of election or provisions deeming a candidate to be elected shall be applicable to the election of President, Vice-President and Deputy Vice-President as in the case of the election of members of the Committee and the provisions in that behalf hereinbefore contained shall apply accordingly mutatis mutandis.

## **9. Treasurer and Executive Board Chair**

9.1 The Treasurer and Executive Board Chair shall be elected at the annual general meeting in each year and shall continue in office until the close of the next annual general meeting, or if from any cause their successors shall not be elected at such meeting then until the election of their successors

9.2 In the event of a casual vacancy occurring in the office of Treasurer or Executive Board Chair the Committee shall elect a member of the Society to serve until the next annual general meeting or the appointment of a successor.

9.3 Any member of the Society shall be eligible for nomination and election to the office of Treasurer or Executive Board Chair

9.4 At any time after the last annual general meeting and not less than twenty-one clear days before the day fixed for the next annual general meeting any two members may give to the Executive Board Chair a notice or notices in writing signed by them nominating any member for the office of Treasurer or Executive Board Chair and specifying the name and address of the candidate or candidates. Such notice shall be of no effect unless accompanied by the consent in writing of the nominee or nominees to act if elected.

9.5 The same mode of giving notice of nominations for the office of Treasurer or Executive Board Chair and the same modes of election or provisions deeming a candidate to be elected shall be applicable to the election of the Treasurer or Executive Board Chair as in the case of the election of members of the Committee and the provisions in that behalf hereinbefore contained shall apply accordingly mutatis mutadis.

## **10. Trustees**

The Treasurer and Executive Board Chair for the time being shall be Trustees of the Society in who shall be vested all property of the Society. The Trustees shall at the expense of the Society take such measures for the safe custody and preservation of all deeds, documents of title and securities for money as, subject to any direction by the Committee, they may think fit.

## **11. Staff**

The Committee may from time to time appoint generally and in its discretion remove such employees as it may from time to time think fit and determine their powers and duties and fix their remuneration.

## **12. Accounts and Audit**

- 12.1 The Treasurer shall cause proper accounts to be kept of the income and expenditure of the Society and of the property, assets and liabilities of the Society.
- 12.2 The Committee shall from time to time appoint and fix the remuneration of and may at its discretion remove Accountants who shall prepare the accounts of the income and expenditure of the Society for the year ending on the 31st day of December in each year, copies of which when duly approved by the Committee shall be issued to members attending the next annual general meeting.
- 12.3 The accounts of the Society which have been approved by the Committee in accordance with these rules and by the annual general meeting of the Society shall be binding and conclusive on all members of the Society.

### **13. Investment**

So much of the funds of the Society as may not be required for immediate use, or to meet the usual accruing liabilities shall, with the consent of the Committee, be invested in any securities or manner authorised by the Committee

### **14. Rules**

- 14.1 Except as aforesaid no new rule shall be made nor shall any of the rules herein contained or hereafter to be made, be amended or rescinded except by a resolution passed by a majority of 75% of the members who are present in person or by proxy and also vote at a special general meeting of the Society convened (in accordance with the provisions of Rule 5.4 hereof) for the purpose of considering such new rule, amendment or rescission.
- 14.2 A copy of the Rules of the Society from time to time in force, and of every new rule amendment or rescission, and of the regulations of the Committee from time to time in force shall be kept in the Society's office and shall at all reasonable times be open to the inspection of the members. A copy of the Rules and every change therein shall be located on the Society's website.

## **15. Regulations for the Committee**

### **15.1 Meetings**

The ordinary meetings of the Committee shall be held in accordance with the provisions of Rule 7.8 at such place and time as the President for the time being may direct. A special meeting of the Committee shall be called by the Executive Board Chair whenever required by the President, Vice-President or Deputy Vice-President, or any three members of the Committee and at such place as may be directed by the President or in default of such direction as may seem to the Executive Board Chair most suitable. At least three clear days' notice of all meetings shall be given.

### **15.2 Chair**

At all meetings of the Committee the President, if present, or if he or she shall not be present then the Vice-President or Deputy Vice-President, shall take the Chair. In the absence of both of them a Chair shall be chosen from those members of the Committee present by a show of hands.

### **15.3 Voting**

All questions shall be decided by the majority of votes of members present and voting, and in the case of an equality of votes the Chair of the meeting shall have a second or casting vote

### **15.4 Minority Report**

If any member of the Committee dissents from the majority of the members thereof as to any action of the Committee or any report to be laid before the Society in general meeting or any paragraph thereof the name of such dissentient member shall if he or she shall require, appear upon the minutes as dissenting and such dissentient member may present to the Society in general meeting an independent report

### **15.5 Minutes**

The Committee shall keep a register of the members present at each meeting and minutes of its proceedings. A copy of the minutes of the proceedings of each meeting shall be circulated to all members of the Committee as soon as practicable

### **15.6 Standing Sub-Board**

Unless otherwise decided by the Committee there shall be appointed at the first meeting of the Committee to be held next after the annual general meeting of the Society in each year the following Standing Sub-Boards:

- 15.6.1 The Executive Board
- 15.6.2 The Education and Training Sub-Board
- 15.6.3 The Litigation Sub-Board
- 15.6.4 The Non-Contentious Sub-Board
- 15.6.5 The Media and Communications Sub-Board
- 15.6.6 The Equality and Diversity Sub-Board

15.7 In addition to the above said Sub-Boards the following Committee Member roles are provided:

- 15.7.1 Parliamentary Liaison Officer
- 15.7.2 Dinner Secretary(s)

The powers and duties of each Sub-Board shall be those specified in the Schedule to these Regulations and within the remit of the Terms of Reference of each such Sub-Board. Each such Sub-Board shall observe the regulations and directions contained in the said Schedule and Terms of Reference, but subject thereto and to such other regulations and directions as may from time to time be given by the Committee shall have power to determine the conduct of its own business.

#### 15.8 Order of Business & Proceedings

The order of business at meetings of the Committee shall be determined by the Chair of the meeting whose ruling in any matter of procedure arising at such meeting shall be final and conclusive

#### 15.9 Rescinding Resolutions

No resolution passed at any meeting of the Committee shall be rescinded at any subsequent meeting, unless notice of the intention to propose such rescission shall have been given in the notice of the meeting

#### 15.10 Payments

No payment shall be made out of the funds of the Society without the authority of the Committee or the Executive Board or the Treasurer.

### **THE SCHEDULE before referred to Regulations for Standing Sub-Boards**

## **1 Powers & Duties**

The powers and duties of the respective Sub-Boards should be determined as described in the Society's Business Plan through operation in accordance with each Terms of Reference

## **2 Duration of Office**

2.1 The members of each Standing Sub-Board shall hold office until the first meeting of the Committee after the annual general meeting of the Society next succeeding their appointment.

2.2 Any vacancy caused by the death or resignation of a member of any Standing Sub-Board shall be filled by the Committee or Society Member as soon as practicable after the occurrence of such vacancy

## **3 Chair**

A Chair of each Standing Sub-Board shall be elected at the first meeting of that Committee after its appointment. In the absence of the Chair at any meeting of a Standing Sub-Board a chair of the meeting shall be elected from the members present.

## **4 Ex-Officio Members**

The President, Vice-President, Deputy Vice-President and Executive Board Chair from time to time of the Society shall be ex-officio members of each Standing Sub-Board

## **5 Quorum**

Terms of Reference for each Standing Sub-Board shall determine the requirements for that Sub-Board to be known as quorate.

## **6 Voting Minority Report, Minutes, Proceedings.**

The regulations numbered 2,3, 4, 5 of the Regulations for conduct of meetings of the Committee shall, mutatis mutandis, apply to all meetings of each Standing Sub-Board.

## **7 Meetings**

The place and time of meetings of each Standing Sub-Board shall be determined by the Chair thereof or, in their absence, by the President of the Society. Provided that:

7.1 The Executive Board shall hold not less than six meetings per annum; and

7.2 All other Sub-Board shall meet within fourteen days after the Executive Board Chair shall inform the Chair thereof that any matter within the terms of reference of such Sub-Board has been submitted for the advice or decision of the Committee.

## **8 Reports**

Each Standing Sub-Board shall at each meeting of the Board submit a report of its transactions since the last meeting of the Committee.

## **9 Minutes**

The Chair of each Standing Sub-Board shall be responsible for keeping copies of the minute of the proceedings at all meetings of his or her Sub-Board.

The Committee may require any sub-board to perform such duties (in addition to those specified in the respective foregoing regulations) as it shall decide and whether on a permanent or ad hoc basis.