

Rules of the Tees Valley Law Society

(adopted 27 June 2012 as amended on 29 June 2015)

1. NAME AND AREA

The society is called the “Tees Valley Law Society” (the ‘Society’) and its operative area is shown outlined in red on the map approved by Council on 15 January 1987 (the ‘Society’s Area’)

2. OBJECTS

The Society is established to:

- 2.1 represent the interests of its members as regards all aspects of legal practice
- 2.2 consider issues affecting legal practice at large, including actual or proposed changes in law and practice, and make representations where appropriate on behalf of members.
- 2.3 promote best practice, professional ethics, and statutory compliance
- 2.4 support training and professional development.
- 2.5 provide social intercourse for its members.
- 2.6 deal with disputed points of practice, professional ethics, and complaints involving legal practitioners in the Society’s Area
- 2.7 take any further action which Council considers is for the benefit of the membership

3. MEMBERSHIP

A member is any individual who is (a) regulated by law in the delivery of legal services or (b) employed in the role of a solicitor by any public authority or corporate body, and is exempt from the regulatory requirements referred to in sub-paragraph (a) (‘qualification for membership’) or is a person undertaking regulated training with a view to such regulated delivery with an organization authorized by law for such purpose; and who has:

- 3.1 applied for membership in such form as Council may prescribe, and whose application Council has approved
- 3.2 satisfied, and continues to satisfy, Council that he is a “fit and proper person” to belong to the Society
- 3.3 continuing qualification for membership or, if retired from active legal practice, had such qualification at the date of retirement
- 3.4 paid any relevant membership fee
- 3.5 not had his membership terminated as a result of the exercise of Council’s powers set out below
- 3.6 not resigned his membership

and whose name, qualification for membership, business description, address, and e-mail particulars are held by the Administrator in a register of members.

For the purpose of these Rules “regulated training” means training which, in the opinion of Council, conforms with the requirements of a regulator approved pursuant to the provisions of the Legal Services Act 2007 (or any statutory modification or re-enactment of it) for entry into a regulated occupation which is regulated by that approved regulator.

3A ASSOCIATE MEMBERSHIP

An associate member is (a) any person who is for the time being employed by a body which is regulated by law in the delivery of legal services; or (b) is a student who is for the time being undertaking a course of education at a recognised teaching institution with a view to attaining such qualification as would enable that person to satisfy the qualification for membership defined in the pre-amble to paragraph 3 above; and who in addition meets all the other criteria set out in paragraph 3 above. An associate member shall have all the rights and duties of a member save that an associate member shall not be entitled to vote at any general meeting of the Society.

4. LIFE MEMBERS

- 4.1 Any past President of the Society, upon retirement from the practice of the law and being in membership of the Society at the date of that retirement, shall be granted honorary life membership
- 4.2 Council may invite any other former or retiring member to become an Honorary Life Member in recognition of especially distinguished service to the Society
- 4.3 Any member, having retired from the practice of the law, may apply to Council to be a Life Member of the Society on payment of a single subscription equivalent to one annual subscription. The provisions of paragraph 3 above apply to such application.

5. COUNCIL

Council shall (subject to any resolution of a general meeting) manage the affairs of the Society and shall act generally in every matter within its objects. It shall have power to fix the dates of its meetings and to regulate its proceedings.

5.1 Council comprises:

- 5.1.1 15 persons who are elected by the members of the Society and either (a) are entitled to practise as Solicitors, as certified by the Solicitors Regulation Authority (or any body which replaces the Solicitors Regulation Authority as an approved regulator of Solicitors for the purpose of the Legal Services Act 2007) or (b) are employed in the role of a solicitor by any public authority or corporate body, and are exempt from the regulatory requirements referred to in sub-paragraph (a)
- 5.1.2 persons appointed by Council from amongst the members of the Society
- 5.1.3 ex-officio, the immediate past President of the Society
- 5.1.4 as advisory observers (non-voting), the Administrator, the Public Relations Officer, the Regional Officer for the North-east Region of The Law Society, and the constituency representatives for the North-east Constituency on the Council of The Law Society

5.2 The persons referred to in paragraph 5.1.1 above may be:

- 5.2.1 Honorary Officers, namely the President, the Senior Vice-President, and the Junior Vice-President who shall each serve until the conclusion of the next Annual General Meeting of the Society following their election
- 5.2.2 up to six general members, who shall each serve until the conclusion of the third Annual General Meeting following their election
- 5.2.3 up to six constituency members, who shall each serve until the conclusion of the third Annual General Meeting following their election, one of each of whom shall practise in the following geographical locations:
 - The Borough of Middlesbrough, and the towns of Great Ayton and Stokesley.

Rules for Tees Valley Law Society (2015)

- The Borough of Darlington and the area bounded by and including the towns of Northallerton, Richmond, Leyburn and Hawes
- The Borough of Stockton-on-Tees
- The Borough of Hartlepool and the town of Peterlee
- Those parts of the County of Durham falling within the Society's Area excluding the Borough of Darlington
- The Borough of Redcar and Cleveland and the town of Whitby

Subject as below, such persons shall be elected by the members in general meeting in accordance with arrangements made by Council and notified to members as to the election process. However if a general meeting fails to elect to one or more of these elected positions, or in the event of a casual vacancy arising, Council may appoint a member satisfying the requirements of paragraph 5.1.1 above to that vacancy (and in the case of a constituency member one practising in the relevant geographical location) until the next Annual General Meeting of the Society.

- 5.3. **the persons referred to in 5.1.2 above** may be appointed until the conclusion of the next Annual General Meeting of the Society following their appointment
- 5.4 **the person referred to in 5.1.3 above** shall serve until the conclusion of the next Annual General Meeting following their taking up the office of Immediate Past President
- 5.5 **the persons referred to in paragraph 5.1.4 above** shall act for so long as they retain the appointments referred to
- 5.6 Persons may serve on Council in more than one capacity
- 5.7 Persons elected or appointed under paragraphs 5.2 and 5.3 above may be elected or appointed for successive terms, without limit
- 5.8 Members of Council elected or appointed under the above provisions shall be disqualified from serving further if:
 - 5.8.1 they become insolvent, or of unsound mind
 - 5.8.2 they cease to hold qualification for membership of, or for any other reason to be a member of the Society
 - 5.8.3 they fail to attend 3 meetings of Council in any period between two AGM's without proper cause, and have failed (within 7 days of notification by Council) to request an appearance before a convenient Council meeting to show cause

6. POWERS OF COUNCIL

In addition and without prejudice to the general powers set out in the pre-amble to Paragraph 5 above, Council shall:

- 6.1 manage the admission of persons to membership of the Society and the admission to and cessation of associate membership of the Society under the provisions of paragraphs 3 3A and 4 above; and for such purpose shall have power to determine what training does or does not constitute "regulated training" as defined in paragraph 3 above
- 6.2 appoint an Administrator at such remuneration (if any) and for the performance of such duties as Council decides
- 6.3 fix a date for an annual general meeting each year, and in any event to be held within 15 months of the preceding annual general meeting
- 6.4 fix the annual membership fee to be paid by members

Rules for Tees Valley Law Society (2015)

6.5 make provision for the investigation of any complaint that a member has behaved in a dishonourable, improper or unprofessional manner, and shall report the matter to a meeting of Council of which the member shall have at least seven days' previous notice and at which the member may be present to speak on the matter.

and may:

- 6.6 suspend from the benefits of membership any member who has failed to pay the annual membership fee within one month of the rendering of an invoice for it
- 6.7 terminate the membership of any member who has failed to pay the annual membership fee within three months of the rendering of an invoice for it, provided that that member has been given an opportunity to attend a meeting of Council following the expiration of such three month period to show cause, and has failed to attend any such meeting and/or has failed to show cause
- 6.8 make such recommendations as it sees fit following consideration of a complaint, investigation and report pursuant to paragraph 6.5 above, including termination of the membership of the person complained against.
- 6.9 appoint a public relations officer on such terms as to remuneration (if any) as Council decides
- 6.10 delegate any of its functions to one or more subcommittees of members; provided that if the delegation includes a power of decision-making then such delegation must be in writing and the sub-committee appointed must have a majority of its membership drawn from persons elected or appointed under paragraph 5.2 or ex-officio under paragraph 5.4
- 6.11 exclude any member not entitled to practise as a solicitor from any part of a meeting at which business is to be conducted relating to The Law Society, business being considered at the request of The Law Society, or other business relating to the regulation and certification of solicitors or the training of solicitors or of persons wishing to become solicitors

7. CONVENING OF AND CONDUCT OF MEETINGS

- 7.1 Not less than five days' notice of every general meeting shall be given to each member by the Administrator.
- 7.2 A special general meeting shall be called by the Administrator if required by Council or requisitioned in writing by twenty or more members, such requisition to specify the purpose of the meeting, and the meeting to be held not later than forty-two days after the date of the requisition. Only business set out in the notice of meeting may be transacted at a special general meeting
- 7.3 At each annual general meeting, in addition to elections, the accounts of the Society for the preceding year shall be submitted, a report of Council shall be given, and any other necessary general business shall be transacted.
- 7.4 Meetings of Council shall be convened by the Administrator on notice, stating the business to be transacted, given at least one day before the meeting.
- 7.5 Ten members shall form a quorum at any general meeting and five Council members shall form a quorum at meetings of Council. Each member present shall have one vote and the chairman of the meeting, if need be, an additional or casting vote.
- 7.6 Every meeting shall have power to adjourn to a future day, and if it adjourns because of the absence of a quorum, or by a resolution of the members present, the Administrator shall forthwith give to every member or Council member, as the case may be, notice of the adjourned date, time and venue

Rules for Tees Valley Law Society (2015)

- 7.7 In case any irregularity shall occur in the convening or holding of any meeting or in an election, resolution, or other proceeding at any such meeting and the same shall not be objected to at such meeting, all proceedings of such meeting shall be of the same force and validity as if no such irregularity had occurred but, if any irregularity shall be objected to the meeting shall decide thereon and such decision shall be final and conclusive
- 7.8 Notice of meetings may be given by delivery, posting or e-mail. If by delivery, the giving of notice is effective at the time of actual delivery; if by post, at the expiration of 3 days after posting; and if by e-mail, 24 hours after sending. Notice by whatever method is to be given to the member's address or e-mail address as noted on the register of members.
- 7.9 Minutes shall be kept of the proceedings at every General Meeting and Council meeting and signed by the chairman of the next succeeding General or Council meeting (as the case may be).
- 7.10 Resolutions of Council may be made by e-mail in the following manner:
- 7.10.1 A copy of the proposed resolution, together with any supporting information, must be sent by e-mail to all members of Council, with a response date and time.
- 7.10.2 If at least 50% of the members of Council have replied confirming support for the resolution by the response date and time, then the resolution shall be validly made as at the response date and time and particulars entered in Council's minute book
- 7.10.3 An e-mail will be sent to all members of Council as soon as practicable after the response stating whether the resolution has been carried or has failed, including information as to the number of replies received, and how many votes have been cast for and against the resolution and the number of abstentions

8 CHANGE OF RULES AND DISSOLUTION

- 8.1 Any amendment replacement or repeal of any of these rules must be approved at a General Meeting of the Society. A vote of two thirds of the members present and entitled to vote at such meeting shall be necessary to carry in the affirmative any such resolution.
- 8.2 Any proposal to dissolve the Society must be approved at a General Meeting of the Society. A vote of two thirds of the members present and entitled to vote at such meeting shall be necessary to carry in the affirmative any such resolution.
- 8.3 In the event of the Society being dissolved, all its liabilities then outstanding shall be discharged and any surplus assets shall be dealt with as directed by the members' resolution to dissolve and in default by the President of The Law Society.

9. INTERPRETATION

In these Rules and where the context admits:

- 9.1 The singular includes the plural
- 9.2 The masculine includes the feminine
- 9.3 Reference to any Act of Parliament includes all amendments and re-enactments and any applicable subordinate legislation
- 9.4 Where the context admits or requires the expressions "member" and "membership" shall include associate members and associate membership