

London Solicitors Litigation Association

Constitution

(Adopted at the AGM on 11 March 2020)

1. Interpretation

(a) Where the context so admits:

"Officers" means the President, the Vice-President, the Secretary, the Membership Secretary and the Treasurer.

"Committee" includes the Officers.

"Colleague", in relation to a member, means a partner, employer or employee of the member, or a person employed by the same person, firm, company, government department, local authority or other organisation as the member.

(b) The provisions of the Interpretation Act 1978 shall apply hereto as if to an Act of Parliament.

2. Name

The name of the Association is "London Solicitors Litigation Association" (hereinafter called "the Association").

3. Objects

The objects of the Association are:

(a) to act for the benefit of the public and the legal profession by promoting the efficient conduct of civil litigation in London, the review of court and tribunal procedures and improvements in court accommodation and other services;

(b) to further and protect the professional interests of the members and/or other solicitors who practise in the London courts;

(c) to make representations, and give assistance if requested to the Law Society, local law societies or other professional bodies on any matters relating to civil litigation in London;

(d) to co-operate with the Law Society in promoting the interests of the profession generally;

(e) to make donations for charitable or voluntary purposes connected with or incidental to the objects of the Association.

Membership

4. Qualification for Membership

Save as hereinafter provided membership of the Association shall be open to any qualified solicitor, or barrister or European lawyer or foreign lawyer registered with

the Solicitors Regulation Authority, who is practising or employed in Greater London or who practises regularly in the London courts.

5. Application for Membership

Application for membership shall be made in writing to the Membership Secretary in such form as shall from time to time be approved by the Committee and shall be accompanied by payment of the appropriate subscription. The applicant, if otherwise qualified, shall become a member upon acceptance of the application by or on behalf of the Committee, who shall have power to delegate to the Membership Secretary the power to accept or to refuse such applications.

6. Power to Exclude

The Committee, or the Membership Secretary (if such power has been delegated to him) may refuse to accept any application for membership without assigning any reason therefor.

7. Termination of Membership

(a) If the member shall cease to be a solicitor or resign by notice in writing to the Membership Secretary, he shall forthwith cease to be a member.

(b) If a member shall have failed to pay his subscription within six months from the date when it became due, the Secretary, the Membership Secretary or Treasurer may send him a notice referring to the provisions of this clause and requiring him to pay the subscription within seven days, and if the member shall then fail to pay the same he shall cease to be a member upon the expiry of the period of seven days.

(c) If the Committee shall resolve that the member be expelled on the grounds that his membership is not in the interests of the Association, he shall forthwith cease to be a member, provided that within 14 days of notification of such resolution the member shall have the right to appeal to a panel consisting of the President and two other members being Past Presidents of the Association or such other members (not being members of the Committee) as the President may nominate. If the panel shall uphold the appeal the resolution of the Committee shall thereby be annulled.

General Meetings

8. Annual General Meeting

The Annual General Meeting shall be held in March of every year or at such other time as the Committee shall decide. It shall be convened by the Secretary by not less than 21 days' notice. At such meeting the following business shall be transacted:

- (a) to receive the report of the President;
- (b) to receive the balance sheet and accounts;
- (c) to elect the officers of the Association;
- (d) to elect members of the Committee;

(e) to elect the Honorary Auditors;

(f) to transact such other business as the Committee may decide;

(g) to consider any proposed resolution of which at least five weeks' notice has been given to the Secretary.

The notice convening the meeting shall set out the terms of any proposed resolution under paragraph (g) of this clause. The notice convening the meeting may be sent to members by email or by post or by any other method approved by the Committee.

9. Extraordinary General Meetings

An Extraordinary General Meeting shall be convened at any time by the Secretary if so resolved by the Committee or upon the requisition of at least 30 members of the Association each entitled to vote, by at least 14 days' notice specifying the business to be transacted. The notice convening the meeting may be sent to members by email or by post or by any other method approved by the Committee.

10. Voting at General Meetings

At any meeting each member shall have one vote. Except for the purpose of a contested election of officers or of members of the Committee as provided by clause 22, voting shall be by show of hands, unless the chairman shall in his absolute discretion direct a poll.

11. Quorum

At a general meeting 10 members in person shall constitute a quorum. If within half an hour from the time appointed for such meeting a quorum be not present the meeting shall stand adjourned to the same day in the next week (and if that day be a holiday to the next working day thereafter) at the same time and place or to such other time and place as the Committee may determine and if at such adjourned meeting a quorum is not present within half an hour the members present shall constitute a quorum.

12. Chairman

At all general meetings the President shall preside, or if he is unable to attend, such past President or member of the Committee as the President may nominate shall act as chairman. If neither the President nor a person so nominated is present within 10 minutes after the time appointed for holding the meeting, the members present at the meeting shall elect a chairman for such meeting.

13. Minutes

The Secretary shall record in a Minute Book the proceedings at general meetings.

14. The decision of the chairman as to the result of the voting on any question shall be final and an entry in the Minute Book signed by the President or the chairman of the meeting shall be conclusive of the terms of any resolution and of its having been passed.

Officers

15. Officers

The officers of the Association shall be the President, the Vice-President, the Secretary, the Membership Secretary and the Treasurer. Each of such offices shall be held by a separate person. Each of the officers shall be elected at the Annual General Meeting and shall hold office until the close of the next Annual General Meeting when he shall retire but shall be eligible for re-election, or until he shall resign or cease to be a member of the Association.

15A Vice-President

Notwithstanding the provisions of clause 15, the Committee shall have power to resolve that there be no election for a vice-president at a forthcoming annual general meeting, and in that event the office of vice-president shall be vacant from that annual general meeting until the next following annual general meeting.

16. The Membership Secretary shall cause to be maintained a proper record of the names, date of admission, firm, business address and e-mail address (*where available*) of each member.

17. Treasurer

The Treasurer shall be responsible, subject to the directions of the Committee, for the financial affairs of the Association and shall maintain the Association's banking account.

18. Absences and Casual Vacancies

(1) In the event of the temporary absence or illness of any officer, the Committee may appoint one of their number or any Past President of the Association to act in his place during such period or for such purposes as may be thought fit.

(2) In the event of the death or resignation of an officer or of his ceasing to be a member of the Association during his term of office, the Committee may appoint one of their number or any Past President of the Association as such officer until the next Annual General Meeting.

Committee

19. Composition of Committee

(a) The Committee shall consist of:

(i) the officers;

(ii) the immediate Past President;

(iii) not more than 20 elected members in addition to the officers;

(iv) not more than one member each appointed by the City of London Law Society and by the City of Westminster and Holborn Law Society;

(v) not more than 10 co-opted members, in addition to members co-opted under paragraph (d) of this clause or under clause 20.

(b) A member of the Committee by virtue of sub-paragraphs (a)(ii), (a)(iii) or (a)(v) or paragraph (d) of this clause shall hold office until the close of the next Annual General Meeting, or until he shall previously resign or cease to be a member of the Association. Save as otherwise herein provided he shall be eligible to be re-elected or co-opted again as the case may be.

(c) A member of the Committee appointed under sub-paragraph (a)(iv) of this clause shall hold office until the close of the fourth Annual General Meeting following the date of his appointment, or until he shall previously resign or cease to be a member of the Association, or until another member shall be appointed in his place. Save as otherwise herein provided he shall be eligible to be re-appointed.

(d) A member of the Committee who fails for any reason to attend four meetings of the Committee in succession shall if so decided by the Committee, cease to be a member of the Committee but shall be eligible to be co-opted, or, in the case of a member appointed under sub-paragraph (a)(iv) of this clause, to be re-appointed.

20. Colleagues

Two or more members of the Association who are colleagues may not be Officers or elected members of the Committee at the same time (except where one of them is the Membership Secretary), provided that if they shall have been elected members of the Committee before becoming colleagues, then upon their being colleagues they shall both be entitled to remain elected members of the Committee until the next Annual General Meeting. For the avoidance of doubt nothing herein shall prevent colleagues being co-opted if the Committee so decides.

Elections

21. Nominations

Candidates for election as officers or to the Committee shall be proposed and seconded by members of the Association. The name of each candidate, with the names of his proposer and seconder, shall be given to the Secretary not later than 14 days before the date of the Annual General Meeting, or such later date as the Secretary may in his discretion allow. Neither the candidate, the proposer nor the seconder need to be present at the Annual General Meeting.

22. Elections

If the number of candidates exceeds the number of vacancies election of candidates shall be by a poll. The Secretary shall cause ballot papers to be sent to each member entitled to vote and such papers shall be returned not later than the beginning of the Annual General Meeting.

Proceedings of the Committee

23. Chairman

The President shall be chairman of the Committee. If he is not present within 10 minutes after the time appointed for holding the meeting the members of the Committee present at the meeting shall elect a chairman for such meeting.

24. Frequency of Meetings

The Committee shall meet not less than four times a year.

25. Voting

Every member of the Committee shall have one vote on every question and in case of an equality of votes the chairman of the meeting shall have a second or casting vote.

26. Minutes

The Secretary shall keep minutes of the proceedings at each meeting of the Committee, which shall be read and confirmed at the next meeting.

27. Sub-Committees

The Committee may appoint sub-committees, and may at its discretion co-opt to any sub-committee any member or members of the Association.

Subscription, accounts and audits

28. Subscription

(a) The annual subscription shall (with effect from 1 January 2013) be:

(i) £20 for each member, or

(ii) in the case of firms which elect to pay the corporate subscription, £500 per firm for as many members as the firm chooses to nominate provided that:

(i) in the case of each nominated member the Membership Secretary is provided with the name, date of admission, firm, business address and e-mail address (where available) of the nominated member, and

(ii) the number of votes to be cast in any meeting of the Association shall be no more than 25 per firm or

(iii) such other sums as the members in general meeting shall decide.

(b) The subscription shall be payable within 28 days of a request by the *Association* for payment of subscriptions.

(c) A new member who joins upon the death or resignation of a colleague who has paid a subscription for the current year shall not be required to pay a further subscription in respect of the same year.

(d) A member who joins during the last three months of any year and pays a subscription for that year shall not pay a subscription for the following year.

(e) Subject as provided by paragraph (f) of this clause, upon a member ceasing to be a member no part of the subscription shall be refundable.

(f) The Committee shall have power to remit the subscription of any member in whole or in part if it shall think fit.

29. Accounts

The Treasurer shall maintain proper records of receipts and payments and cause proper accounts to be prepared for each calendar year. The accounts shall be audited by the Honorary Auditors, and the Treasurer shall present such accounts to the Association at the Annual General Meeting.

30. Honorary Auditors

There shall be two Honorary Auditors, who shall be members of the Association but not members of the Committee. They shall be elected annually at the Annual General Meeting by show of hands and shall hold office until the close of the following Annual General Meeting, or until completion of the audit of the accounts for the preceding year, whichever be the later. Subject as aforesaid the provisions of clauses 15 and 18 relating to officers shall apply likewise to the Honorary Auditors. The Honorary Auditors shall audit the accounts of the Association at least once in every year.

Amendment of constitution

31. Amendment of Constitution

The constitution may be amended by the Association in general meeting by a Special Resolution passed by a majority of three quarters of those present and entitled to vote, of which meeting at least 21 days' notice shall have been given specifying the amendments proposed.