

CONSTITUTION
of the
GLASGOW BAR ASSOCIATION

NAME

1. The Association shall be called the “Glasgow Bar Association”.

OBJECTS

2. The objects of the Association shall be :-
 - (a) to promote, represent and protect the rights and interests of its Members in the practice of law;
 - (b) to promote access to legal services and to justice;
 - (c) to consider and, if necessary, formulate proposals and initiate action for law reform;
 - (d) to consider and monitor proposals made by other bodies for law reform and draft legislation and to make comments, recommendations and representations thereanent to the appropriate quarters;
 - (e) to arrange conferences and lectures and otherwise to provide opportunities for its Members and others to study and keep up to date with current and proposed law practice and procedures;
 - (f) to take such steps as are reasonably practical to secure in appropriate circumstances the welfare of Members, former Members and their dependents.
 - (i) Benevolent fund - Any three of the President, Chief Executive, Vice-President, Immediate Past President and/or Secretary shall be sufficient and shall be a quorum for the purpose of decision making in respect of any payment from the Benevolent Fund. Procedurally, the process to be followed shall be:-
 - (a) A quorum shall meet to discuss and approve, in full or in part (including nil) the amount they consider appropriate as a grant in any single circumstance being considered under the Constitution Clause 2(f).
 - (b) Notes shall be kept at any such meeting. Said notes shall be signed by those office holders present and shall be retained by the GBA in a sealed envelope and shall be treated as confidential. The names and any information which might identify the beneficiaries or any grant made shall be kept confidential and shall not appear in minutes or accounts or any form or report made available to the Membership. Necessary work in implementing any grant shall also be kept confidential (and sealed if necessary for that purpose). The information shall be retained for use, if needed, by the GBA Accountants or for tax purposes or for any other lawful reason
 - (g) to organise and promote social functions and events for Members and their guests.

MEMBERSHIP

3. There shall be eight classes of Members, namely, (a) Practising Members, (b) Honorary Members, (c) Country Members, (d) Trainee Members, (e) Student Members, (f) Corporate Members, (g) Affiliate Member Associations and (h) Newly Qualified Members as follows :-

(a) PRACTISING MEMBERS:

Practising Members shall be open to all persons holding a Practising Certificate of the Law Society of Scotland regularly engaged in pleading in person before any Court or Tribunal within the territorial jurisdiction of Glasgow Sheriff Court or whom the Executive Committee otherwise determine to admit as Practising Members.

(b) HONORARY MEMBERS:

As a mark of honour and respect, the Association in General Meeting may confer Honorary Membership on any member of the legal profession who for 25 years at least has been engaged in Court practice. Honorary Membership shall be conferred automatically on all Past-Presidents of Glasgow Bar Association.

(c) COUNTRY MEMBERS:

Country membership shall be open to any solicitor who does not practise regularly, nor has a place of practice, within the jurisdiction of Glasgow Sheriff Court.

(d) TRAINEE MEMBERS

Trainee membership shall be open to all Law Graduates undertaking traineeships within the profession in Scotland.

(e) STUDENT MEMBERS:

Student Membership shall be open to Law Students intending to qualify in the legal profession in Scotland.

(f) CORPORATE MEMBERSHIP:

Firms of solicitors (including incorporated practices) who wish to join the Association but who do not have a practice or areas of practice in which at least one-quarter of the solicitors therein regularly engage in pleading at Glasgow Sheriff Court, may become Corporate members at a rate agreed with the Executive Committee, which rate shall be dependent on the number of solicitors employed by the particular firm.

(g) AFFILIATE ASSOCIATION MEMBERSHIP:

Faculty and Bar Associations outwith Glasgow who wish to join the Association but do not have a practice or areas of practice in the jurisdiction of Glasgow Sheriff Court, may become Affiliate Members at a rate agreed with the Executive Committee.

(h) NEWLY QUALIFIED MEMBERS :

Scottish solicitors who are newly qualified (up to three years qualified) may join the Association at the same rate of membership as trainee membership.

4. Honorary, Trainee, Student, Country and representatives of Corporate Members and representatives of Affiliate Members shall be entitled to participate in the deliberations of the Association in General Meeting or otherwise and may be appointed to ad hoc or research Committees of the Association; each Practising Member and a single representative of each Corporate Member and each Affiliate Member shall have one vote, and each Practising, Country and Trainee Member

shall be eligible to be nominated for election to the Executive Committee. At any General Meeting Honorary, Trainee, Student and Country Members shall not be entitled to vote on any matter.

EXECUTIVE COMMITTEE

5. The Office Bearers of the Association shall be a President, a Vice-President, a Secretary and a Treasurer and such Office Bearers shall, together with (a) subject to the Committee's power to co-opt further members as and when it considers appropriate, no fewer than 7 and no more than 9 other members and (b) the immediate Past-President ex officio for the Executive Committee of the Association. Office Bearers and Members of the Executive Committee (other than the immediate Past President) shall be elected annually at the Annual General Meeting of the Association. The Executive Committee may, include one Trainee Member and one Country Member. Any person seeking to stand for election to the Committee must intimate to the Secretary no later than 14 days prior to the date of the Annual General Meeting his or her intention to do so, together with the name of a proposer and seconder, each of whom must be a member of the Association. Candidates must have been a member of the Association for at least three consecutive years prior to the election, apart from Trainee members. In the event of there being more than 9 members being proposed, there shall be an election at the Annual General Meeting by the members present. Candidates shall be elected by majority. The Executive Committee shall have power from time to time to appoint any person eligible to be elected to the Executive Committee to fill any vacancy on the Executive Committee subject to the confirmation of the said person at the next Annual General Meeting. The Committee may co-opt any such person or person to the Committee notwithstanding that this may result in the Membership of the Committee exceeding the number stipulated above. No person may serve on the Executive Committee for more than 5 years without having stood for re-election at an Annual General Meeting of the Association and having been re-elected by the Members. If a committee member misses 2 meetings without tendering apologies or 3 meetings with apologies they will be deemed to have resigned from the committee, unless the committee resolve to the contrary. Unless specifically conferred by the Committee, members of the Committee other than the Office Bearers shall have no authority to transact with any third part or to represent to any such party the views or opinions of the Association. Any unauthorised transactions or representations will not bind the Association. Any breach of this Constitution and any act or omission by such a member of the Committee which has the effect or intention of bringing the Association into disrepute will entitle the Committee to deem the member to have resigned from the Committee.
6. The Executive Committee shall be responsible for and entrusted with, subject to the other provisions hereof and the will of the Members in General Meeting, the formulation, direction and execution of the policy and other affairs of the Association.
7. The President and Vice President shall receive such payment by way of HONORARIA in respect of their period of office as shall be approved by the

Executive Committee and it shall be competent for any such payment to be so approved and paid to any Past President or Secretary at any time within a period of 3 years after which he shall have demitted office as such.

CONDUCT OF BUSINESS

8. The decision on whether the approval of Members in General Meeting shall be required in relation to ongoing business, or any issue affecting Members of the Association, shall be at the discretion of the Executive Committee.

FINANCES

9. The funds of the Association shall be kept by the Treasurer who shall have power to operate bank accounts in the name of the Association and who shall keep properly vouched books of account of his intromissions therewith.
10. A Treasurer shall be elected at each AGM of the Association and it shall be his or her duty to liaise with the Association's accountants for the period until the Annual General Meeting immediately following upon their election when he or she shall report to the Members.
 - (a) The annual subscription for each class of Member of the Association shall be fixed by the Members at each Annual General Meeting for the ensuing year and shall be come due and payable immediately thereafter.
 - (b) Any person who immediately prior to an Annual General Meeting of the Association was a Member and whose subscription for the year following upon that Meeting shall remain unpaid at the expiry of 6 months from and after its date shall thereupon cease to be a Member.
11. Upon dissolution of the Association its funds shall be disposed of in such manner as the Members in General Meeting shall decide, but so as not to be paid to or directly for the behalf of the Members.
12. SPONSORSHIP : It will be open to the Executive Committee from time to time to sponsor events or activities consistent with the objects of the Association as contained in Clause 2 hereof. At the discretion of the Executive Committee sponsorship can be received by the Association from individuals, professional groups or companies whose primary activities are consistent with the objects of the Association aforesaid.
13. GBA FACILITIES : As part of the membership subscription all classes of members will enjoy free use of the Association's office facilities and library, specifically to include the facility of receiving facsimile transmissions and e-mails (although specifically to exclude the sending of facsimile transmissions and e-mails) and the supply of legal aid forms where available.

AMENDMENTS

14. (a) This Constitution shall not be amended except by the vote of two thirds of the Members present and voting in General Meeting and the Standing Orders of the Association from time to time in force shall not be altered except by a majority of the Members present and voting in General Meeting.

(b) No amendment to the Constitution or alteration of Standing Orders shall be voted upon at a General Meeting unless the proposed amendment or alteration, as the case may be, shall have been specified in the Notice calling the Meeting.

CONSTITUTION AMENDED AT SPECIAL GENERAL MEETING OF THE
MEMBERSHIP
ON
25th JANUARY 2019