



## IN HOUSE LAWYERS GROUP CONSTITUTION

### 1. NAME

The name of the Group shall be the In-house Lawyers' Group (the Group) of the Law Society of Scotland (the Society).

### 2. OBJECTS The objects of the Group shall be :-

1. To improve and strengthen the links within the Society between solicitors in private practice - and those employed in public service and commerce.
2. To promote the interests and status of solicitors enrolled in Scotland and employed in public service and commerce.
3. To encourage and develop the better training of solicitors in the Group.

### 3. MEMBERSHIP

Enrolled solicitors in Scotland who are employed in any capacity in central or local government, the procurator fiscal service, court administration, public bodies, administration or commerce or the like and such other solicitors as the Committee from time to time approve shall be Ordinary Members of the Group.

### 4. HONORARY MEMBERS

The Committee shall be entitled to appoint any persons as Honorary Members of the Group for such period in each case as they shall decide.

### 5. EX OFFICIO MEMBERS

The President and Vice-President of the Society shall be ex officio Members of the Group.

### 6. COMMITTEES AND OFFICERS

1. The Committee of the Group shall consist of the President and Vice-president of the Society as ex officio members: a number of Members of the Group not exceeding 18 (as elected Members of the Committee). In addition, the Committee shall at their first meeting after the Annual General Meeting each year or as soon as possible thereafter co-opt to the Committee but such co-option to be exercised only if the following categories are not represented by the elective process:-

- One Member from each of the following categories: (i) Procurator Fiscal Service; (ii) Central Government Service; (iii) Local Government; (iv) Public Bodies; and (v) Commerce and Industry.

- The Committee may in their discretion from time to time co-opt not more than 3 other Members of the Group.

2. One-third of those Members of the Group elected to the Committee at the first Annual General Meeting shall retire by rotation at each of the second, third and fourth Annual General Meetings of the Group after this Constitution comes into effect, such one third to be selected by lot.

3. After their election or re-election at the second or subsequent Annual General Meetings, elected Members of the Committee shall serve on the Committee for three years, but on retiring, they shall be eligible for re-election.

4. The Committee shall from time to time be entitled to co-opt an Ordinary Member of the Group to serve as a member of the Committee to fill any vacancy among the co-opted Members provided

that if the vacancy is a casual vacancy such Ordinary member must be co-opted from the same category as the retiring member as specified in paragraph (1) hereof. Any such member shall retire at the next Annual General Meeting.

5. The Office Bearers of the Committee shall consist of a Chairman and Vice-Chairman who shall be appointed from the elected Members of the Committee by the Committee at its first meeting and thereafter at its first meeting immediately following the Annual General Meeting in every year. The Secretary and Treasurer of the Group shall be a Member of the Secretariat of the Society appointed by the Committee for such period as they may decide.

6. The Committee shall from time to time be entitled to appoint any elected Member of the Committee as Chairman or Vice-Chairman to fill any casual vacancy in these offices which may occur.

7. Nominations of Ordinary Members of the Group to fill a vacancy on the Committee must reach the Secretary of the Group not less than twenty-eight days before the date of the relevant Annual General Meeting and each nomination must be signed by a proposed and seconder, and by the nominee all being current Members of the Group.

8. If there are more candidates for election to the Committee than the number of vacancies, the resulting competition shall be decided by postal ballot, each candidate disclosing his full name, address and employing authority. The postal ballot shall be carried through by the first past the post method. The result of the ballot shall be announced by the Chairman at the Annual General Meeting and such result shall be final.

9. Four Members of the Committee, of whom not less than 3 are elected Members of the Committee, shall constitute a quorum for meetings of the Committee.

10. For avoidance of doubt, it is understood that ex officio and co-opted Members shall have full powers as Committee Members.

## **7. DUTIES OF THE COMMITTEE**

The Committee shall be responsible for furthering the objects of the Group, for organising the Group and its activities and for the relations of the Group with the Council of the Society.

## **8. FINANCE**

1. The funds of the Group shall be:

1. such sums as may from time to time be made available by the Council of the Society
2. any other funds provided by the Members of the Group
3. any other funds received by the Group.

2. The financial year of the Group shall run from 1st November to 31st October.

3. The Secretary and Treasurer shall keep a record of the funds of the Group and shall present the Accounts of the Group to each Annual General Meeting.

## **9. ANNUAL GENERAL MEETING**

1. The Annual General Meeting shall be held annually on a date and at a time and place to be determined by the Committee who shall give at least six weeks notice thereof by such means as the Committee shall decide. 2. The business of the Annual General Meeting shall consist of -

1. the reception of the Chairman's Report on the previous year's activities of the Group;
2. the consideration and approval of the Accounts of the Group;

3. the report by the Chairman of the election of Members to the Committee;

4. any other business of which notice may have been given or which may be permitted to be raised without notice;

5. any matter relating to the business of the Group specified in a requisition made by not less than 10 Members of the Group and received by the Secretary not less than 28 days before the meeting provided that the Chairman may allow any matter to be raised at the Annual General Meeting without such previous written notice as aforesaid.

3. The Chairman of the Committee shall act as Chairman of the Annual General Meeting, failing whom the Vice-Chairman whom failing any Member of the Committee elected to the Chair by the Ordinary Members of the Group present at the Annual General Meeting. Subject to the provisions of this Constitution all decisions shall be taken by a majority vote of the Ordinary Members present at the meeting and in the event of equality the Chairman shall have a second or casting vote.

#### **10. SPECIAL GENERAL MEETING**

1. Special General Meetings of the Group shall be convened by the Secretary on the instructions of the Committee or on a requisition signed by not less than ten ordinary Members of the Group. The requisition must state the objects of the meeting. It must be deposited with the Secretary and may consist of several documents in like form each signed by one or more requisitionists.

2. A Special General Meeting required by requisition shall be held within 28 days of receipt of the requisition and shall, subject to the provisions of this Article, be held on such date, time and place as the committee may appoint.

3. Fourteen days' notice of a Special General Meeting shall be given to Ordinary Members of the Group by such means as the Committee shall decide.

#### **11. CONDUCT OF MEETINGS**

The standing orders made by the Council of the Law Society of Scotland shall mutatis mutandis apply to the conduct of business at General and Committee Meetings of the Group.

#### **12. AMENDMENT OF CONSTITUTION**

The Group may at any General Meeting by a majority vote of the Ordinary Members present at the meeting amend this Constitution provided that notice of a motion to this effect of such amendment has been given to the Ordinary Members of the Group in the same manner as provided for in Article 9(1).

#### **13. WINDING UP**

The Group may at any General Meeting decide by a majority vote of the Ordinary Members present at the meeting that the Group shall be wound up provided that notice of a motion to this effect has been given to the Ordinary Members of the Group in the same manner as provided for in Article 9(1). In this event the assets of the Group shall be transferred to the Society for such purpose as they may think fit