

## **1. Definitions**

1.1 The “Association” and “NBTA” mean the National Bargee Travellers Association a not-for-profit unincorporated body whose registered address is 30 Silver Street, Reading, Berkshire, RG1 2ST, UK.

1.2 “Bargee Traveller” means itinerant boat dweller, boat dweller without a home or permanent mooring, travelling boat dweller, live-aboard continuous cruiser or itinerant live-aboard boater and includes anyone whose home is a boat and who does not have a permanent mooring for their boat with planning permission for year-round residential use.

1.3 The “Committee” means the committee of the NBTA.

1.4 The “Constitution” means this document.

1.5 “EGM” means Extraordinary General Meeting.

1.6 “Member” means a member of the NBTA

## **2. Name**

2.1 The Association shall be known as the National Bargee Travellers Association including by the abbreviation NBTA.

## **3. Objects**

3.1 The objects of the Association shall be as follows:

a) To campaign as Bargee Travellers on Britain’s inland and coastal waterways on any issue that is relevant to Bargee Travellers.

b) To provide an effective means for Bargee Travellers on Britain’s inland and coastal waterways to voice their concerns on any issue that is relevant to Bargee Travellers.

c) To provide advice and support for Bargee Travellers on Britain’s inland and coastal waterways on any issue that is relevant to Bargee Travellers, including onward referral to specialist professional agencies.

(collectively the “Objects”)

## **4. Powers**

4.1 In furtherance of the above objects, the Association shall have the following powers:

a) To promote any or all of the Objects by publications, meetings, visits, lectures, events, exhibitions, rallies, non-violent demonstrations and any other appropriate agreed mechanism.

b) To assist financially or otherwise any appropriate individual, group or organisation whether official or otherwise.

c) To secure publicity for the promotion of the Objects

d) To exercise the powers in Art 4 (a), Art 4 (b) and Art 4 (c) only in a way that would not, in the opinion of the Committee, bring the NBTA into disrepute.

e) To open, hold, operate and close a bank account.

f) To raise, hold and disburse funds and donations in furtherance of the Objects, providing that the funds or donations are not accompanied by any conditions that would restrict the NBTA’s activities or where the donor would obtain influence over the NBTA as a consequence of the gift.

g) To set, levy and waive membership fees, including making membership free of charge or by voluntary donation.

- h) To set or remove time limits for the periodic renewal of membership including defining an absence of time limit.
- i) Any other activity compatible with the Objects, unless revoked by the Committee.

#### 4.2 Not-for-profit status

- a) The NBTA shall be a not-for-profit organisation that shall not distribute profit to members, shareholders or by any other means.
- b) Any surplus or profit that the NBTA accrues through donations or otherwise shall be used solely to further the Association's Objects.

### 5. Membership

#### 5.1 The NBTA shall have Ordinary Members and Associate Members.

- a) Membership as an Ordinary Member is open to any Bargee Traveller.
- b) Membership as an Associate Member is open to any person or organisation.

#### 5.2 Eligibility

A person or organisation shall be eligible to become a Member only if that person or organisation agrees with and supports the objects of the NBTA and agrees to be bound by the Constitution.

#### 5.3 Joining

##### a) A person shall become a Member by:

(i) providing the information requested on the membership form and, if a membership fee is in force, upon payment of such fee;

or

(ii) by being co-opted by the Committee, with the agreement of that person.

##### b) An organisation shall become a Member by:

(i) being admitted by the Committee, having provided the information requested on the membership form and, if a membership fee is in force, upon payment of such fee.

##### c) The Committee shall have the power to:

i) Reject an application for membership from a person. The Committee shall provide a reason for its rejection of the application if it receives a written request from the applicant or his or her agent within 14 days of the rejection.

ii) Decide that an organisation and/or its representatives shall not be eligible for membership on the grounds that the organisation's aims may be incompatible with the objects of the NBTA. The Committee shall be under no obligation to provide a reason for its determination of ineligibility unless the Committee receives a written request from the organisation or its agent within 14 days of the declaration.

#### 5.4 Information for prospective Members

The NBTA shall provide on request to prospective Members a membership form and a copy of the Constitution.

#### 5.5 Period of membership

Membership shall continue until one of the following occurs:

- a) If applied, the time limit at which periodic renewal of membership is required has been reached or
- b) If applied, the fee for renewal of membership has not been paid and six months has elapsed since the fee became due or
- c) The Member submits their or its resignation from membership in writing to the Committee or
- d) The membership is terminated by the Committee.

#### 5.6 Powers of members

- a) All Members are entitled to recruit new Members.
- b) Members are encouraged to take an active part in promoting and running the NBTA and in supporting Bargee Travellers.
- c) Members are encouraged to contribute voluntary donations either in cash, in kind, or in the form of voluntary work for the NBTA , if and when they are able to do so.

#### 5.7 Termination of membership

- a) Membership may be terminated if:
  - i) a Member intentionally hinders or obstructs the activities of the NBTA; or
  - ii) there is evidence that the actions of a member are in opposition to the objects of the NBTA.
- b) The decision to terminate any membership may only be made by the General Meeting. The Committee has the power to suspend membership pending the decision of a General Meeting.
- c) The Member whose membership is in question shall have the right to present his her or its defence, to the allegation made which would result in the termination of membership, at the General Meeting hearing the matter.
- d) The decision of the General Meeting shall be final.
- e) The General Meeting shall be entitled to apply a bar preventing further application for membership or a time limit before re-application may be made.

### **6. Decision making**

6.1 Decisions of the NBTA shall be made by the General Meeting by consensus wherever possible. Where consensus cannot be reached, decisions shall be made by majority vote. The Chair shall have the casting vote.

6.2 Associate Members may take part in discussions and consensus decision-making. Associate Members are not entitled to block consensus.

6.3 In any vote each Ordinary Member shall have one vote. Associate members are not entitled to vote.

6.4 Decisions can be made in meetings of the Committee and by members of the Committee if the decisions are within the remit of the decisions made at General Meetings. Decisions can be made by this means which are not within the remit of decisions made at General Meetings provided that:

- a) they are not contrary to a decision made at a General Meeting and
- b) they are also brought up at General Meetings for discussion and/or further decision.

#### 6.4A Urgent Decision Procedure

6.4 A.1 Motion(s) / proposal(s) that are sent to the committee email list are automatically agreed if not challenged within 7 days of been posted on the committee email list.

6.4 A.2 However, the 7 days will restart every time someone makes a disagreement or a change to the motion(s) / proposal(s) via the committee email list.

6.4 A.3 Any decision made by the Committee using the Urgent Decision Procedure must be ratified at the next Committee Meeting or General Meeting whichever is sooner.

6.4 A.4 The Urgent Decision Procedure will not be used for making decisions relating to

- (a) the spending of more than £100
- (b) binding the NBTA or any of its officers into a credit agreement; or
- (c) an action that could bind the NBTA with a cost liability implication.

6.5 A decision of the Committee is not a valid decision unless there is a quorum of 3 members of the Committee.

6.6 A decision of the General Meeting is not a valid decision unless there is a quorum of 3 Ordinary Members.

#### 6.7 Quorate Meetings

6.7.1 All meetings of the Committee and all General Meetings shall be inquorate unless they are attended by a minimum of (1) the Secretary; (2) the Treasurer; and (3) the Chairman

6.7.2 Other members of the Committee may deputise for the Secretary, the Treasurer and the Chairman on the instruction of those officers.

6.8 Motions (items for discussion and decision) to be made at a General Meeting must be made known by the promoter of the motion to the Secretary no later than the close of business 21 days prior to the General Meeting. The Secretary shall publish to the Members any such Motions 20 days prior to the General Meeting. The Secretary shall remind the Membership of these deadlines no later than 42 days prior to the General Meeting and 14 days prior to the General Meeting. Second round of motions and written amendments to motion must be provided by to Secretary 9 days prior to General Meeting. The secondary motions and written amendments to motion must be sent to the Members with the second reminder of the General Meeting, 6 days prior to General Meeting. The Secretary shall remind the Membership of these deadlines no later than 42 days prior to the General Meeting and at 6 days prior to the General Meeting.

6.9 Motions or matters raised at a General Meeting not in accordance with the provisions of Art 6.8 above will be raised at the General Meeting for discussion under Any Other Business ("AOB"). AOB matters:

- a) must be agreed by the General Meeting to be included on the agenda under AOB;
- b) must not amend modify or revoke the Constitution; and
- c) will be adopted only by consensus.

#### 6.10 For the avoidance of doubt

- (a) a consensus decision by Members about a motion; or
- (b) voting on a motion at a General Meeting, in accordance with Art 6.1, will be valid strictly on the basis of the consensus decision made by Members present or votes cast of Members present. Members are not permitted to participate in the decision-making of a General Meeting in writing.

6.11 Members who are not in attendance at a General Meeting or a Committee Meeting may make written submissions in advance of the meeting to the Secretary. It shall be incumbent on the Chairman to read such comments to the respective meeting before respective decisions are made. Written submissions may not be used to block consensus or contribute to a simple majority vote.

6.12 Members may nominate a proxy to attend a General Meeting in their stead. The proxy may, if in attendance at the General Meeting

(a) prevent consensus on behalf of the absent Member; and

(b) may vote on behalf of the absent Member.

The proxy may not act in writing.

6.13 A Member wishing to nominate a proxy must do so in advance by submitting notification by approved means to the Secretary.

6.14 For the purposes of Art 6.12 (notification of appointment of proxy) the Committee will from time to time agree the approved mechanisms by which Members may notify the Secretary of proxy representation and the Secretary shall make these mechanisms known to Members.

6.15 In the lead up to the GM all members must be notified that they are invited to stand in elections of the Committee roles positions. The notification must consist of a list of the current Committee roles and must be sent out to members at least 20 days before the GM.

## **7. Committee**

7.1 The NBTA shall appoint the Committee. Between 4 and 15 members may be appointed to the Committee.

7.2 Appointments to and Composition of the Committee

7.2.1 The following categories of person are eligible for appointment to the Committee:

(a) Ordinary Members;

(b) Individuals who are the designated representative of an organisation that is an Associate Member of the NBTA; or

(c) Associate Members who are boat dwellers with a residential mooring that the Committee has agreed will enhance and further the interests of the NBTA

7.2.2 Associate Members shall not comprise more than 25% by number of the total membership of the Committee.

7.3 Appointments to the Committee shall be agreed by consensus of the General Meeting. Where consensus cannot be reached, decisions shall be made by majority vote.

7.4 Any member seeking election to the Committee shall declare any position of influence or authority or any interest in any organisation that is involved with the UK's inland and coastal waterways at the time of seeking to be elected. In the event that no such declaration is made and such a position or interest is subsequently found to exist then that person shall be debarred from continuing to be a member of the Committee with immediate effect.

7.5 Any member seeking election to the Committee shall declare any unspent conviction for a criminal offence involving violence, the threat of violence, firearms, sex offences or dishonesty. In the event that a member is elected to the Committee and such a conviction is subsequently found to exist that was unspent at the time of election then that person shall be debarred from continuing to be a member of the Committee with immediate effect.

7.6 Committee membership shall be reviewed by the General Meeting at least every 18 months.

7.7 Committee members can be recalled at any General Meeting by a consensus decision, or where consensus cannot be reached, by a majority vote. A Committee member who is recalled is not entitled to be included in the decision to recall but is entitled to present their case for continuing to be a Committee member.

7.8 Decisions of the Committee shall be made by the methods set out in Art. 6.

7.9 The Committee may appoint representatives from within the Committee or from the general membership to carry out other functions and to represent the NBTA as needed.

7.10 The powers and duties of the Committee are to:

- a) carry out the decisions of the General Meetings; and
- b) to carry out the management of the NBTA.

## **8. Office Holders**

8.1 The Committee may appoint members of the Committee to carry out the functions of Chair, Deputy Chair, Secretary and Treasurer. Committee members may carry out these functions using the title "Committee Member" or the title of the function.

## **9. Local Groups**

9.1 Members of the NBTA may form local or regional groups of the NBTA where there is a demand for such groups. Local or regional groups shall be run according to the principles set out in the Constitution.

## **10. Meetings**

10.1 General Meetings

- a) The NBTA shall aim to convene General Meetings annually. There shall be a General Meeting at least once every 18 months.
- b) The NBTA shall give at least 28 days notice to members of a General Meeting.
- c) Only Members shall be eligible to take part in the decisions of the General Meeting.
- d) The purpose of General Meetings is:
  - i) to formulate the policy of the NBTA;
  - ii) to evaluate the NBTA's activities over the period since the last General Meeting and to decide what action is to be taken over the following period until the next General Meeting;
  - iii) to receive and approve financial statements for the previous financial year;
  - iv) to appoint or recall Committee members;
  - v) to determine membership fees and membership time limits, if any;
  - vi) to consider any proposed amendments to the Constitution;
  - vii) to consider resolutions of the Committee or the membership; and/or
  - viii) to consider any suspensions of membership.

10.2 Extraordinary General Meetings

- a) The NBTA may convene an EGM when one is deemed necessary. An EGM may be requisitioned by:
  - i) the Committee; or
  - ii) petition of a minimum of 10 Members.
- b) An EGM may be called as a result of:

- i) resolution of the Committee made to that effect during a Committee Meeting; or
- ii) the receipt by the Committee of a properly formulated petition.
- c) If the EGM is called by the Committee then the resolution shall define the scope of the subject of the EGM.
- d) If the EGM is called by petition the the petition shall state the purpose of the EGM.
- e) An EGM shall be held within 12 weeks of the calling of the EGM.
- f) An EGM shall be convened in accordance with the principles set out in Art. 10.1 but confined to the subject matter of the scope of the EGM.

### 10.3 Committee Meetings

- a) The Committee shall meet at least once every three months or more frequently if deemed to be necessary by the Committee.
- b) The purpose of Committee meetings is to ensure that decisions of General Meetings are being carried out, to ensure that the NBTA is functioning and that the members can play as full a part as possible in deciding what the NBTA does.
- c) All Members are invited to Committee meetings. Invitations shall be sent by e-mail or other convenient mechanism at least 1 month before the Committee meeting.

## 11. Policy

11.1 Policy of the NBTA shall be decided by the General Meeting.

## 12. Financial management

12.1 The Treasurer shall have charge of the funds of the NBTA. These shall be deposited in an account in the NBTA's name with a clearing bank or other UK licensed deposit taker.

12.2 Cheques or other withdrawals shall be authorised by the Treasurer and signed by any two of the Office holders of the NBTA. In the event that any two or more Office holders are related or are a couple, the Committee shall designate alternative Committee members as signatories.

12.3 The NBTA shall have the power to pay expenses to Members and Committee members if they incur out-of-pocket expenses whilst carrying out the functions of the NBTA. The NBTA shall have no obligation to pay such expenses.

## 13. Alterations to the Constitution

13.1 The NBTA may only amend the Constitution by a consensus decision agreed by every ordinary member who is present at a General Meeting and after members have been informed by e-mail, or other convenient means, of proposed changes to the Constitution at least three weeks before the relevant General Meeting.

## 14. Honorary Officers

14.1 The NBTA may appoint an Honorary President who shall be invited by the Committee to hold office until either they or the Committee decide otherwise.

## 15. Winding up

15.1 If on the winding up or dissolution of the NBTA there remains after the settling of all liabilities any funds or property whatsoever, this shall not be paid to or distributed among the members of the NBTA but shall be given to such an organisation or organisations established for similar purposes as the NBTA shall decide.