

(July 1998)

A100

**THE UPS AND DOWNS CLUB, ROYAL MARSDEN NHS TRUST,
SUTTON, SURREY
CONSTITUTION AND RULES (with revisions up to and including July 1998)**

CONTENTS

1. NAME AND ADDRESS

2. THE CLUB

3. OBJECTIVES

3.1 The Downs Club

3.2 The Ups Club

4. REGISTRATION

5. OPERATION OF THE CLUB

6. LIABILITY OF MEMBERS AND MANAGEMENT COMMITTEE MEMBERS

7. MEMBERSHIP

7.1 Admission to Membership of the Downs Club

7.2 Application for Membership

7.3 Grades of Membership

7.4 Period of Membership

7.5 Privileges of Membership

8. SUBSCRIPTION

9. AFFILIATED ORGANISATIONS

10. GUESTS

11. VISITORS

12. MANAGEMENT OF THE CLUB

13. COMPOSITION OF COMMITTEES

13.1 Management Committee

14. APPOINTMENT AND TERM OF OFFICE OF EX OFFICIO COMMITTEE MEMBERS

15. NOMINATION AND ELECTION OF MANAGEMENT COMMITTEE MEMBERS

15.1 Nomination

15.2 Elections

15.3. Terms of Office of Elected Members

15.4 Casual Vacancies

16. DUTIES OF ELECTED MEMBERS OF THE MANAGEMENT COMMITTEE

16.1 Chairman

16.2 Honorary Secretary

16.3 Honorary Treasurer

16.4 Special Members

17. MANAGEMENT COMMITTEE BUSINESS

Scanned copy of the 1998 UPS &
Downs Club Constitution.

Ratification status - unknown

(July 1998)

18. SPECIAL SECTIONS

19. CLUB FUNCTIONS

20. ANNUAL GENERAL MEETING

- 20.1 Convening the Annual General Meeting
- 20.2 Proceedings at the Annual General Meeting
- 20.3 Quorum
- 20.4 Agenda
- 20.5 Resolutions

21. SPECIAL GENERAL MEETINGS

- 21.1 Convening Special General Meetings
- 21.2 Proceedings at Special General Meetings
- 21.3 Quorum

22. AMENDMENTS TO THE CONSTITUTION AND RULES

23. FINANCE

- 23.1 Club Funds
- 23.2 Financial Year
- 23.3 Accounts
- 23.4 Deposit and Withdrawal of Monies

24. MISCONDUCT

- 24.1 Suspension
- 24.2 Expulsion
- 24.3 Effect of Ceasing to be a Member

25. BAR REGULATIONS

26. BAR MANAGEMENT

- 26.1 Bar Member
- 26.2 Bar Manager/Bar Steward
- 26.3 Keys
- 26.4 Stock and Cash
- 26.5 Gaming Machines
- 26.6 Stocktaking

27. STAFF

- 27.1 Bar Manager/Bar Steward
- 27.2 Bar Staff
- 27.3 Other Staff

28. GAMING

29. INTERPRETATION OF CONSTITUTION AND RULES

30. BYE-LAWS

31. EXCLUSION OF LIABILITY

32. DISSOLUTION

APPENDIX I - Affiliated Organisations

(July 1998)

1. NAME AND ADDRESS

The name and address of the Club shall be The Ups and Downs Club, Royal Marsden NHS Trust, Downs Road, Belmont, Sutton, Surrey (hereinafter referred to as The Club).

2. THE CLUB

The Ups and Downs Club shall be a members' club composed of Two Constituent Clubs, The Ups Club, which will provide Sporting Facilities to Staff of the Institute of Cancer Research and Royal Marsden NHS Trust and the Downs Club, which will provide a Bar and Social Facilities to Staff of the same organisations. In addition the Club will operate a day time Common Room for Staff of the Institute of Cancer Research.

3. OBJECTIVES

3.1 THE DOWNS CLUB

The objectives of The Downs Club shall be to provide social activities amongst its members, in accordance with the Constitution and Rules of The Club.

3.2 THE UPS CLUB

The objective of the Ups Club shall be to provide sporting facilities, to its members.

4. REGISTRATION

The Downs Club shall be Registered with the Clerk to the Local Justices under Section 40 of the Licensing Act 1964.

5. OPERATION OF THE CLUB

The Club shall be managed by a Management Committee whose composition is outlined in Section 13.

6. LIABILITY OF MEMBERS AND MANAGEMENT COMMITTEE.

Liability which is not covered by insurance, shall be invested jointly in all Corporate members of the Club. Except in the case of joint criminal activity or joint gross negligence, members of the Management Committee shall have no greater financial liability than is incurred by their own individual membership of the Club. The Club shall take out full insurance against damage to Buildings and against third party liability.

7. MEMBERSHIP

7.1 ADMISSION TO MEMBERSHIP OF THE DOWNS CLUB

In accordance with Section 41(1) of the Licensing Act 1964, persons may not be admitted to membership or be admitted as candidates for membership or to any of the privileges of membership without an interval of at least two days between their nomination or application for membership and their admission, and persons becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between becoming members and the date of admission.

(July 1998)

7.2 APPLICATION FOR MEMBERSHIP

Every candidate for admission as a Corporate Member or an Associate Member shall apply in writing to the Management Committee which shall, if it thinks fit, elect such candidate to membership.

7.3 GRADES OF MEMBERSHIP

7.3.1 Corporate Members:

All persons of not less than 16 years who are members of staff or approved students of the Royal Marsden NHS Trust and Institute of Cancer Research or who are members of the Governing Bodies of either organisation are eligible for Corporate Membership with voting rights as set out below.

7.3.2 Associate Members:

The following are eligible to apply for Associate Membership with no voting rights:

- i. Members of staff and approved students of the affiliated organisations listed in Appendix I.
- ii. Associate members of The Club of three or more years standing may, with the approval of the Management Committee, retain such membership.
- iii. Members of staff who are Corporate members of the Club at the time they leave their employment may be granted ex-staff associate status.
- iv. The Management Committee may also admit to Associate Membership individuals not covered by the above, provided that the justification for such admission to Associate Membership is minuted in the records of its proceedings. The list of persons so admitted must be reviewed annually.
- v. All Associate or Ordinary members at the time that this revised constitution is adopted may retain Associate membership if they do not qualify for Corporate Membership.

7.3.3 Honorary Members:

Honorary Membership is free and normally for life, with no voting rights. Honorary Members may be elected at the discretion of the Management Committee. Nominations for admission to Honorary Membership should be proposed and seconded by a current Corporate member. Admittance of an Honorary Member must be minuted in the records of the Management Committee proceedings.

7.3.4 Family Members

- i. The partners and children over 16 years of age of Corporate and Associate Members of The Club may join on application and following approval by the Management Committee.
- ii. The partners of Honorary Members of the Club shall be entitled to Honorary Family membership. Their children over 16 years of age may also join at an appropriate fee not exceeding that payable by Family Members of Corporate and Associate Members of The Club.

(July 1998)

- iii Any other members of the families of Corporate, Associate or Honorary Members that the Management Committee may individually agree on application by the Member. Such decisions shall be minuted.
- iv No person entitled to Associate or Corporate Membership may have Family Membership

7.4 PERIOD OF MEMBERSHIP

The membership year will run from 1st April to 31st March. Membership for shorter periods ending before 31st March may be permitted in some instances at the discretion of the Management Committee .

7.5 PRIVILEGES OF MEMBERSHIP

- 7.5.1 All Associate, Corporate and Honorary Downs Club members shall be entitled to use the bars during all normal opening periods, and to attend social functions, with up to three guests.
- 7.5.2 All Ups Club members shall be entitled to use the Sports Facilities with up to three guests. The Management Committee shall be entitled to levy extra fees for the use of certain facilities

8. SUBSCRIPTION

- 8.1 Annual subscriptions may be required from Corporate and Associate Members.
- 8.2 The amount of such subscription (which may be different for Corporate and associate members and for The Ups and Downs Club) shall be determined by the Management Committee annually at their first meeting in the Club's financial year.
- 8.3 The subscriptions due for the period up until 31st March, if any, will be payable in full. The Management Committee shall have the power, in special circumstances, to vary the amount of the subscription or the method of payment.
- 8.4 The Management Committee is authorised to charge a fee for guests.

9. AFFILIATED ORGANISATIONS

- 9.1 Organisations listed in Appendix I shall be known as affiliated organisations. Staff or members of such organisations shall be able to join as Associate Members on application and approval by the Management Committee.
- 9.2 The Management Committee shall have the power to admit as affiliated organisations other organisations whose objects are similar or complementary to or associated with, the Institute of Cancer Research, the Royal Marsden NHS Trust, or affiliated organisations listed in Appendix I. The names of these organisations shall be minuted and approved at the next Annual General Meeting. .
- 9.3 Affiliated status granted at the discretion of the Management Committee and approved by the A.G.M., may be subject to review.

10. GUESTS

- 10.1 Bona fide members of the Downs Club may entertain up to three guests at any one time.

(July 1998)

- 10.2 All guests and the member introducing them must sign their names in the book kept for that purpose upon entry to The Downs Club premises.
- 10.3 Guests shall be able to purchase and to consume intoxicating liquor supplied by The Downs Club on the premises of The Downs Club but only after they and the member introducing them have duly signed in and then only on the day of introduction.
- 10.4 Members are responsible for their guests, must remain with them on the premises and are responsible for paying any fee that may be required.
- 10.5 On the occasion of a sports or social function where intoxicating liquor is supplied by The Downs Club a guest list must be posted by the person responsible for organising the function on the notice board in The Downs Club premises twenty-four hours prior to the event and must remain there until after the event.
- 10.6 The Management Committee shall have the power to make bye-laws to regulate the introduction of guests to The Downs Club premises.

11. VISITORS

Under the authority and permission of the Management Committee members of the visiting organisations hereunder set out may be permitted to use The Downs Club premises and to purchase and consume intoxicating liquor subject also to it being understood that the officers of The Downs Club retain proper control of the premises and the activity within the Constitution and Rules and legal requirements. All visitors must, upon entry to the premises, be recorded by the person responsible for the group in the book provided, unless a guest list is posted on the notice board in The Downs Club premises 24 hours prior to the event.

- i. Sports teams and their supporters.
- ii. Scientific and professional meetings held in connection with the activities of either the Royal Marsden NHS Trust or the Institute of Cancer Research.
- iii. Hospital Leagues of Friends and similar fund raising organisations.
- iv. The Institute of Cancer Research and Royal Marsden NHS Trust and affiliated organisations may on the occasion of official social functions have present representatives of their governing bodies and staff who are not members of the Club, and also their official guests.
- v. The Management Committee may permit members to hire the hall for private use, provided that a guest list is submitted 24 hours prior to the event, and that the Constitution and Rules of The Club are adhered to.
- vi. Members of external groups using the Ups Club facilities on the occasion(s) only of their attendance at the Club provided that they are over sixteen, and are named in the external group's records or are signed in at that time by member of the group who has prior authority to do so. This authority shall be granted for the duration of the agreement to use the facilities by an officer of the Club. This concession shall not apply at other occasions or to any person who by virtue of his/her employment or any other reason is entitled to join the Downs Club. Such persons must either join the Downs Club or pay a guest fee as required by the regulations currently in force

(July 1998)

12. MANAGEMENT OF THE CLUB

- 12.1 Management of the affairs of The Club and its property shall be the responsibility of a Management Committee which will undertake the organisation of the activities of The Club. The Management Committee, in addition to any powers that may hereafter be specifically conferred upon it, shall have the power to engage, control and dismiss servants of The Club and all such administrative powers as may be necessary for properly carrying out the objects of The Club in accordance with the Constitution and Rules.
- 12.2 The Management Committee may appoint such working parties, panels or other groups as are necessary to assist them in their duties.

13. COMPOSITION OF COMMITTEE

13.1 MANAGEMENT COMMITTEE

This shall consist of:

- i. The following ex officio members:
 - Management Representative , Royal Marsden NHS Trust (Surrey)
 - Management Representative, The Institute of Cancer Research (Surrey)
- ii. Elected Officers:
 - Chairman
 - Honorary Secretary
 - Honorary Treasurer
- iii. Elected Special Members: .
 - Bar Member
 - Membership Secretary
 - Sports member
 - Pool Member
 - Social Secretary
- iv. Elected Corporate Members to represent:
 - Staff of the Institute of Cancer Research .
 - Staff of the Royal Marsden NHS Trust.

14. APPOINTMENT AND TERM OF OFFICE OF EX OFFICIO COMMITTEE MEMBERS

- 14.1 Ex officio members of the Institute of Cancer Research and Royal Marsden NHS Trust Management shall be nominated by the two employers and appointed with the agreement of the Management Committee and the appropriate organisation.
- 14.2 There shall be no fixed period of office but the appointment may be reviewed from time to time.

15. NOMINATION AND ELECTION OF MANAGEMENT COMMITTEE MEMBERS

15.1 NOMINATION

- 15.1.1 All Corporate Members or Honorary Members otherwise entitled to Corporate Membership of The Club are eligible for nomination as an Officer and also as Special

(July 1998)

Members or Ordinary Members of the Management Committee representing the Organisation at which they are employed or studying.

- 15.1.2 Nominations must be made in writing and be supported by not less than two Corporate Members of The Club. Such nominations with the signed consent of the candidate to accept nomination must be received by the Honorary Secretary of the Management Committee at least twenty-one days before the Annual General Meeting of The Club.
- 15.1.3 In the case of representatives of staff of either the Institute of Cancer Research or Royal Marsden NHS Trust these representatives shall be drawn from Corporate Members of the relevant organisation.
- 15.1.4 No member may be elected to more than one position on the Management Committee.

15.2 ELECTIONS

- 15.2.1 Elections shall be carried out at the Annual General Meeting of The Club by those Corporate Members present, each member being entitled to one vote on each issue.
- 15.2.2 When only one candidate has been nominated for a vacancy that person will be declared elected.
- 15.2.3 When more than one candidate has been nominated for a vacancy, a ballot shall be held at the meeting, and in the event of a tie, the result shall be decided by lot. Ballot papers will be distributed to all Corporate members present.
- 15.2.4 If no nomination is received for a particular vacancy, the retiring Management Committee shall make a nomination.

15.3 TERMS OF OFFICE OF ELECTED MEMBERS

- 15.3.1 The Chairman, Honorary Secretary, Honorary Treasurer and Bar Member shall be elected biennially.
- 15.3.2 All other elected members shall serve for one year.
- 15.3.3 All officers and elected members shall be eligible for re-election.

15.4 CASUAL VACANCIES

- 15.4.1 If a committee member resigns during the tenure of his post, that post may be filled through co-option by such committee until the next Annual General Meeting. At the next Annual General Meeting the position will be filled in the normal manner but only for the remainder of its tenure.
- 15.4.2 The Management Committee has power to co-opt additional Corporate, Associate or Honorary members of the Club whose period of office shall be until the next Annual General Meeting or earlier at the discretion of the Management Committee.
- 15.4.3 Co-opted members shall have the right to vote unless a majority of the Management Committee determine otherwise on any particular matter.

16. DUTIES OF THE ELECTED MEMBERS OF THE MANAGEMENT COMMITTEE

16.1 CHAIRMAN

(July 1998)

The Chairman shall direct the overall smooth running of The Club. To call Management Committee meetings as often as he/she sees fit, but not less than once every two months. To hold keys to the fruit machines, and one out of three sets to The Club premises.

16.2 HONORARY SECRETARY

The Honorary Secretary shall direct that The Club is managed in accordance with the Constitution and Rules. He shall conduct all the correspondence of the Club and have custody of all documents belonging to The Club. He/She shall keep full and correct Minutes of the Management Committee proceedings and ensure their circulation to the appropriate people. He/She shall be responsible for the upkeep of Registration and Gaming Licences of The Downs Club. He/She shall co-ordinate the activities of members of the Management Committee. He/She shall have full knowledge of the management of The Club, being prepared to take over the responsibilities of any member of the Management Committee as required.

16.3 HONORARY TREASURER

The Honorary Treasurer shall be responsible for the financial affairs of The Club and keep the accounts. He/She shall make up the annual statement of accounts and balance sheet at the end of the financial year in conjunction with the Auditors of The Club. He/She shall deposit all monies collected on behalf of The Club at a bank nominated by the Management Committee. He/She shall be responsible for payment of all bills incurred by The Club. He/She shall advise the Management Committee on all financial matters relating to the Club. He/She may, with the agreement of the Management Committee employ suitably qualified assistance to aid with management of accounts and book-keeping as described in section 26.2.

16.4 SPECIAL MEMBERS

16.4.1 Bar Member

The Bar Member shall ensure the smooth running of the bar. He/She shall liaise between the bar staff and Management Committee, and between members and the Management Committee on matters relating to the bar. He/ She shall be responsible for organising regular stock-takes of the bar and ensure that the Bar Manager and/or Bar Steward is carrying out his job properly. He/She shall be consulted on holidays and sick leave of all bar staff and other related staff matters.

16.4.2 Membership Secretary

The Membership Secretary shall be responsible for keeping an up-to-date register of members. He/She shall collect all monies relating to membership and issue cards. He/She shall liaise between the doormen and the Management Committee, and between members and the Management Committee on matters relating to membership. He/She may, with the agreement of the Management Committee, engage paid assistance with data entry.

16.4.3 Social Secretary

The Social Secretary, in co-operation with the Bar Member, shall be responsible for promoting the social activities of The Club.

(July 1998)

16.4.4 Sports Member

The Sports member shall co-ordinate the operation of the Sports Facilities and represent their users

16.4.5 Other Special Members

Further Special Members may from time to time be elected by a General Meeting of the members and any such resolution at a General Meeting shall define the duties of such Special Member.

16.4.6 Representative Members

The responsibilities of the Ordinary Members are to liaise between members in their constituency and the Management Committee, putting forward suggestions and complaints from members. They shall keep members in their constituency fully informed of Management Committee proceedings and the activities of The Club.

16.4.7 Pool Member

The Pool Member is responsible for arranging repairs, maintenance and hire of the pool, liaising with the Treasurer and Committee regarding such matters and representing the Pool Users. He/She will be responsible for informing Members about specific information regarding the Pool.

17 MANAGEMENT COMMITTEE BUSINESS

- 17.1 The Management Committee shall meet at the discretion of the Chairman, but not less than once every two months.
- 17.3 The Management Committee shall determine the fees to be charged to members and guests and shall make suitable arrangements for the collection of such fees.
- 17.4 The quorum of the Management Committee shall be five, including an elected officer.
- 17.5 The Chair shall be taken by either the Chairman, Honorary Secretary or Honorary Treasurer.
- 17.6 A resolution in writing signed by all members of the Management Committee shall be as valid and effectual as if it had been passed at a meeting of the Management Committee duly convened and held.

18. SPECIAL SECTIONS

Any group of members of The Club shall have the power to propose to the Management Committee that a section be set up to promote a particular activity. The conditions for recognition of such a section shall be:

- i. That the activity is not already covered by an existing section.
- ii. That the proposal be submitted in writing together with a provisional list of officers and a provisional budget for the first year together with a draft set of rules. The budget shall include details of any contribution requested from the Management Committee and the proposed subscription payable by section members.

(July 1998)

- iii. A recognised section shall elect a committee to manage its affairs, shall hold an Annual General Meeting, and shall submit an annual report to the Management Committee, which shall include the accounts for the year ending 31st December.
- iv. The Management Committee shall approve such draft set of rules and shall have power thereafter to require any change to be made therein as may seem to it to be necessary or desirable.

19. CLUB FUNCTIONS

- 19.1 When the Club bar facilities are used for social functions of The Club, a member of the Management Committee shall be nominated to be present during the whole function and shall take overall control and responsibility.
- 19.2 All guests shall be signed in, either upon admittance to The Downs Club or by prior signature of the member responsible upon purchase of tickets for that function.

20. ANNUAL GENERAL MEETING

20.1 CONVENING THE ANNUAL GENERAL MEETING

- 20.1.1 The Annual General Meeting of the Club shall be held in the month of May, 28 days after the publication of the proposed date by the Management Committee.
- 20.1.2 Twenty-one days at least before the Annual General Meeting a notice of such meeting and of the business to be transacted thereafter shall be posted in the Club and in parts of the various Constituent Organisations and no business other than that of which notice has been so given shall be brought forward at such meetings.

20.2 PROCEEDINGS AT THE ANNUAL GENERAL MEETING

At all Annual General Meetings of The Club the Chairman of the Management Committee or in his absence a member selected by the Management Committee, shall take the Chair. Every Corporate Member present shall be entitled to one vote upon every motion and in case of equality the Chairman of the Meeting shall have a second or casting vote.

20.3 QUORUM

The quorum at all Annual General Meetings shall be thirty. If fifteen minutes after the time fixed for the meeting there shall not be thirty Corporate Members present then the meeting shall be adjourned until the same day of the following week when those Corporate Members present shall form a quorum.

20.4 AGENDA

The following shall be the purposes of the Annual General Meeting.

- i. To receive any apologies for absence.
- ii. To consider and approve the Minutes of the previous Annual General Meeting and any Special General Meetings held during that year.
- iii. To consider any matters arising from these Minutes.
- iv. To receive and adopt the report from the Chairman of the Management Committee.

(July 1998)

- v. To receive and adopt the Auditors' report, balance sheet and statement of accounts for the preceding year, together with the report from the Honorary Treasurer of the Management Committee.
- vi. To receive and adopt the reports from the Special Members of the Management Committee.
- vii. To appoint the Auditors for the forthcoming year.
- viii. To elect all officers and members of the Management Committee.
- ix. To consider, and if thought fit, adopt any resolutions which may be duly submitted to the meeting as hereinafter provided.
- x. To consider any other business arising from matters discussed at the Annual General Meeting.

20.5 RESOLUTIONS

Any Corporate Member wishing to move any resolution at the Annual General Meeting shall give notice thereof, in writing, to the Honorary Secretary not less than twenty-one days before the date of such meeting.

21. SPECIAL GENERAL MEETINGS

21.1 CONVENING SPECIAL GENERAL MEETING

At least fourteen days before any Special General Meeting a notice of such meeting and of the business to be transacted thereafter shall be posted in The Club and in parts of the various Constituent Organisations and no business other than that of which notice has been so given shall be brought forward at such meetings.

21.2 PROCEEDINGS AT SPECIAL GENERAL MEETINGS

At all Special General Meetings of The Club the Chairman of the Management Committee and in his absence a Member selected by the Management Committee, shall take the Chair. Every Corporate Member present shall be entitled to one vote upon every motion and in case of equality the Chairman of the Meeting shall have a second or casting vote.

21.3 QUORUM

The quorum at all Special General Meetings shall be thirty. If fifteen minutes after the time fixed for the meeting there shall not be thirty Corporate Members present then the meeting shall be adjourned until the same day of the following week when those Corporate Members present shall form a quorum.

22. AMENDMENTS TO THE CONSTITUTION AND RULES

The Constitution and Rules can only be amended at a General Meeting and in order to be approved, a proposed amendment requires the support of two-thirds of those Corporate Members present and voting.

23. FINANCE

23.1 CLUB FUNDS

23.1.1 The funds of The Club shall be derived from:

(July 1998)

- i. Surplus of income over expenditure.
- ii. The fund raising activities of the Club.
- iii. Such grants as may be made from time to time by the organisations mentioned in this document or any other organisations or individuals provided always that if The Club shall receive any grant subject to conditions it shall be the duty of the Management Committee before accepting any such grant to consider and decide upon the practicality of such conditions. If it is decided that any such conditions are acceptable then the same shall be binding in all respects on The Club.
- iv. Subscriptions received from Corporate and Associate Members and fees charged to members and guests.
- v. Such fees as may be paid to the Club under contracts with the Institute of Cancer Research and Royal Marsden NHS Trust to provide sporting facilities to Staff and by the Institute of Cancer Research to provide Common Room Facilities to members of staff

23.2 FINANCIAL YEAR

The financial year of The Club shall end on the thirty-first day of December in each year to which day the accounts of The Club shall be balanced.

23.3 ACCOUNTS

The accounts shall, as soon as practicable after the end of the financial year, be audited by a firm of Chartered Accountants who shall be appointed at each Annual General Meeting and no partner of which firm shall be a member of The Club. These audited accounts shall be presented to the Management Committee no later than 31st March of the same year.

23.4 DEPOSIT AND WITHDRAWAL OF MONIES

i. Deposit

All monies and donations collected on behalf of The Club shall be deposited on behalf of The Club by the Honorary Treasurer at a bank or building society nominated by the Management Committee.

ii. Withdrawal

All cheques, orders and other demands withdrawing money from the bank or building society account shall be signed by any two of the following three persons: the Chairman, Honorary Treasurer, Honorary Secretary, of the Management Committee.

24. MISCONDUCT

24.1 SUSPENSION

The person or persons nominated by the Management Committee for the control of the Club on any given occasion shall have power to order the withdrawal from The Club premises of any person who is guilty of misconduct and such person shall have no right of re-entry into The Club premises, nor may they take advantage of any of the facilities of The Club, until permitted by the Management Committee. The period of such suspension shall be determined by the Management Committee and reviewed at each committee meeting.

(July 1998)

Should the person guilty of misconduct be a guest or visitor then the member responsible for that person shall also be suspended if deemed appropriate by the Management Committee.

Any persons involved in an incident of violence in the Club, including Members responsible for guests involved in such incidents, shall automatically be suspended from the Club for a minimum of two months from the date of the incident. Longer periods of suspension will be determined by the Management Committee at the next committee meeting.

24.2 EXPULSION

To expel a member permanently from The Club, notice shall be sent by two Corporate Members, and signed by them, to the Honorary Secretary acquainting him with the circumstances that gave rise to such notice. The Honorary Secretary shall then communicate with such member (so that he may have the opportunity of explaining or withdrawing from The Club) and shall call a meeting of the Management Committee at which such member shall have the right to attend and state his case. If a majority of the members of the Management Committee present vote for his expulsion, the member shall be expelled.

24.3 EFFECT OF CEASING TO BE A MEMBER

Any member expelled in accordance with the rules or otherwise ceasing to be a member of The Club shall forfeit all such rights to or claim upon The Club or its property or funds as conferred by membership.

25. BAR REGULATIONS

The Management Committee shall be wholly responsible for the control of the consumption of intoxicating liquor by members on premises occupied by The Downs Club and shall fully maintain compliance with the law relating thereto and the requirements of the Licensing Court in respect to any certificate granted to The Downs Club at any time with particular regard to the maintenance of licensing hours. The bar shall be operated in accordance with the Licensing Act 1964.

- 25.1 No intoxicating liquor may be consumed on the premises otherwise than that supplied by The Downs Club.
- 25.2 No person shall receive at the expense of The Downs Club any commission, percentage or similar payment on or with reference to purchases of intoxicating liquor.
- 25.3 No person other than a paid employee of the Downs Club shall derive directly or indirectly any pecuniary benefit from the supply of intoxicating liquor by or on behalf of The Downs Club to members of guests, apart from any benefit which a person derives indirectly by reason of the supply giving rise or contributing to a general gain from the carrying on of The Club.
- 25.4 No person under six years of age shall be permitted to enter the Bar Areas. All persons between six and sixteen years of age shall only be admitted under the supervision of an Adult Member of the Club who will take full responsibility for their behaviour.
- 25.5 Adults shall also retain full responsibility for accompanying children on Club Premises outside the Bar and the environs of the Club. Failure to do so will result in their being asked to leave and if necessary their membership of the Club may be suspended or withdrawn.

(July 1998)

25.6 No dogs or other animals shall be permitted to enter the Bar Areas.

25.7 The permitted hours for the supply of intoxicating liquor are:

Institute of Cancer Research Working Days:

17.00 - 22.30 (23.00 Fridays)

All other days:

12.00 - 22.30 (23.00 Fridays & Saturdays)

The actual hours the bar is open within these periods shall be determined by the Management Committee. The Management Committee shall have the right to apply for special extensions where required and appropriate.

25.8 All intoxicating liquor supplied during these times must be consumed within ten minutes after the end of each period.

25.9 No person under 18 years of age shall be knowingly served or allowed to consume intoxicating liquor on the premises.

25.10 No intoxicating liquor may be supplied for consumption off the premises, except to a member in person, and then only within the permitted hours of supply.

25.11 Intoxicating liquor shall not be supplied to any individual deemed by the person responsible for the bar at that time, to be intoxicated.

26. BAR MANAGEMENT

The bar should be run profitably, in a smooth and efficient manner. Prices shall be kept as low as possible, but high enough to cover any shortfall made by The Downs Club as a whole.

26.1 BAR MEMBER

The overall management of the bar shall be the responsibility of the Management Committee, and executed through the Bar Member.

26.2 BAR MANAGER/BAR STEWARD

A Bar Manager or Bar Steward shall be employed by the Management Committee for the purpose of running the bar smoothly and efficiently. He/She shall report to the Management Committee through the Bar Member. The responsibilities may be shared between himself and the Bar Member, and if necessary, the services of an independent accountant may be engaged. He/She/They shall keep full and accurate books which may be inspected at any time by the Management Committee, either the Royal Marsden NHS Trust or Institute of Cancer Research with whom the Club may have contracts to provide services, or the appointed Auditors.

26.3 KEYS

26.3.1 There shall be three sets of keys to the bar premises and alarm system. One set of keys shall be held by the Chairman of the Management Committee. The remaining two sets shall be held by the Bar Manager and his nominated deputy.

26.3.2 With the exception of the Bar Manager and his nominated deputy, no persons may enter the bar areas unless two Management Committee members are present and the entry is appropriately recorded.

(July 1998)

26.3.3 Upon each change of keyholders the Management Committee shall consider whether or not it is advisable to change the main lock.

26.3.4 Should the Chairman feel it is more practicable to delegate his keyholding responsibility to the Bar Member, this is in order, although he remains ultimately responsible for their use.

26.3.5 The local police shall be informed of any change in keyholders' names, addresses and telephone numbers.

26.4 STOCK AND CASH

All stock and cash are the property of The Club members. The Bar Manager is accountable for these at all times. All movements of stock and cash in and out of The Club premises must be appropriately recorded.

26.5 GAMING MACHINES

The keys to the gaming machines shall be the responsibility of the Bar Member. The gaming machines shall not be opened by anyone, other than the official representatives of the lessors, unless two Management Committee members are present.

26.6 STOCKTAKING

The Management Committee shall appoint an independent stock-taker to carry out regular checks on the stock. He/She shall not be a member of the Club. These reports shall be submitted to the Bar Member for presentation to the Management Committee at its meetings.

27. STAFF

The Management Committee shall be responsible for engaging, dismissing and control of the Bar Manager, Bar Steward, Doorman and other such employees as may be from time to time required. All salaried staff shall be issued with a Contract of Employment with a probationary period of three months.

27.1 BAR MANAGER / BAR STEWARD

The Bar Manager or Bar Steward shall be engaged and dismissed by the Management Committee. He/She shall be responsible for ensuring that the bar is run in a smooth and efficient manner in accordance with his job description and the wishes of the Management Committee. He/She shall be responsible for ensuring that stock and cash on the premises is correct at all times He/She must ensure that all bar staff act correctly. He/She shall be responsible to the Management Committee through the Bar Member. The Management Committee may require a deposit from a Bar Manager upon commencement of his employment.

27.2 BAR STAFF

Bar staff shall be engaged and dismissed by the Bar Manager or Bar Steward in agreement with the Bar Member, or other delegated member of the Management Committee.

27.3 OTHER STAFF

The Management Committee shall be responsible for engaging, dismissing and control of all other staff employed by The Club.

(July 1998)

28. GAMING

The Downs Club shall be registered under Part III of the Gaming Act 1968 for the purposes of gaming. Playing of games for small stakes shall be allowed, however card games involving a banker shall be prohibited.

29. INTERPRETATION OF THE CONSTITUTION AND RULES

The Management Committee shall be the sole authority for the interpretation of the Constitution and Rules. Any Bye-Laws made from time to time by the Management Committee and the decision of the said committee upon any question of interpretation or upon any matter affecting The Club and not provided for by the Constitution and Rules or by the Bye-Laws shall be final and binding upon all members.

30. BYE-LAWS

The Management Committee shall have the power from time to time to promulgate bye-laws for the good running and conduct of The Club with full power to repeal or amend the same as they shall think fit. These bye-laws shall be effective until the next Annual General Meeting when they will be laid before the Membership for approval, amendment or rejection in accordance with para. 22 of this Constitution.

31. EXCLUSIONS OF LIABILITY

Neither the Club nor any officer thereof nor any member of any Committee shall be liable to any member or guest for any loss or damage to any property howsoever occurring or from whatever cause in or about The Club premises nor for any injury sustained by any member or guest. However, and without prejudice, the Management Committee shall see that normal third party insurance is in force.

32. DISSOLUTION

- 32.1 If at any General Meeting a resolution for the dissolution of The Club shall be passed by a majority of two-thirds of the Corporate Members present and at a Special General Meeting held not less than six weeks thereafter (of which not less than four weeks written notice shall have been given to each Corporate Member) that resolution shall be confirmed by a resolution passed by a majority of two-thirds of the members voting thereon the Management Committee shall declare that the Club are formally dissolved and action shall be taken to wind up the Club' affairs. .
- 32.2 Any surplus assets after such dissolution shall be divided equably between charitable funds run by the Institute of Cancer Research and Royal Marsden NHS Trust operating for the benefit of research against Cancer. .

(July 1998)

APPENDIX I

AFFILIATED ORGANISATIONS

whose members or staff may enjoy Associate Membership

St Helier NHS Trust

League of Friends of the Royal Marsden NHS Trust

Radio Marsden

HMP Downview

HMP Highdown

BIBRA at Carshalton

ISS (at RMNHST)

Thames Cancer Registry

and others e.g. Sports Instructors/Helpers as approved by the Management Committee