

The Chamber Constitution

1. Name

1.1. The association is known as “Fowey Chamber of Commerce” (hereinafter referred to as “the Chamber”).

2. Place of Meeting

2.1 Meetings may be held at any place approved by the Committee.

3. Aims and Objectives

3.1. To provide a medium through which members can trade, communicate, confer and lobby for the mutual benefit of the membership and the advancement, promotion and protection of the general commercial and professional interests of the town of Fowey in Cornwall.

3.2. To be and remain politically independent.

4. Membership

4.1. There will be two classes of membership.

4.2. Full Membership is open to any person representing a business located in Fowey (defined as the area represented by Fowey Town Council) subject to the right of the Committee to refuse an application for membership without disclosing any reason.

4.3. Affiliate membership is open to any person representing a charity, not-for-profit organisation, Social Enterprise, School or College located in Fowey subject to the right of the Committee to refuse an application for membership without disclosing any reason.

5. Subscriptions

5.1. The annual subscription shall be set by the Committee and be due on the first day of April each year.

5.2. The annual subscription fee for members joining during the financial year shall be calculated on a pro-rata basis.

5.3. There shall be no reduction or refund in subscription for members leaving mid-year.

5.4. Those members in arrears after the thirtieth day of April each year will have their membership terminated automatically.

5.5. Members who submit a payment for their subscription that is subsequently dishonoured will be charged a fee set by the Committee and any repetition may result in termination of membership.

6. Financial Year

6.1. The Chamber’s financial and administrative year shall run from 1st April to 31st March.

7. Committee

7.1. The Committee shall meet at least twice throughout the year at a venue agreed by members of the Committee.

7.2. The Committee shall consist of at least four fully paid-up members of the Chamber to include two Executive Officers; the Chair, Secretary and Treasurer. After 31 March 2024 only full members

that have served as a Committee member for a minimum of one year may serve as Executive Officers.

7.3. Executive officers are drawn from Committee and appointed by the Committee, with the exception of the inaugural year (1 April 2023 to 31 March 2024), when Executive Officers will be drawn from fully paid-up members.

7.4. The Committee may co-opt additional members as necessary.

8. Sub committees

8.1. From time to time the Committee may create sub-committees and co-opt members as necessary.

9. Elections

9.1. All fully paid-up members are eligible to stand for election to the Committee.

9.2. Nomination papers will be distributed to the membership ahead of the Annual General Meeting.

9.3. Nominations for election must be proposed and seconded by fully paid-up members of the Chamber. The nominee must confirm their acceptance of the nomination.

9.4. If more nominations are received than posts being contested, a secret ballot shall be held and the result(s) declared at the Annual General Meeting.

9.5. If the ballot does not produce a clear winner, the outcome of the election will be decided by simple majority.

9.6. No committee member or Officer may remain in their position for more than three years without standing for re-election.

10. Meetings and Notice

10.1. There shall be an Annual General Meeting which shall be held no later than 18 months from the date of the preceeding AGM.

10.2. Notice of the Annual General Meeting shall given no later than 28 days prior to the meeting.

10.3. Any member may submit a motion to be heard at an AGM provided that it is proposed, seconded and supported by 3 other fully paid up members. Such motions must be received no later than 21 days prior to the AGM.

10.4. Agendas shall be circulated no later than 14 days prior to the meeting.

10.5. Amendments must be submitted no later than 7 days prior to the meeting.

10.6. Motions and amendments from the floor are not permitted at an AGM.

10.7. An Extraordinary Meeting may be called at 21 days notice by the Officers or by no less than 25% of the membership signing a requisition.

10.8. No business shall be transacted at any meeting unless a quorum of members is present in person or by remote link at the time that the meeting proceeds to business. 5 members present in person or by remote link shall be a quorum for a General or Committee Meeting.

10.9. In the event of there not being a quorum for any meeting, the Officers may transact business alone.

10.10. The quorum necessary for the transaction of business by the Officers alone shall be two but all the Officers available shall be consulted. The decision of the Officers shall be final and binding.

11. Voting

11.1. At General Meetings, each member shall have one vote. A simple majority shall apply and in the event of a tied ballot, the Chairman shall have the casting vote.

11.2. No member in subscription arrears shall be entitled to vote at any General Meeting.

12. Conduct

12.1. No member shall use the name of the Chamber of claim to represent the Chamber without proper authority.

12.2. The Committee may terminate a membership providing that it is proven that the Member has not adhered to the constitution or decisions of the Committee or by his actions, has brought the name of the Chamber into disrepute.

13. Dissolution

13.1. If, on a ballot vote, a resolution to dissolve the Chamber shall be passed by 20% of the membership, or if the numbers be reduced to 5 or fewer, any fully paid-up member shall be entitled to call a meeting to appoint a committee to wind up the affairs of the Chamber.

13.2. After payment of liabilities, any assets shall be divided among the members in equal shares.

14. Interpretation

14.1. Any question of interpretation of the provisions of this Constitution shall be referred to the Executive Committee for determination. The ruling of the Committee shall be final and binding.

15. Constitutional Changes

15.1. The provisions of the Constitution may be altered by resolution of the Chamber at an Annual General Meeting provided details of the proposed alterations have been notified to the membership in writing by the Secretary at least 21 days before the AGM.

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Amended: 6 November 2023