

## 1 Name

The name of the Association (hitherto known as the Lodging House Association) shall henceforth be the Jersey Landlords Association (hereinafter referred to as "the Association").

## 2 Aims & Objectives

- 2.1** To provide a forum to collate and discuss the views and concerns of proprietors and residents of rented dwelling accommodation in Jersey and any matters relating thereto. For the purposes of this Constitution, "rented dwelling accommodation" shall be deemed to include:
- lodging houses (registered or unregistered); habitable rooms, flats, apartments, houses (whether in single-family or multiple occupation), staff accommodation and other permanent dwellings
  - hotels, guest houses, self-catering accommodation and other temporary dwelling accommodation in which lodgers, tenants, lessees, licensees or employees may reside (permanently or temporarily) as their home, in return for paying a rent or licence fee or for providing work under an employment contract or similar.
- 2.2** To represent the interests of proprietors and others involved in the provision of rented dwelling accommodation in Jersey, giving (though without incurring legal liability therefor) such guidance and assistance to members as may be considered appropriate by the Committee.
- 2.3** To consult and negotiate with States members, ministries and committees and other authorised bodies regarding legislation (existing or future) that affects or might affect rented dwelling accommodation (and/or similar properties) and/or their proprietors and/or their residents.
- 2.4** To protect and enhance the good reputation of the rented dwelling accommodation industry (hereinafter "the Industry") and those who work in it.
- 2.5** To consider and act upon any other matter deemed to be appropriate for the Association to pursue.
- 2.6** To raise funds to carry out the aims and objectives of the Association and for the administration of its affairs.

## 3 The Committee

- 3.1** The Association shall be led by, and the day-to-day affairs of the Association shall be managed by, a Committee made up of an Honorary President, a Chairman, a Deputy Chairman, an Honorary Secretary, an Honorary Treasurer (collectively being "the Executive Officers") and up to SEVEN other ordinary members.
- 3.2** The Committee and the membership of the Association generally shall make every endeavour to ensure that the members nominated and elected to the Committee represent each category of membership within the Association (eg lodging house proprietors, private landlords, commercial landlords, etc). Where suitable candidates are available and nominated, there shall be not less than TWO members on Committee, to represent each category of membership.
- 3.3** The Executive Officers and the ordinary members of the Committee, all being paid-up members of the Association in good-standing, will, with the exception of the Hon President, be elected by a majority of those present at the Inaugural Meeting of the full membership and at each Annual General Meeting thereafter. The Hon President shall hold office for THREE years. Each candidate for Executive Officer or Committee Member must be proposed and seconded by other paid-up members and must signify their willingness to be elected. Contested elections shall be by secret written ballot.
- 3.4** The Chairman of the Association may not normally hold office for more than THREE consecutive years. However, in the absence of an alternative suitable and willing candidate for Chairman, the Committee may agree to accept nomination of the current Chairman for re-election, notwithstanding him or her having already completed three or more consecutive years of service.
- 3.5** At every meeting, the Honorary Secretary shall keep an adequate, permanent written record of the attendance, of the business discussed and of matters resolved. These minutes shall be read out at the next similar meeting (unless the meeting agrees to take them "as read") and, after any amendment necessary, they shall be confirmed and signed by the Chairman of that next meeting.
- 3.6** The Honorary Treasurer shall keep full and proper records of the Association's finances, shall issue receipts for fees, subscriptions and donations received and shall prepare annual accounts up to the 31st December each year (being the Association's financial year end). During the month leading up to the Annual General Meeting, the members of the

Association shall have the right to inspect the finalised accounts of the Association relating to the previous financial year. During this time members of the Association may ask questions of the Honorary Treasurer relating to such accounts and the Honorary Treasurer will use its best endeavours to answer such questions fully and frankly. The Honorary Treasurer shall also be responsible for the operation of the Association's bank account(s) and shall ensure that cheques and other financial documents are signed by at least TWO Executive Officers of the Association and that all expenditure is authorised by the Committee.

- 3.7** The Committee shall have the power to co-opt additional members to the Committee and to form sub-committees and shall have the discretion (on a two-thirds majority of those in attendance) to remove from the Committee or any sub-committee any Committee Member who has failed to attend THREE consecutive committee or sub-committee meetings without apology and/or good cause.
- 3.8** The Committee may, from amongst their own number, appoint a Press Officer, a Membership Secretary (who shall maintain a list of current members), a Newsletter Editor, a Webmaster, a Chief Executive Officer or any other official (full-time or part-time, paid or unpaid) as may be deemed expedient to the smooth running of the Association.
- 3.9** The Committee shall be empowered to apply the funds of the Association as it sees fit in pursuit of the Association's stated Aims and Objectives and this shall include the employment of administrative officers or professional advisers and the payment of appropriate remuneration to any such persons.
- 3.10** The representation, guidance or assistance, referred to in clause 2.2 above, shall be at the Committee's discretion and shall only be offered after the Committee has considered the merits of a case and given its approval thereto.
- 3.11** The Committee shall refer to the membership, either in General Meeting or by referendum, any matter of major significance which the Committee, in its absolute discretion, considers would involve a change in a previously agreed policy of the Association or would require the formulation of a new policy.
- 3.12** In the case of an event, considered by the Chairman (or, in his absence, any Executive Officer) to be of an urgent or emergency nature, he or she shall be empowered, having first consulted with not less than THREE other Committee Members (either in person, by telephone or by e-mail), to make a decision thereon and to act in accordance with that decision. Any such decision shall then be put before the next Committee meeting for ratification or amendment or otherwise as the case may be.
- 3.13** Immediately upon termination of his or her period of office, every officer of the Association shall ensure that the records and documents of the Association in his or her possession are in good order and shall then hand them over promptly to his or her successor.
- 3.14** The Committee be empowered at their discretion to adopt, amend and replace from time to time a code of conduct for members of the Association in furtherance of the stated Aims and Objectives of the Association, provided that notice of any such adoption, amendment and replacement be given to members within 21 days of it taking place.

## **4 Membership**

- 4.1** Membership shall be open to any person, company or body, who or which:
- a. currently owns or administers rented dwelling accommodation or similar accommodation in Jersey or the Channel Islands generally; or is closely associated with, or involved in, management within the Industry.
  - b. is generally sympathetic towards the Aims & Objectives of the Association.
  - c. meets the standards of professional conduct in the ownership and management of rented dwelling accommodation, as may be set down from time-to time by the Committee.
  - d. has completed and submitted the Association's application form and been accepted to membership of the Association by the Committee.
  - e. has paid the appropriate joining fee and/or annual subscription for the current year.
- 4.2** The Committee shall have the right to refuse membership to, or suspend membership temporarily from or withdraw membership permanently from, any person, company or body who or which, in the opinion of the Committee:
- a. is ineligible for membership or
  - b. is no longer sufficiently involved in the Industry or its management to remain eligible for membership or
  - c. demonstrates a clear lack of sympathy in general towards the Aims and Objectives of the Association or
  - d. no longer meets the standards of professional conduct in the ownership and management of rented dwelling accommodation, as may have been most recently set down by the Committee or.
  - e. acts in a manner considered to have brought or be likely to bring the Association into disrepute or ridicule or

f. is more than THREE months in arrears in paying the Association's current annual subscription.

- 4.3** Joint membership shall be available to husbands and wives, personal partners and other persons who jointly own an appropriate Industry property. In such cases, only one person shall be entitled to vote. For ease of administration, corporate members, associated by common shareholdings and/or company directors, may, in some circumstances, be required by the Committee to take up joint membership.
- 4.4** Companies (or other bodies) eligible for membership shall, by written notice to the Honorary Secretary, designate a specified officer of the company (or other body) to be its representative at meetings of the Association. Any such instruction shall remain in effect until further written notice is received by the Association to the contrary. Those designated representatives shall be permitted to stand for election and accept appointment as Officers or Committee Members of the Association.
- 4.5** Every member shall, on joining the Association, be obligated to pay a joining fee and an annual subscription, each year thereafter, whilst remaining a member. The joining fee and the annual subscription rate (or rates) shall be decided by the Membership at the Inaugural Meeting and thereafter, each year, at the Annual General Meeting. The annual subscription shall be payable within ONE month of the Annual General Meeting or by such other date each year as shall be decided by the Committee from time to time (including varying due dates for different members or classes of membership if considered appropriate and expedient for administrative purposes). The Committee shall also be empowered to reduce or abate the joining fee and/or annual subscription in cases of hardship or other similarly deserving situations or where it relates to only part of a year.
- 4.6** Membership (other than honorary membership) may, at the discretion of the Committee, be transferred on death or change of proprietorship but shall, in any event, cease when a member no longer has an appropriate interest in the Industry or for other reasons described in clause 4.2 above.
- 4.7** The Committee shall, in deserving cases, have the right to award, to any person, temporary or honorary membership.
- 4.8** Every paid-up member shall have the right to vote, either in person or by written proxy, on any motion proposed at any General Meeting. When voting is by show of hands, each member shall have ONE vote. However, any THREE members together may call for a poll on any such motion, in which event each member shall have ONE vote for EACH dwelling unit, in respect of which that member has paid the current annual subscription.
- 4.9** As the Association is registered under the Data Protection (Jersey) Law, it shall be taken that, unless the Hon Secretary has been instructed to the contrary in writing by a member, membership information may be used responsibly by the Association for bona fide administrative purposes.
- 4.10** All members and prospective members shall receive a copy of this Constitution on request and paid-up members shall be entitled to inspect the books and records of the Association, on giving SEVEN days' notice to the appropriate Officer(s), and shall, on request, be sent a copy of the agenda for, and / or the minutes of, any Association meeting.

## 5 Meetings

- 5.1** All meetings of the Association shall normally be held in Jersey.
- 5.2** A quorum, at any General Meeting of the Association, shall be FIVE members and at any Committee meeting shall be FIVE Committee Members. If, THIRTY minutes after the appointed commencement time, a quorum is not present at any properly convened meeting, the meeting shall be postponed for SEVEN days, during which a further notice shall be issued and, at any such reconvened meeting, those present shall constitute a quorum. Alternatively, an inquorate meeting may continue its deliberations but any decisions taken shall be subject to ratification at the next similar meeting.
- 5.3** In the absence of the duly elected chairman and deputy chairman at any meeting, the members present shall appoint a chairman for that meeting from amongst themselves. The chairman at any General or Committee meeting shall have an additional, casting vote where the voting is tied. All Committee decisions shall generally be by a simple majority of those Committee Members present unless the Committee shall decide otherwise in specific cases. The decision of any motion at a General Meeting shall be by simple majority of those present, except where this Constitution states otherwise or where a poll is called in accordance with the provisions of clause 4.8 above.
- 5.4** The Annual General Meeting of the Association shall be held once in each calendar year.
- 5.5** Motions for debate at an Annual General Meeting must have been received in writing by the Honorary Secretary not less than TWENTY-ONE days prior to the said meeting and must be signed by the Proposer and the Seconder.
- 5.6** At least FOURTEEN days written notice shall be given to all paid-up members, by the Honorary Secretary, of each Annual General Meeting and of any Special General Meeting and such notice shall specify the agenda of the Meeting. Only matters itemised on the agenda may be put to the vote. However, within SEVEN days of receipt of such notice any paid-up member

may notify the Honorary Secretary of any proposition that the member wishes to have discussed at the meeting and it shall be added to the agenda for discussion purposes only.

- 5.7** The Honorary Secretary shall convene a Special General Meeting within TWENTY-EIGHT days of receiving a written requisition, signed by at least FIVE members of the Committee or TEN ordinary paid-up members of the Association or by THREE ordinary paid-up members of the Association, being the proprietors, between them, of not less than 150 dwelling units, on which the current annual subscription has been paid. Such requisition shall clearly state the purpose of the requisite Meeting. The Honorary Secretary shall give all paid-up members SEVEN days' notice in writing of any such Special General Meeting, specifying the purpose of the meeting. In an emergency, however, this notice may be waived or shortened if the meeting is attended by representatives of TWO-THIRDS of the dwelling units, for which the current annual subscription has been paid.
- 5.8** In principle, no motion may be considered at any General Meeting unless written notice thereof was included on the Agenda or given with the notice convening the meeting. In an emergency, however, this prohibition may be waived if the meeting is attended by representatives of TWO-THIRDS of the dwelling units, for which the current annual subscription has been paid.
- 5.9** Committee meetings shall be convened by the Chairman (or by any FOUR Committee Members acting together) on giving not less than SEVEN days' notice to the other Committee Members. All paid-up members of the Association shall be entitled to attend and participate at Committee meetings but only elected Committee Members shall be entitled to vote. The Committee may also, in exceptional circumstances, require non-Committee members to withdraw from a Committee meeting.
- 5.10** The non-receipt of a notice of a meeting by an individual member shall not invalidate the proceedings of that meeting, so long as the Committee is satisfied that the occurrence was neither deliberate nor general.

## **6 General**

- 6.1** No member shall purport to express the views of the Association without the prior consent of the Committee.
- 6.2** With the prior knowledge and consent of the Committee, the Association and its views may be formally represented by one or more designated members of the Committee.
- 6.3** Affiliation of the Association to any other body or the affiliation of any other body to the Association or the merging of the Association with any other body shall first be approved by a TWO-THIRDS majority of the members present at a General Meeting.
- 6.4** Funds in the form of donations from members or non-members may be accepted at the Committee's discretion and used to further the Aims and Objectives of the Association.
- 6.5** Amendments to the Constitution may only be considered at an Annual or Special General Meeting and the Constitution shall only be amended where any such amendment is approved by TWO-THIRDS of the members present on a show of hands or, on a poll, by TWO-THIRDS of the votes cast.
- 6.6** Any decision of the Committee affecting a particular individual may be appealed by that person to the full membership at a General Meeting. The aggrieved party shall give notice in writing to the Honorary Secretary who shall, within TWENTY-EIGHT days, convene a General Meeting for the purpose, on condition that such notice shall have been countersigned by FIVE paid-up members who affirm that they support the said appeal.
- 6.7** Removal from office of the Committee en-bloc (or of any individual member of the Committee) by the membership as a whole between Annual General Meetings, may only be achieved by a resolution to that effect, if proposed at a properly constituted Special General Meeting and approved, after debate, by a TWO- THIRDS majority of the members present on a show of hands or, on a poll, by TWO-THIRDS of the votes cast.
- 6.8** In the event of the dissolution of the Association having net assets, any non-cash assets shall be sold or otherwise converted to cash. After paying all creditors, any residual cash shall belong to the paid-up members at the time of the dissolution and shall be distributed amongst them in proportion to their number of continuous years of paid-up membership, immediately prior to the dissolution.
- 6.9** Where doubt arises as to the interpretation of this Constitution, the decision of the Committee shall prevail in the first instance, subject thereafter to any appeal to the full membership in General Meeting.
- 6.10** This Constitution was first approved by the Inaugural Meeting of the Association, on the 26<sup>th</sup> January 1998. This amended version was approved by the Annual General Meeting on the 26th April 2022.