

# CONSTITUTION OF THE KENT MICROLIGHT AIRCRAFT CLUB

## Definitions:

*Microlight Aircraft:* An aircraft conforming to the definitions of a Microlight aircraft laid down by the CAA.

*Kent Microlight Aircraft Club:* A body of people whose common interest is to fly microlight aircraft and to participate in organised events and other social activities associated with the sport in or around the county of Kent.

*The Committee:* An elected group of Club members responsible for administering the activities of the Club.

## 1. Title

The title of the group of persons interested in microlight aviation in the area of Kent shall be the Kent Microlight Aircraft Club (herein after called 'The Club' or 'KMAC').

## 2. Function

The function of the KMAC is to enable members to fly microlight aircraft for pleasure, provide a means whereby interested parties can undertake flying training and allow members and other people with a common interest of flying to participate in organised events and social functions.

## 3. Object

- a) To fly microlight aircraft either on an individual basis or participate with others as part of a group.
- b) Provide a means whereby interested parties can undertake flying training on all types of microlight.
- c) To encourage the fellowship of microlight flying through regular club meetings.
- d) To stimulate communication and information between members and the development of flying skills.
- e) To arrange events and social functions for the benefit of members and other interested parties.
- f) To set up and ensure that standards are maintained in servicing, repair and upkeep.

## 4. Membership

- a) Membership shall be open to all those meeting the requirements of the KMAC as laid down by the Committee. The Committee may refuse to admit any person as a member or may refuse to renew membership without having to justify such refusal.
- b) Classes of membership may include any of the following as decided by the Committee:

Full membership

Honorary membership

Associate membership (Non-flying)

- c) Members shall abide by the Constitution and rules and regulations of the KMAC. Failure to do so may result in expulsion or suspension of membership. The Committee may take such action as it sees fit against any member who is in breach of the rules at any time

## 5. The Committee

- a) The Committee, which shall be elected annually at the Annual General Meeting of The Club, shall consist of the following officers:

Chairman

Secretary

Treasurer / Membership Secretary

Safety Officer

Club Field Liaison Officer

Chief Flying Instructor

- b) Persons with a commercial interest in microlight aviation shall declare such interest before accepting nomination for the Committee, or at any later time that they become involved in commercial activities. Also they shall not be eligible to vote on any matter or chair any meeting where that commercial interest is in conflict with the objectives of The Club.

- c) All Committee members shall be current members of KMAC with at least one year's previous full membership.

## 6. Election of the Committee

- a) All paid up members with at least one year's previous full membership are eligible to stand for the Committee, provided that their name is forwarded to the Secretary, together with the names of their proposer and seconder, at least one month prior to the Annual General Meeting. The names of the candidates and the Committee position(s) to which they are interested will then be printed in the Club magazine issued in the month prior to the AGM to enable all members to consider their preference when voting.

- b) If there are more candidates than vacancies for the Committee, then a ballot of members will be held. Voting of candidates for the Committee will either be by a show of hands from the members at the AGM, or in writing by ballot paper on or before the AGM, whichever is more practical. The candidate receiving the largest number of votes for a position will be the elected officer for that position on the Committee.

- c) The maximum number of votes cast by individual members shall be equal to the number of Committee positions. Where more than one vote is seen to be made by an individual member for a candidate, then that members vote shall be considered null and void.

## 7. Proceedings of the Committee

- a) The Committee shall meet at least once a year and may adjourn or otherwise regulate its meetings as it may determine. The Committee shall meet on the request of the Chairman or of any two or more Committee members.

- b) Each officer, with the exception of the Chairman, may appoint an assistant or an alternate to attend and vote at committee meetings when the officer is unable to attend. In the absence of the Chairman, the members of the Committee shall appoint one

of the number to take the chair for the duration of that meeting and such person shall assume and exercise the full powers of the Chairman.

- c) The Chairman or Committee member acting in his / her place shall have a second or casting vote in case of equality of votes.
- d) All questions shall be decided by a simple majority of the Committee members present who shall vote in accordance with the method agreed by the Committee.
- e) The Secretary shall send notice of each Committee meeting, stating the general nature of the business to be conducted, including an agenda where feasible, to each member of the Committee at least seven clear days before the meeting, except when an emergency meeting has been called at short notice.
- f) The Secretary shall keep a proper record of all proceedings of the Committee and shall circulate the minutes of meetings to all Committee members without delay.

### **8. Duties and Responsibilities of the Committee**

- a) Committee members shall take office at the end of the meeting at which they were elected.
- b) The Committee shall hold and administer, for the general benefit of all the members, all funds, property and equipment in the general ownership of the KMAC.
- c) The Committee shall endeavour to encourage and ensure the continued growth of KMAC through the subscription of new members, the acquisition of new facilities and the expansion of activities, where such changes will benefit the members of The Club.
- d) The Committee shall act on behalf of and represent the best interests of the members at all meetings and negotiations where decisions are required that may affect the well-being of The Club. Where such a decision is considered too important to be restricted to the views of the Committee the subject and options available will first be discussed with the members prior to the decision being made final.
- e) Committee members undertake their work in good faith and shall not be held responsible for the actions of its members.

### **9. Meeting of the Club**

- a) The Annual General Meeting, of which notice shall be published via the club e mail group, shall be held each year at such time and place as the Committee shall determine.
- b) At the Annual General Meeting of The Club the business shall include:
  - (i) Consideration of an Annual Report of the major achievements gained by the The Club members over the preceding year.
  - (ii) Consideration of the Club's financial position.
  - (iii) Election of Committee members by the members as outlined in the section 'Election of Committee'.
  - (iv) Such other business as the Committee shall determine.
- c) An Extraordinary General Meeting of The Club shall be called at not less than 30 clear days notice in writing by the Secretary to the members upon the written demand of:
  - (i) At least 25% of the members of The Club or
  - (ii) The Committee
- d) All matters, which have to be decided by vote, shall be decided by a simple show of hands.
- e) The Club shall hold a monthly meeting, at a regular venue, whereby members can meet and discuss, in a social atmosphere, issues pertaining to The Club and to microlight aviation in general.

### **10. Funds**

- a) The Club's financial year will run from the 1st day of April in each year to the 31st day of March in the following year.
- b) All monies and other property belonging to The Club shall be paid or applied, as may be thought fit, towards the furtherance of the objects of The Club.
- c) All monies payable to The Club shall be received by the Treasurer or such other Officer or bank as shall be appointed to receive the same. All funds belonging to The Club shall be deposited in a Bank Account in the name of Kent Microlight Aircraft Club and no sums shall be drawn from this account except by cheques signed by such person or persons as authorised by the Chairman, Secretary and Treasurer. Two signatories will be required on any cheque.
- d) All requests for monies to be drawn from Club funds must be supported wherever possible, by receipts for the sum required.
- e) The Treasurer shall, as soon as practicable after the 31st March in each year, prepare an Income & Expenditure Account and Balance Sheet in respect of the preceding financial year, to be audited by an independent club members and subsequently presented for consideration at the Annual General Meeting.

### **11. Subscriptions**

- a) New Full members to The Club shall be required to pay a joining fee in addition to the annual subscription.
- b) All members shall pay such subscriptions as the Annual or Extraordinary General Meeting of The Club may decide. Remittance for each annual subscription shall be accompanied by a completed and signed membership application form for the category of membership required.
- c) Annual subscriptions fall due for payment on the 1st of April each year.
- d) A new Full member joining during any financial year shall pay the joining fee and a subscription equal to the then current annual subscription pro-rated from the date of joining to the end of that financial year.
- e) Where an existing Full member has not paid the subscription after 2 calendar months from the date of renewal their membership shall lapse and that member shall be required to repay the joining fee in addition to the annual subscription, the amount of which will be decided and notified by the Committee in advance of the annual renewal date.
- f) A member whose subscription has lapsed shall not be entitled to vote, shall not receive copies of the club magazine and shall

relinquish the right to use club facilities until such time as the joining fee and subscription has been paid in full. In the event of The Club being wound up they shall have no entitlement to a share of the outstanding funds.

## **12. Rights of Members**

Members shall be entitled to those rights that the Committee may determine from time to time such as:

- (i) To receive e mailed information via the club e mail group
- (ii) To such information as to sites, clubs and safety matters as the Committee can reasonably provide.
- (iii) On reasonable notice, to inspect the minutes of General Committee Meetings.
- (iv) Use of The Club designated fields and facilities.

## **13. Misconduct and Expulsion of Members**

- a) Members are expected to report to the Committee any action or behaviour of a member that is detrimental to the sport and contrary to the objects of The Club.
- b) A member held to be guilty of such action or behaviour may, on resolution passed by a majority vote of the Committee members, have his or her membership suspended or cancelled.

## **14. Rules of the Club**

- a) All qualified members of The Club who fly a microlight must have current Full membership status, a current medical certificate and all mandatory insurance covers (as specified by CAA). Licensed pilots must have an current Certificate of Experience
- b) All flying is undertaken at club fields solely at the risk of the pilot. Passengers are the sole responsibility of the pilot. It is a condition of entering onto any club airfield that any person entering this land by air, foot, or vehicle, does so entirely at their own risk and agrees not to hold the owner of the field or members of the Kent Microlight Aircraft Club responsible for the consequences of any accident, howsoever caused. Microlight pilots must maintain their own third party insurance as rule (a) above
- c) All aircraft flown by Club pilots must have a current Permit to Fly and be legal under the current rules of the BMAA
- d) All student pilots who participate in flying training from designated 'Club' sites must have current Full membership status of KMAC. In addition, where such flying training consists of solo supervision flying, the student pilot must also have the required third party insurance cover and it shall be the responsibility of the instructor / supervisor to ensure that the student satisfies these requirements.
- e) All directives and procedures, unless purely advisory, given by a Chief Flying Instructor, Qualified Flying Instructor, Assistant Flying instructor or Safety Officer regarding matters of safety must be adhered to, where to ignore such directives may cause injury to persons and / or damage to property .
- f) All accidents must be reported to the BMAA, the CFI and the Club Safety Officer. It is also recommended that less serious incidents are also reported so that other members might benefit from shared information.
- g) Flying training must only be undertaken by qualified Instructors. Handling experience is permissible, above 1000 ft agl.
- h) No reward for flying is permissible, unless for training, other than shared *direct operating* costs.
- i) Where a pilot switches from weight shift to 3-axis, or vice-versa, an alternative control test must be undertaken and the log-book signed. It is also recommended that before flying *any* new type, the pilot undergoes a familiarisation flight with an Instructor.
- j) Pilots who have not flown for 90 days cannot carry passengers until they have completed 3 solo take-offs and landings.
- k) Non-club pilots visiting club fields will be charged a nominal landing fee (unless a reciprocal agreement exists) at the discretion of the committee, or a daily rate if staying longer. Any pilot who *regularly* uses the club fields is required to become a club member.
- l) Coldharbour is not subject to any reciprocal club agreements.
- m) If a club member invites a pilot to visit it is *their responsibility* to ensure that the visitor is in possession of a field map, is properly briefed, and obtains PPR before he arrives.

## **15 Alterations to the Constitution**

- a) The Constitution may not be altered except on a resolution passed by a majority of the members voting.
- b) In the event of the winding up of The Club, all club assets to be realised and distributed pro-rata among the current paid-up Full members that have completed a minimum of one year's Full membership. Associate members are not entitled, Honorary members *may* be entitled to an ex-gratia payment, at the discretion of the Committee. Length of membership, up to 5 years, will determine the amount received, on a pro-rata basis. Those with over 5 years membership will be entitled to the maximum amount.

## **16 Interpretation**

- a) The interpretation Act 1889 applies for the interpretation of the Constitution as it applies for the interpretation of an Act of Parliament.

**Updated Jan 2017 following Resolution at Annual Committee Meeting Dec 2016**