



LONDON CAB DRIVERS' CLUB LIMITED



RULES OF THE LONDON CAB DRIVERS' CLUB LIMITED

LCDC
February 2020



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Registration Number: 28331R

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RULES OF THE LONDON CAB DRIVERS' CLUB LIMITED

1. NAME & REGISTERED OFFICE

The name of the Society shall be the "London Cab Drivers' Club Limited", (hereinafter referred to as "the Club") and the Registered Office shall be situated at 1 Hampton Street, London, SE17 3AL

2. OBJECTS

- (a) The objects of the Club shall be to carry on for the benefit of its members the business as a bone fide Association of the Licensed London taxi trade, and the provision of services connected with the trade.
- (b) In the provision and application of any such scheme the Club shall not directly employ a barrister or a solicitor but may instruct a firm of solicitors to act on behalf of members.
- (c) To act as agents for any insurance company in relation to a sickness and accident scheme or any other scheme for the benefit of Club members and their dependents.
- (d) To publish news and information on the Club and cab trade matters.
- (e) To promote the Licensed cab trade.
- (f) To enter into discussions and correspondence with bodies associated directly or indirectly with matters affecting members.

3. AFFILIATIONS

- (a) The Club shall not adopt any specific political affiliations.
- (b) The Club shall not affiliate with any other organisations whose aims are in conflict with those of the Club.

4. MEMBERSHIP, TERMS OF ADMISSION & SHAREHOLDING



- (a) Applications for membership of the Club will be considered by the Management Committee provided that the applicant holds a current London cab driver's licence.
- (b) Successful applicants will assume membership upon signing an undertaking to be bound by the rules of the Club and upon payment of the appropriate annual subscription or part thereof.
- (c) Applications for Associate Membership will be considered by the Management Committee provided that the applicant is currently and actively undergoing training to become a Licensed London cab driver and has registered as such with the Licensing Authority.
- (d) Successful applicants for Associate Membership will assume such membership upon signing an undertaking to be bound by the rules of the Club and upon payment of the appropriate annual subscription or part thereof.
- (e) Associate Membership or Honorary Membership may be granted, or withdrawn, at the discretion of the Management Committee.
- (f) An Associate Member or Honorary Member shall not be eligible to vote at meetings of the Club or to stand for election.
- (g) Upon admission each member of the Club shall hold one share, but not more than one share. Shares shall be neither transferable nor withdrawable. Shares shall be valued at £5 each and shall be issued on payment of such sum. The share value shall be forfeited upon cessation of membership for whatever reason and the share cancelled.

5. CESSATION OF MEMBERSHIP

Membership shall cease:-

- (a) Upon the expiration of four weeks' notice in writing to the Secretary stating his/her intention to cease membership or by paying four weeks' subscriptions in lieu of such notice.
- (b) If subscriptions are in arrears by more than four weeks, providing a notice to that effect has been sent to the member's last known address, advising of such arrears.



- (c) Upon the revocation or surrender of the member's Cab Driver's Licence, except in the case of ill health.
- (d) If the member is expelled following a properly constituted complaints hearing in accordance with rule 19.
- (e) In the event of (b) or (c) above, the Management Committee may continue a person's membership of the Club at their discretion for as long as they consider appropriate.
- (f) If he holds office with any other Licensed taxi trade organisation which carries on business in competition to the Club whether directly or indirectly.

6. SUBSCRIPTIONS

- (a) Each member shall pay a subscription fee to be renewed annually.
- (b) Subscriptions rates shall be decided by the Management Committee.
- (c) Should membership cease due to failure to comply with subscription rules it may only be regained by a fresh application for membership and cannot be revived by paying up overdue subscriptions at a later date.

7. MANAGEMENT COMMITTEE

- (a) The Management Committee shall consist of six members who will be elected at the Annual General Meeting
- (b) The Management Committee shall have full power to superintend and conduct the business of the Club according to its rules, and shall in all things act for and in the name of the Club. All matters shall be decided by a majority of votes, and if the votes are equal the Chairman shall have a casting vote in addition to his vote as a member. Any 5 of the Management Committee may call a special meeting, by giving seven clear days notice in writing to the Secretary, but at such special meeting no other business than that specified in the notice shall be taken into consideration.
- (c) The Management Committee may appoint up to two Appointment Holders who may attend Management Committee meetings but



- shall not have a vote in the proceedings. Such Appointment Holders shall continue in office until the next Annual General Meeting at the discretion of the Management Committee.
- (d) Nominations for the Management Committee must be received in writing, by the Secretary, not later than the closing date specified on the notice of the Annual General Meeting. Each candidate must be proposed and seconded, and agree to the nomination.
 - (e) Nominees must have completed 12 months continuous membership prior to the Annual General Meeting.
 - (f) Nominees, proposers and seconders must be fully paid up members in accordance with rule 6.
 - (g) Voting for candidates to the Management Committee shall be by ballot at the AGM, amongst the members present and entitled to vote. her position
 - (h) No paid employee of the Club, their spouse or their adult offspring shall be members of the Management Committee.
 - (i) A member of the Management Committee shall not use his/her position for personal gain or favour, other than the receipt of ordinary authorised payments for expenses or time spent on Club business.

8. OFFICERS

- (a) The Club shall have the following Officers:-
 - (i) a Chairman
 - (ii) a Vice Chairman
 - (ii) a Secretary
 - (iv) a Treasurer
- (b) The Chairman (or in his absence the Vice Chairman), will preside over all meetings of the Management Committee, the AGM, EGM or any other general meetings of members. In the event that both the Chairman and Vice Chairman be absent the Management Committee will appoint an acting Chairman from amongst themselves for that specific meeting.
- (c) The Secretary will provide minutes of all the meetings of the Management Committee, AGM, EGM or any other general



meetings of members. The Secretary will also carry out correspondence on behalf of the Club and give due notice of all meetings.

- (d) The Treasurer will maintain records of all financial transactions; receive subscriptions and other revenues; make payments on behalf of the Club and be responsible for the preparation of the annual accounts of the Club and arrange for the audit of those accounts.
- (e) Officers shall have served at least one full year as a Management Committee member.
- (g) An Officer may be relieved of his post by a majority of two at a properly constituted Management Committee meeting.
- (h) Should a vacancy for an Officer occur for whatever reason the Management Committee may appoint another, from amongst its own, to act until the next AGM.

9. DISQUALIFICATION OF MANAGEMENT COMMITTEE MEMBERS

A Management Committee member shall be deemed to have vacated his/her office if he/she:-

- (a) Becomes bankrupt or makes any arrangement or composition with his/her creditors generally.
- (b) Ceases to be a member of the Club.
- (c) Becomes of unsound mind.
- (d) Is directly or indirectly interested in any contract with the Club and fails to declare the nature of his / her interest.
- (e) Is absent from three consecutive Committee meetings without an excuse acceptable to the Committee.

10. SUB-COMMITTEES

- (a) The Management Committee may appoint Sub-Committees as may be required.
- (b) All such Sub-Committees may comprise member of the Management Committee and ordinary members in any numbers



except that the Chairman of a Sub-Committee shall always be an elected member of the Management Committee.

- (c) The Chairman of a Sub-Committee will be responsible for reporting regularly to the Management Committee on the activities of the Sub-Committee, and ensuring that the Sub-Committee remains within the remit given to it by the Management Committee.
- (d) The Secretary shall keep a list of Sub-Committees, members thereof and the purpose and authority of each such Sub-Committee.

11. CO-OPTED MEMBERS OF THE MANAGEMENT COMMITTEE

The Management Committee within nine months of the last AGM may co-opt a member onto the Management Committee only if there are insufficient elected members to form a full Committee. The co-opted member shall serve until the next A.G.M. where he/she shall be eligible for election.

12. PAYMENTS – REMUNERATION

- (a) **ISSUE OF CHEQUES:** - cheques shall be issued by the Treasurer and countersigned by one other authorised Officer of the Club.
- (b) **OUT OF POCKET EXPENSES:-** reasonable out of pocket expenses may only be paid to members when incurred on Club business and when previously authorised by the Management Committee.
- (c) **OTHER PAYMENTS TO MEMBERS:-**
 - (i) Payments for lost time incurred by members in pursuance of Club business may be made at the discretion of the Management Committee and at a rate determined by majority vote of members from time to time at General Meetings.
 - (ii) Any other payments to members or non-members will be on an ex-gratia basis at the discretion of the Management Committee, and all such payments are to be individually identified on the Annual Accounts.

13. APPLICATION OF PROFITS



The Club shall not operate for profit, any surplus accrued shall be applied in such proportion and in such manner as an AGM shall decide, in order to further the Objects of the Club.

14. TRADING

- (a) Any commercial trading engaged in by the Club, shall be for the general good of the membership.
- (b) No individual member may seek commercial profit from their member of the Club.

15. AUDIT

- (a) The Club shall once in every year submit its accounts for audit to a qualified auditor. For the purposes of the rule "qualified auditor" means a person who is a qualified auditor under Section 7 of the Friendly and Industrial & Provident Societies Act 1968.
- (b) None of the following persons shall be appointed as auditor of the Club:-
 - (i) An officer or servant of the Club.
 - (ii) A person who is a partner of or in the employment of, or who employs, an officer or servant of the Club; or
 - (iii) A body corporate.
- (c) The Club's Auditors shall have access to all the books, deeds, documents and accounts of the Club, and shall examine the balance sheet and revenue account of the Club and verify them with the books, deeds, documents, accounts and vouchers relating to them, and shall sign them as found to be correct, duly vouched, and in accordance with law.
- (d) The auditors shall, in accordance with Section 9 of the Friendly and Industrial & Provident Societies Act 1968, make a report to the Club on the accounts examined by them, and on the revenue account of accounts and the balance sheet of the Club for the year of account in respect of which they are appointed.



- (e) Appointment of an auditor shall be made by resolution of a general meeting of the Club.
- (f) A qualified auditor appointed to audit the accounts and balance sheet of the Club for the preceding year of account shall be re-appointed as auditor of the Club for the current year of account unless:-
 - (i) A resolution has been passed at a general meeting of the Club appointing somebody instead of him or providing expressly that he shall not be re-appointed, or
 - (ii) He has given to the Club notice in writing of his unwillingness to be re-appointed, or
 - (iii) He is ineligible for appointment as auditor of the Club for the current year of account, or
 - (iii) He has ceased to act as auditor of the Club by reason of incapacity: Provided that, where notice is given of an intended resolution to appoint some person or persons in place of a retiring auditor and the resolution cannot be proceeded with at the meeting because of the death or incapacity of that person or persons or because he or they are ineligible for appointment as auditor or auditors of the Club for the current year of account (as the case may be) the retiring auditor shall not be automatically re-appointed.

16. SEAL

The Club shall have a seal with its name engraven in legible characters which shall be kept in the custody of the Secretary or any other Officer appointed by the Management Committee. The seal shall only be used by the authority of a General Meeting and attested by the signatures of two members and the Secretary for the time being.

17. BALANCE SHEET

- (a) The Club shall not publish any balance sheet which has not been previously audited by the Club's auditor and any copy of a balance sheet shall include the report thereon by the auditor.



- (b) The Club shall keep a copy of its latest balance sheet together with the auditors report thereon, hung up at all times in a conspicuous position at the registered office of the Club.
- (c) A copy of any balance sheet published by the Club together with any report thereon by the Club's auditor shall be provided, free of charge for each member, at least seven days prior to any Annual General Meeting at which said balance sheet is to be presented to the members.

18. ANNUAL RETURN

Not later than 31st March in each year the Secretary shall send to the Registrar the annual return in the form prescribed by the Chief Registrar of Friendly Societies relating to its affairs for the period required by the Act to be included in the return together with:-

- (a) A copy of the report of the auditor on the Club's accounts for the period included in the return; and
- (b) A copy of each balance sheet made during that period and of any report of the auditor on that balance sheet.

19. CONDUCT & DISCIPLINE

- (a) Any member who contravenes the rules of the Club, or by his/her actions prejudices the interests of the Club, shall appear before a Disciplinary Committee.
- (b) If, in the view of the Management Committee, a breach of the rules or action prejudicial has taken place sufficient to warrant disciplinary procedure against a member, then:-
 - (i) The Secretary shall write to the member giving details of the complaint and inviting a reply.
 - (ii) If after 21 days the member has not replied or provided a reply, which, in the opinion of the Management Committee requires further action, the Management Committee may decide to convene a disciplinary hearing.
 - (iii) The member will receive at least 21 days written notice of such a hearing and will be supplied with particulars of the complaint against him/her.



- (iv) He/she will be invited to attend, bring witnesses and have in attendance a representative if required.
- (v) A Disciplinary Committee shall consist of 5 ordinary members, randomly drawn from a pool of 12 elected members, who are prepared to serve.
- (vi) A member of the Management Committee shall present the case on behalf of the Club.
- (vii) Members of the Disciplinary Committee will elect a Chairman from amongst themselves.
- (viii) The Management Committee will appoint a Minute Secretary from amongst themselves who will record the proceedings and take no other part in the meeting.
- (ix) A member has the right of appeal against any decision made by a Disciplinary Meeting. Such appeal must be made in writing to the Secretary within 28 days weeks of the decision and the member may state his case at the next Annual General Meeting who decision shall be final.
- (x) The Disciplinary Committee shall have the power to expel a member.

20. MEETINGS

- (a) The Management Committee may call an ordinary general meeting at any time.
- (b) No changes to the rules may be made at an ordinary general meeting.
- (c) The Secretary will be responsible for informing all members of the date, time and place of the particular meeting according to the manner determined by the type of meeting.
- (d) Seven days' notice of every general meeting, stating the business to be discussed at such meeting, shall be given to every member in writing, left at or posted to his last known address. No other business than that stated shall be brought before the meeting.
- (e) A quorum for ordinary general meetings shall be 10% of the membership.



- (f) All voting will be on the basis of; one member one vote, by the members present and entitled to vote. In all cases where the votes are equal, the presiding officer shall have an additional or casting vote.

21. ANNUAL GENERAL MEETINGS

- (a) An Annual General Meeting of the membership must be held no less than 9 months, and not more than 15 months after the preceding AGM. The business of which will include:-
- (i) Chairman's Report.
 - (ii) Accountant's Report.
 - (iii) Resolutions.
 - (iv) Election of Disciplinary Committee.
 - (v) Election of Management Committee.
 - (vi) Speeches by candidates for the Management Committee to a reasonable time, determined by the Chairman of the meeting.
 - (vii) Appeals against Disciplinary Committee decisions.
 - (viii) Any Other Business.
- (b) The Secretary will be responsible for informing all members of the date, time and place of the AGM no less than 28 days prior to the meeting.
- (c) The quorum shall be 40 members or 15% of the membership whichever is the lesser. If a quorum is not achieved the AGM shall be adjourned and a new date set within 28 days.
- (d) Voting shall be by show of hands except for the election of the Management Committee members, which shall be by ballot.

22. EXTRAORDINARY GENERAL MEETINGS

An Extraordinary General Meeting may be called:

- (a) By the Management Committee at any time, or
- (b) Upon a written request received by the Secretary signed by at least 20% of the membership requesting such a meeting. The Secretary must convene such a meeting within 21 days of



receiving such a request. Should the Secretary fail within 21 days to convene the requested EGM, the requisitionists may convene it in accordance with Rule 20(d).

23. MANAGEMENT COMMITTEE MEETINGS

- (a) The Management Committee shall meet at least ten times a year on such days and times as may be agreed.
- (b) At the end of each meeting the date, time and place of the next meeting shall be set.
- (c) Any four shall form a quorum and must comprise two Committee members and two Officers.

24. RULE CHANGES – INTERPRETATION OF RULES

- (a) Any proposal to introduce, amend, or repeal a rule of the Club must be put at an AGM or EGM of the Club, except where, in the opinion of the Management Committee, a full meeting need not be held. In this event a circular on the proposed change(s), giving at least fourteen days' notice, shall be sent to the members indicating the time and date when these votes should reach the registered office, together with a ballot form and a specially marked envelope. All returned envelopes will be placed in a specially provided ballot box and at the time specified the ballot box will be opened and the votes therein counted. Rule changes by postal ballot shall require the consent of 60% of the members' votes returned. Any member wishing to observe the counting may attend the registered office.
- (b) Any proposal shall be carried by a simple majority by a show of hands.
- (c) Any proposal to introduce, amend, or repeal a rule of the Club must be proposed and seconded and lodged with the Secretary prior to the AGM or EGM no later than the closing date specified on the notice of the meeting.
- (d) The Secretary shall include each such proposal in the advice to members of the next AGM or EGM and in the agenda thereto.



- (f) The Management Committee shall determine the interpretation of these rules and may rule for any occurrence not otherwise provided for in these rules.
- (g) No new rule or amendment of rule shall be valid until registered with the Registry of Friendly Societies.

25. CONFIDENTIALITY

- (a) Details of individual members shall not under any circumstances be disclosed to any person not directly involved with the management of the Club.
- (b) Records of members shall include only such information as is required for the day to day administration of the Club as in accordance with Industrial & Provident Societies Act 1965.

26. BORROWING POWERS

The Management Committee may obtain advances of money from members and other sources for the purposes of the Club and may secure the repayment thereof by mortgages or charges on any of the Club's property. The total amount of money borrowed shall not exceed the sum of £250,000. The terms of repayment, and any other conditions of such advances shall be determined by the Management Committee from time to time. The rate of interest agreed to be paid other than advances on Bank overdrafts and loans secured by mortgages, shall not exceed 1% per annum above the (Barclay's Bank Plc) base lending rate or 5% per annum whichever is higher. The Club shall not receive money on deposit. No member, associate member or honorary member shall be permitted to borrow any of the funds of the Club.

27. INVESTMENT OF FUNDS



Any money not required for immediate use or to meet the accruing liability of the Club, shall be invested by the Management Committee, to further the aims of the Club in any manner as provided by s31 of the Industrial and Provident Societies Act 1965.

28. COPIES OF THE RULES

All members shall receive a copy of the rules upon joining. The rules will be available for inspection during office hours. It shall be the duty of the Management Committee to provide the Secretary with sufficient copies of the rules which may be obtained on demand for the sum of 10 pence.

29. DISSOLUTION

- (a) The Club may be dissolved at any time with the agreement of not less than 75% of the membership testified by their signatures to an instrument of dissolution as defined in s58 of the Industrial and Provident Societies Act 1965.
- (b) In the event of the Club being dissolved the Management Committee shall appoint trustees who will realise any assets of the Club, discharge any liabilities outstanding and distribute any remaining monies equally among the members. Any monies not so distributed shall be given for charitable purposes.

30. INSPECTION OF BOOKS

The Club shall keep at its registered office a register of members and enter therein the following particulars:-

- (a) The names and addresses of the members;
- (b) A statement of the number of shares held by each member and of the amount paid or agreed to be considered as paid on the shares of each member;
- (c) A statement of other property in the Club, whether in loans, deposit or otherwise, held by each member;



- (d) The date at which each person was entered in the register as a member, and the date that any person ceased to be a member;
- (e) The names and addresses of the Officers of the Club with the offices held by the respectively, and the dates which they assumed office.

The register should be so constructed so that it is possible to open to inspection the particulars therein other than the particulars entered under clauses (b) or (c) of this rule. All members must notify the Club of any change of address as soon as is practicable.

Any member or Associate member or any other person having an interest in the funds of the Club, by giving at least 24 hours' notice in writing, shall be allowed to examine the books at any reasonable hour.

31. PROCEEDINGS ON DEATH OR BANKRUPTCY

Upon a claim being made by the personal representative of a deceased member or the trustee in bankruptcy of a bankrupt member to any property in the Club belonging to the deceased or bankrupt member the Club shall transfer or pay such property to which the personal representative or trustee in bankruptcy may direct them. A member may in accordance with the Industrial and Provident Societies Act nominate any person or persons to whom any of his/her property in the Club at the time of his/her death shall be transferred by such nomination shall only be valid to the extent of the amount for the time being provided in the said Act. On receiving satisfactory proof of death of a member who has made a nomination the Management Committee shall in accordance with the Act, either transfer or pay the full value of the property comprised in the nomination to the person entitled thereunder.

32. STATUTORY APPLICATIONS TO THE REGISTRAR

Any ten members of the Club, each of whom has been a member of the Club for not less than twelve months immediately preceding the



date of the application, may apply to the Registrar in the form prescribed by the Treasury Regulations to appoint an accountant or actuary to inspect the books of the Club and to report thereon, pursuant to Section 47(1) of the Industrial and Provident Societies Act 1965.

Upon the application of one tenth of the whole number of members of the Club or, in the case of a Society with more than one thousand members, of one hundred of those members, the chief registrar may, with the consent of the Treasury:-

- (a) Appoint an inspector or inspectors to examine into and report on the affairs of the Club; or
- (b) Call a special meeting of the Club pursuant to Section 49 (1) of the Industrial and Provident Societies Act 1965.

Rules of the LCDC 1996.

Appendix A: Partial Amendment to Rules (16.08.2001)

The partial amendments were registered at the Registry of Friendly Societies on the above date.

Rule 2(b) now reads: In the provision and application of any such scheme the Club shall not directly employ a barrister or solicitor but may instruct a firm of solicitors to act on behalf of members.

Rule 8(f) now reads: Officers, other than the Chairman shall be elected to the Management Committee from amongst themselves at the first meeting following the Agm. The Chairman shall be elected by a majority of members present and entitled to vote at an Annual or Extraordinary General Meeting.

Appendix B: Partial Amendment to Rules (08.06.2007)

The following partial amendment was registered at the Financial Services Authority on the above date.



Rule 21(c) now reads: The quorum shall be 40 members or 15% of the membership whichever is the lesser. If a quorum is not achieved the AGM shall be adjourned and a new date set within 28 days.

