

REGIMENTAL COUNCIL INSTRUCTION NUMBER 2

THE DUKE OF LANCASTER'S REGIMENT (KING'S, LANCASHIRE AND BORDER) RULES OF THE REGIMENTAL ASSOCIATION

TITLE

1. The full title of the Association is to be 'The Regimental Association of the Duke of Lancaster's Regiment (King's, Lancashire and Border)', hereinafter referred to as 'The Association'.

GOVERNING DOCUMENT

2. The governing document of the Association is the Charity Scheme No 116946 which governs charities identified in the schedule to the scheme. The charities named in the schedule to be administered within the Association are the King's Own Royal Border Regimental Association, the King's and Manchester Regiments' Association and the Regimental Association Branch of the Queen's Lancashire Regiment Charity.

3. These rules are drawn up under the authority of the Charity Scheme No 116946 which together with these rules replaces the former trusts of those charities.

4. If conflict arises between these rules and Scheme No 116946 the Scheme is the paramount document.

OBJECTS OF THE ASSOCIATION

5. The objects of The Regimental Association of The Duke of Lancaster's Regiment are:

a. To promote the efficiency of the Regiment by:

(1) Fostering esprit de corps among serving and former members of the Regiment and former members of the predecessor Regiments and enabling them to keep in touch with Regimental affairs and with one another;

(2) Preserving the traditions and perpetuating the deeds of the Regiment and the predecessor Regiments;

(3) Encouraging recruitment for the Regiment;

(4) Assisting serving and former members of the Regiment and former members of the former Regiments to obtain suitable employment.

b. To relieve serving or former members of the Regiment or former members of the predecessor Regiments, or the dependants of such persons, who are in need by virtue of financial hardship, sickness or old age by:

(1) Making grants of money to them; or

(2) Providing or paying for goods, services or facilities for them; or

(3) Making grants of money to other persons or bodies who provide goods, services or facilities to those in need.

TRUSTEES

6. The trustees of the Duke of Lancaster's Regiment as appointed with the authority of Scheme No 116946 are the trustees of the Association. There will be not less than five ex-officio trustees and eight co-opted trustees. The ex-officio trustees are:

a. **Ex-officio Trustees.**

The Colonel of the Regiment as President of the Association.

The Honorary Colonel of the 4th Battalion.

The Commanding Officer of the 1st Battalion.

The Commanding Officer of the 2nd Battalion.

The Commanding Officer of the 4th Battalion.

All for the time being.

During such period as there are in existence further Regular or Territorial Battalions of the Regiment, the Commanding Officer for the time being of each of such Battalions shall by virtue of his or her office be an ex-officio trustee of the Association.

b. **Co-opted Trustees.** Co-opted trustees are appointed under the terms of Scheme No 116946 for a term of four years.

c. **Secretariat.** The Regimental Secretary shall be the Secretary of the Trustees but will not himself be a trustee. In the day to day running of the Regimental Association he will be supported by the Welfare and Association Secretary based in RHQ.

7. Trustees will hold two ordinary meetings in each 12 month period.

ORGANISATION

8. The Association is to be organised under the Colonel of the Regiment as President into a Managing Committee and Membership and Branches as follows:

a. **Association Managing Committee.**

(1) **General.** There shall be an Association Managing Committee whose primary task is to advise the Colonel of the Regiment and the trustees on all matters relating to the business of the Association. The principle task of the committee will be to set the agenda for each AGM.

(2) **Membership.** The Committee will comprise as follows:

The President of the Association shall be the chairman unless the Colonel of the Regiment delegates this task.

Four representative Chairmen of Association Branches elected annually at the Association Annual General Meeting.

The editor of the Kingsman.

The Area Secretaries.

The Association Treasurer.

The Welfare and Association Secretary who will be the committee secretary.

(3) **Frequency of Meetings.** The committee shall meet not less than once in each 12 month period. The President only will have the power to call meetings.

(4) **Quorum.** Any five members will form a quorum.

b. **Membership.** There are to be three classes of membership of the Association as follows:

(1) **Serving Members.** Serving Membership is automatically conferred on all commissioned officers and other ranks of the Duke of Lancaster's Regiment both regular and Territorial.

(2) **Full Membership.** Full membership of the Association is automatically conferred on all those who have served in any battalion of the King's Own Royal Border Regiment, the King's Regiment, the Queen's Lancashire Regiment, the Lancastrian and Cumbrian Volunteers and the King's and Cheshire Regiment as a commissioned officer or other ranks in the Regiment. Any other Regular or

Volunteer officer or soldier who has served as a member of the Regiment other than in a Battalion is also automatically a Full Member of the Association. This includes those who have served as officer and adult members of the Duke of Lancaster's Regiment ACF and CCF detachments and contingents. Only Full Members are entitled to vote at Branch and Association meetings.

(3) **Honorary Membership.** Honorary membership is automatically conferred on widows, widowers or partners of Serving and Ordinary members of the Association. Branches may at their discretion confer Honorary Membership on a person in recognition of exceptional service to the Branch.

(4) **Associate Membership.** Associate membership may be conferred on serving, retired or discharged officers or soldiers of the armed forces at the discretion of Branch Committees. Associate membership is automatically conferred on the following:

(a) Any former member of another corps or regiment who served as an attached member of a battalion of the Duke of Lancaster's Regiment or one of its predecessor Regiments.

(b) The ship's companies of ships for the time being affiliated to the Duke of Lancaster's regiment, whenever such a ship is visiting a port in the North West of England.

(c) Members of the affiliated overseas Regiments whilst temporarily in the United Kingdom.

(d) Members of Liverpool, and Manchester and Salford Universities Officer Training Corps, including members of Liverpool Universities OTC drawn from Lancaster University and the University of Central Lancashire and University of Cumbria.

(e) Any other persons on whom the Association Managing Committee grants the status of Associate Membership.

c. Branches.

(1) All Branches of the Regimental Associations of the predecessor regiments of the Duke of Lancaster's Regiment are automatically considered to be branches of the Duke of Lancaster's Regiment Association. Existing and new members are strongly encouraged to join one of these Branches of the Association. An up to date list of Branches is held in RHQ and will be published annually in the '*Kingsman*' journal.

(2) Any group of members who wish to form a new branch may do so although to be recognised formally as a Branch of the Regimental Association, an application

must be made to the President of the Association through the Regimental Secretary. A group wishing to become a branch of the Regimental Association must have been meeting for 12 months and must have an active membership of at least 10.

d. **Resignation.** A member of the Regimental Association may resign at any time by informing the Branch Secretary of their Branch and the Secretary of the Association. No part of any subscription will be repaid for the current year but any subscription paid in advance for subsequent years is to be repaid in full.

e. **Discipline.**

(1) It is essential that nothing shall be said or done to bring the Regiment or its Association into disrepute, or disrupt the orderly manner in which meetings are conducted. It is therefore open to a Branch committee to suspend a member for up to six months without a hearing.

(2) A member may only be expelled from the Association by the authority of an Association Managing Committee and only on the grounds that he misconducts himself or brings discredit to the Association.

(3) A member against whom a complaint is made shall be given the opportunity of attending at his own expense the Association Managing Committee meeting at which a decision regarding his membership is to be made. Notice of the meeting will be served on him by recorded delivery at his last known address not less than 14 days prior to the meeting. At the hearing meeting, the following rules of procedure shall apply.

(a) A written record of proceedings will be kept.

(b) The Committee will explain the allegation made against the member.

(c) Evidence to support the allegation in the form of either written or verbal statements will be put to the member.

(d) The member will be entitled to ask questions in clarification of either the allegation or any statement.

(e) The member will be asked to put his side of the matter. He may call any other member to support his case. The committee may ask questions in clarification of any issue arising but will not otherwise comment.

(f) The Association Managing Committee will then ask the Member to retire while it considers its finding.

(g) The committee will then ask the member to rejoin it while it explains its finding. This finding is not subject to further questioning at this point.

(h) The member is then to be advised that he may appeal any decision in writing to the President who, if he finds grounds for appeal will appoint the Association Secretary to chair an appeal board which will include at least two different Branch Chairmen. The rules of procedure are to be at the discretion of the Association Secretary but he is to be guided by those above. He is to report his findings in writing to the member, his Branch Chairman and the President. The appeal board's decision shall be final.

(4) The name of any member whose membership is terminated by his Branch Committee shall be immediately notified to the Association Secretary who will inform all members of the Association Managing Committee and other Branch Chairmen.

(5) Any application to rejoin the Association must be submitted to the President in writing through the Association Secretary. The President's decision will be notified in writing and is not subject to appeal.

f. Exclusion from Membership. Any Branch Committee, after due consideration may decline to accept as a member of its Branch, any applicant for whom the committee deems it has good and sufficient reason to decline Branch membership. On no account will the committee tell the prospective member why his membership of the Branch has been turned down. If such action is taken the Association Secretary is to be informed immediately. Exclusion from membership of the Branch in these circumstances does not necessarily exclude a member from the Association.

SUBSCRIPTIONS

9. All Serving and Ordinary Members of the Association are strongly encouraged to subscribe to the Association. Subscriptions to the Association are to be raised as follows:

a. **Serving Members.** Serving officers and soldiers are strongly encouraged to contribute to the Day's Pay Scheme under the terms of Queen's Regulations paragraph 5.613. A grant from each Company of the TA battalion will be deemed to be the equivalent subscription from serving TA officers and other ranks. The amount of this grant will be decided by the battalion commanding officer.

b. **Full Members.** Those who have retired from the Regular Army or the TA are strongly encouraged to pay a subscription at a rate to be fixed from time to time by the Regimental Trustees. Such a subscription will entitle the member to any newsletter which may be produced by RHQ, details of future events, the *Kingsman* journal, up to date details maintained in the contacts database and above all a chance to keep in touch with old friends. In 2006 the subscription rates are:

Retired Officers - £15 p.a.

Retired Other Ranks - £10 p.a.

c. **Honorary and Associate Members.** Honorary and Associate Members do not pay Regimental Association subscriptions. They may purchase a copy of the Kingsman from RHQ. If they wish to receive the services available to Full Members they may pay the subscription.

ASSOCIATION ACTIVITIES

10. The Managing Committee and the Branches are to further the Objects of the Association by, amongst other things, taking the following action:

a. **Membership.** When a Regular soldier is discharged, the Welfare and Association Secretary is to write to him after three months giving him details of his nearest Association Branch. Below the commissioned level, ranks are no longer to apply to Association members who have been discharged.

b. **Remembrance.** The Welfare and Association Secretary will request Branches to provide Regimental representation at appropriate locations on Remembrance and other days as required.

c. **Social.** Branch social functions may be held as frequently and in whatever location Branch committees decide, except that:

(1) All functions are to be publicised to all Branches and other Branch attendance encouraged, reflecting the fact that the Regiment is a single unified entity with one Association. Whilst nothing in these Rules precludes any group of veterans holding any function under their own name, such functions are to be publicised and open to all members of the Association.

(2) Spouses and partners are only to be excluded from social functions on exceptional occasions.

d. **Benevolence.** The Trustees of the Duke of Lancaster's Regiment have made the following regulations for the conduct of the benevolence policy of the Regiment:

(1) **Entitlement.** All Full Members and Honorary Members of the Association, including serving members, and their dependants, are entitled to make a case to become beneficiaries. However, in all cases commissioned officers and their dependants, serving and retired, will be referred to the appropriate agency.

(2) **Requirement for Reports.** Whenever the Association Secretary becomes aware of a case for which benevolence may be appropriate, he is to request an investigation by a recognised agency such as SSAFA Forces Help, the Royal

British Legion or the Officers Association. Subsequently the report is to be passed to the Secretary of the Association who will decide on the grant to be made and any further application to any other service charity. Only in the most exceptional circumstances where the case is very well known to the Secretary of the Association will he authorise a Regimental grant be made without such investigation.

(3) **Scope of Grants.** The lower and upper limit for grants will be decided from time to time by the Trustees. Grants required above the upper limit are to be referred to the Army Benevolent Fund for payment. All dealings with the Army Benevolent Fund are to be carried out only by the Association Treasurer or Area Secretaries under the direction of the Association Secretary.

(4) **Payment.** Agreed benevolence payments are to be made by the Association Treasurer to an appropriate welfare agency. Cash grants may be made directly to individuals only in the most exceptional circumstances. Gifts in kind may be made directly to individuals.

(5) **Pensions.** All remaining Regimental Pensions are to be honoured but if possible are to be transferred for payment to the Army Benevolent Fund. No new Regimental Pensions are to be granted.

(6) **Bankers.** The accounts of the fund are to be maintained by the Association Treasurer who will ensure that all income arising from investments, income from the day's pay scheme, subscriptions to the Association in an appropriate proportion, any other donations and other income allocated is paid promptly into the account maintained at any bank as may be decided by the Trustees from time to time.

(7) **Budget Planning and Expenditure.** Budgets are to be planned and expenditure is to be authorised by the Trustees who will:

(a) Consider recommendations from the Association Secretary and Treasurer regarding the amounts required for benevolence and any grants to Branches.

(b) Sanction arrangements made to enable the Association Treasurer to make benevolence payments.

(c) Authorise certain specific cases requiring benevolence.

(d) Authorise grants to the Army Benevolent Fund and other registered charities.

(e) Authorise payments to defray the cost of printing, stationery, postage any other expenditure within the Objects of the Association other than

benevolence. In apportioning such moneys, it is the duty of the Trustees to bear in mind the need for efficient administration and to strike a careful balance between this and the availability and reservation of the greatest possible proportion of the available funds for benevolence purposes. The Trustees are to have regard to the requirement for amounts totalling not less than 51% of the income accruing from the Day's Pay Scheme and the TA grant to be paid in cash or in kind as benevolence to beneficiaries either directly or through the Army Benevolent Fund.

(8) **Audit of the Regimental Account.** The Association Treasurer shall maintain the Fund. The Association Secretary shall arrange for the audit of the Fund annually as at 31st December by persons suitably qualified under the provisions of the Charities Act. The President of the Association may order an audit by civilian accountants.

e. **Branch Administration.**

(1) **Branch Officers.** An Association Branch shall have an Honorary Chairman, an Honorary Secretary, an Honorary Treasurer and a Welfare Officer. There shall be an Honorary Standard Bearer. Each appointment is to be made for a period of one year by a vote of not less than half the members present at a Branch Annual General Meeting. The appointment of the Branch Chairman is to be formally ratified by the President through the Association Secretary. Branch Officers are not to receive any remuneration for their appointments except that any reasonable expenses incurred shall be paid by agreement of a meeting of all Branch officers.

(2) **Duties of the Honorary Chairman.** The duties of the Honorary Chairman shall be as follows:

(a) He is responsible to the Colonel of the Regiment for all aspects of the well-being of his Branch and its members.

(b) He will chair all meetings of Branch Officers and of the Branch as a whole.

(c) He will ask for approval of all present and then sign the minute book as a true record at the meeting following the meeting which the minutes record.

(d) He will seek full debate from members of resolutions placed before a meeting and if approved, do his best to see that he and his officers carry them out, with the help of Branch members as appropriate.

(e) He will keep RHQ regularly informed of the activities of his branch and he will cause a copy of the minutes of the Branch AGM to be sent to

RHQ.

(f) He will ensure that his Branch and its members promote the best interests of the Duke of Lancaster's Regiment and its antecedent Regiments at all times. He will ensure that his Branch and its members do nothing to bring the Duke of Lancaster's Regiment or its antecedent Regiments into disrepute.

g. He will encourage his members to give full moral and practical support to the serving members of the Duke of Lancaster's Regiment and their families.

(3) Duties of the Honorary Secretary. The duties of the Honorary Secretary shall be as follows.

(a) He will maintain an up-to-date register of all members belonging to the branch.

(b) He will maintain the Branch minute book in which will be recorded the minutes of all meetings held.

(c) He will submit all applications for benevolence casework to the local SSAFA Forces Help branch or the local Royal British Legion County Field Officer, for onward transmission to the Association Secretary.

(4) Duties of the Honorary Treasurer. The duties of the Honorary Treasurer shall be as follows:

(a) He will maintain a cash book, a postage account and a record of any items bought and sold.

(b) He will maintain an up to date record of Branch subscriptions paid.

(c) He will supervise any Branch expenditure under the authority of his Branch committee.

(5) Branch Administration Fund. This fund is to be maintained by a Branch subscription as agreed from time to time by its members. It may be used for any purpose provided the Branch Committee agrees that such purpose furthers the Objects of the Association. In order to maintain the income at the maximum possible level, any grants from the Regimental Charity will not be paid in full as a lump sum. Branch Committees must apply for payment of expenses as they arise. Branch funds are to be maintained by the Branch Honorary Treasurer in a local Bank Account. All cheques are to be authorised by two signatories, one of whom is to be the Branch Honorary Secretary.

(6) **Maintenance and Inspection of Branch Administrative Fund Accounts.** Branch Administrative Fund accounts are to be maintained by the Branch Treasurer. At the end of the audit period they are to be signed as approved by the Branch Chairman, Secretary and Treasurer before being presented to the Association Treasurer who is to arrange for their inspection annually as at 31st December by a suitably qualified person. Exceptionally the Association President may order an inspection by civilian accountants.

(7) **The ‘Kingsman’.** Branch notes for the ‘Kingsman’ will be submitted to the Editor, not later than 15th January each year unless notified to the contrary.

(8) **Branch Rules.** Branches may make any appropriate rules to conduct their business except that where any conflict arises with this Regimental Council Instruction; this Instruction is to over-rule the Branch document.

(9) **Branch President.** Each Branch may appoint a Branch President who will usually be a person of stature and who if appointed will act as a mentor to the Branch committee. He or she will have no other formal function.

(10) **Branch Vice-President.** From time to time a Branch may consider that the service of an individual member of any category to the Branch is so significant and worthy of note that they wish to honour that member formally. It is open to the Branch Committee to make the honorary appointment of ‘Branch Vice-President’. Such a title carries no special duties or responsibilities but is simply a way of marking the special service of the member to the Branch. The appointment is to be notified to the President of the Association through the Association Secretary and will be published in the next edition of the ‘Kingsman’.

(11) **The Regimental Medal.** Award of the Regimental Medal is also available as a way of recognising distinguished service to the Regiment. Rules for nomination for award of the Regimental Medal are contained in Regimental Council Instruction No 10.

ASSOCIATION MEETINGS

11. **General.** Questions arising at the Annual General Meeting, a Managing Committee meeting, a Branch Committee meeting, or a Branch Benevolence Committee meeting are to be decided by a majority vote with the Chairman having a casting vote in the event of a tie. However in any case where the President considers a decision does not further the Objects of the Association, he may not confirm it and the relevant committee may be directed to act accordingly.

12. Annual General Meeting.

- a. An Annual General Meeting of the Association shall be held on a date and at a place

to be decided by the President of the Association. He will act as Chairman, or in his absence a nominated Trustee will act in his place. The agenda will be agreed at the preceding meeting of the Association Managing Committee.

b. The Association Secretary is to publicise the agenda, date, time and venue through the medium of the Regimental Journal, the Regimental website or by a notice to Branch Chairmen, in any case giving not less than twenty-one days' notice.

c. Resolutions by members must have first been submitted for consideration by Branch Committees and then passed in writing to the Association Secretary not less than 14 days before the Annual General Meeting.

d. If any resolution is brought up at the Annual General Meeting, without the required notice, the President may take it at his discretion or he may rule that it may not be voted on until the next Annual General Meeting.

e. Under the same Rules as for the Annual General Meeting, the Managing Committee may call extraordinary General Meetings.

13. Association Managing Committee Meetings. Meetings will be called on a date and a time to be decided by the President.

14. Branch Meetings. Branch Committee and Branch Annual General Meetings may be called by Branch Chairmen as required, but as far as possible on a routine basis in order to encourage maximum attendance.

15. Association Annual Reunions. Dates and details of Association annual reunions will be given in the annual Regimental Forecast of Events.

BRANCH STANDARDS

16. Existing Branch Standards may continue to be used. Branches wishing to replace their standards should conform to the Duke of Lancaster's Regiment pattern which is based on the Regimental Flag that is the Regimental badge centred on a dark blue ground. Details of the authorised Regimental Association standard maker and the pattern are held in RHQ.

PROCEDURE AND TOASTS AT REGIMENTAL FUNCTIONS

17. Branches will wish to begin meetings and other functions with a short period of silence in memory of 'Absent Friends'. Formal meals may then be preceded with the Regimental Grace.

18. The first toast after a meal will be the Loyal Toast, proposed by the Branch Chairman or a member nominated by him. The procedure will be as follows.

a. The Chairman will strike a gavel to call attention, stand and say, "Ladies and Gentlemen, the Queen, Duke of Lancaster, our Colonel-in-Chief".

b. He will wait until all are standing. If a band is present, members will continue to stand in silence while the band plays the national anthem.

c. The Chairman will then lead the members in saying together, “The Queen, Duke of Lancaster”.

d. It is inappropriate and unnecessary to use the civilian custom of saying, “Please be upstanding”, or similar words.

19. It is courteous then to toast the Head of State of any foreign national who is a guest.

20. A toast to the Regiment is then customary at Association events. This may be proposed straight away or at the end of any address by a senior member of the Association, by that person. The procedure is as follows.

a. If immediately following the loyal toast, a short time after members are seated, the Chairman will again strike a gavel to call attention and will say, “Ladies and Gentlemen, the Regiment”.

b. He will wait until all are standing. If a band is present, members will continue to stand in silence while the band plays the opening bars of the regimental march.

c. The Chairman will then lead the members in saying together, “The Regiment”.

d. If the Chairman or a senior member of the Association is giving an address he will conclude his remarks with the procedure outlined above.

e. It is inappropriate and unnecessary to use the civilian custom of saying, “Please be upstanding”, or similar words.

21. Some branches have other toasts. It is desirable to keep these to the minimum in accordance with prevailing custom within the branch. If a member wishes another toast to be offered he should first approach the senior member present for permission to include it.

ALTERATION TO THESE RULES

22. A proposal to add to or alter these Rules may be made as a resolution of the Association Managing Committee, provided that any such alteration does not introduce a non-charitable object. A majority of not less than two-thirds of those present at an Annual General Meeting will then be required to confirm a change to the Association Rules.

Annex:

A. Best Practice Guide No 1 - Best Practice Guide - The Management of Branch Accounts

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B. Best Practice Guide No 2 - Branch Meeting and Agenda Procedure.