

CONSTITUTION AND RULES

Title and Badge

1. The Association shall be called 'The King's Own Scottish Borderers Association' and its badge will be a miniature replica of the King's Own Scottish Borderers cap badge.

Objects and Definitions of the Association

Objects

2.1 The objects of the Association shall be:

- a. To promote the well-being and wider interests of the former Regiment.
- b. To foster Association spirit across all generations of the Association.
- c. To encourage recruiting for the Army.
- d. To create a Bond of Comradeship between all members of the Association.
- e. To promote the welfare of Borderers in civilian life by:
 - Assisting them to obtain employment where applicable.
 - Assisting them in difficulty.
 - Assisting them with pension matters, including liaising with the appropriate agencies and authorities.
- f. To bring to the notice of the Association welfare cases for consideration.
- g. To assist with arrangements for periodic reunions, where appropriate.
- h. To help advise any Borderers of any rank, and in particular members of the Association, who may be in health, employment or social difficulties.

Definitions

2.2 In the Constitution, unless the context requires otherwise:

- a. **The Executive Committee of the Association** shall consist of the Trustees, the Secretary, Treasurer and any other advisory or co-opted persons, otherwise known as the 'Regimental Council'.
- b. **The Board** shall consist of the elected Trustees.
- c. **The Trustees** shall mean the members of the Board of Directors of the Company.

THE KING'S OWN SCOTTISH BORDERERS ASSOCIATION - CONSTITUTION

*(incorporating The King's Own Scottish Borderers KOSB War Memorial
and War Relief Funds and Clubs)*

Originally constituted 12th February 1898

Re-constituted 6th October 1945 Re-constituted 2011, 2015 and 2018

Address: The Barracks, Berwick-upon-Tweed, TD15 1DG

Patron

Her Royal Highness, The Princess Royal, KG KT GCVO QSO CD

President of the Association

The Chairman of the Trustees

Executive Committee of the Association (The Regimental Council)

President of the Association and Chairman of the Trustees

Vice-President of the Association and Vice-Chairman of the Trustees

Members:

- Other Trustees
- Additional non-voting Members:
 - Co-opted Members – as elected by the Trustees
 - Advisory Members – as elected by the Trustees
 - Association Treasurer (if not a Trustee)
 - Association Secretary

The Board of Directors of the Company (The Association)

The Chairman, Vice Chairman and other Trustees

d. **The Company** shall mean the KOSB Association Funds, an incorporated company limited by guarantee, (SC241125 and OSCR SC033882).

e. **Ordinary Member** shall mean one who has served as a member of a Regular element of The King's Own Scottish Borderers, or who has served in a KOSB cap-badged unit of the TA, Reserves or Army Cadet Force.

f. **Associate Member** shall mean one who has served with another military cap-badge alongside the KOSB, or other military and non-military personnel, who support the objects of the Association.

g. **Honorary Member** shall mean a Lady or Gentleman who, by their interest in the Association, may be made Members with the approval of the Executive Committee.

The Trustees

3.1 The Trustees shall consist of a Chairman and Vice-Chairman, who will be ex-officio President and Vice-President of the Association, and a minimum of two others.

3.2 The Trustees shall meet at least once per annum for an Annual General Meeting, and on such other occasions as the Chairman shall determine. At any meetings of the Trustees, four shall be a quorum.

3.3 All monies of the Association shall be administered by the Company on behalf of the Trustees, as detailed in Rule 6.

3.4 All Deeds, Titles and Securities shall be taken in the names of the Trustees, or as otherwise directed by the Trustees. The Trustees shall be entitled to all the powers and privileges of Scottish Trustees by Statute or at Common Law, and in addition to purchase and hold heritable or real property.

3.5 In particular, the Trustees shall be entitled to the fullest powers, privileges and immunities possessed by or, usually conferred on gratuitous Trustees in Scotland Also, according to the most liberal interpretation, particularly without prejudice to the said generality, they shall not be liable for omissions or neglect of management or *singuli in solidum*, but each for his own actual intromissions only.

3.6 The Trustees shall not be liable for the intromissions of any factor, solicitor, banker, broker or other person acting for them, or for any loss that may arise from the depreciation of any of the property, investments, funds and others held by them.

Association Membership

4. The following shall be eligible to become Members of the Association:

a. **Ordinary Member.** All Ordinary Members shall be eligible on payment of an annual subscription of £25, or such other sum as the Trustees shall determine.

b. **Associate Member.** All Associate Members shall be eligible on payment of an annual subscription of £25, or such other sum as the Trustees shall determine.

c. **Honorary Member.** Honorary Members will pay no subscription, and will not be able to attend Association meetings.

d. **Borderers Chronicle.** Those Members who have paid an annual subscription will receive a copy of the Borderers Chronicle without extra charge.

Branches and Reunion Clubs

5.1 Branches of the Association and Reunion Clubs may be formed in any locality, but this will be subject to approval by the Executive Committee through the Vice President. To be eligible for membership of a Branch an individual must be a fully paid up member of the Association.

5.2 Branches will be managed by their own Committees and will draw up their own rules in accordance with the guiding principles for Branches contained in Annex A. These rules will be subject to approval by the Executive Committee.

5.3 The Executive Committee shall have full power to form, close and wind up Branches and Reunion Clubs as they see fit. The general responsibility and supervision of each Club will be vested in that Branch or Club Committee so elected each year at the Annual General Meeting of the Club. The Club Committee, however, shall have no ultimate control over the property or funds of the Club, which shall be vested in the Trustees.

The Association Funds

6.1 The Association Fund will be administered by the Company.

a. The Financial year for the Association Fund will run from 1st January to 31st December.

b. The Accounts of the Association Funds will be examined annually by an Independent Examiner.

6.2 The income of the Association Funds will be expended by the Trustees on:

a. Assisting deserving cases of men who have served in any rank in The King's Own Scottish Borderers on War Service and who find themselves in difficulty.

b. Assisting widows and other dependants of men of The King's Own Scottish Borderers who have lost their lives through War Service.

c. Assisting deserving cases of men who have served in The King's Own Scottish Borderers or their dependants, and who find themselves in difficulty. (This includes Regulars and TA/Reserves on duty). Priority will be given to Association Members.

- d. Providing the necessary funds to secure appropriate representation of The King's Own Scottish Borderers at any Scottish National War Memorial.
- e. Promoting the objects of The King's Own Scottish Borderers Association.
- f. Meeting the costs of administration of The Association Funds and assisting financially the Branches of The King's Own Scottish Borderers Association.

Annual General Meeting

7. The Annual General Meeting of the Association, and any other General Meeting, which the Executive Committee may convene, to which all Members of the Association may attend, will be held on a date and at a place to be fixed by the Chairman of the Association.

- a. At the Annual General Meeting, Statements of Accounts of all Funds administered on behalf of the Association will be submitted.
- b. At least six weeks previous to the date of a General Meeting, notice thereof will be communicated by the Secretary to:
 - All Members of the Executive Committee.
 - All Secretaries of Branches of the Association and Reunion Clubs.
- c. Any resolution intended to be brought forward at a General Meeting must be proposed and seconded by two members and must be submitted in writing to the Secretary not later than twenty-eight days before the notified date of the Meeting.
- d...The Secretary will forward the Agenda for a General Meeting including the terms of any such resolution to the persons mentioned above at least one week in advance of the Meeting.
- e. Ordinary matters arising at a General Meeting of the Association shall be decided by a majority of the votes of the members present, and in the event of an equality of votes the President shall have a second or casting vote.
- f. Should however, any resolution be put to a General Meeting on which the Chairman considers that a fully representative vote needs to be taken, the resolution will, after full discussion at the Meeting, be submitted to such Branches of the Association, or their representatives present at the Meeting, as the President deems necessary. In any such vote, each Association and Reunion Club shall have one vote representing the outcome of its own internal voting.
- g. At a General Meeting of the Association fifteen members shall be a quorum.
- h. Resolutions passed at a General Meeting of the Association will not take effect until approved by the Executive Committee or, where the issue is of a financial nature, the Trustees.

Grievances

8. Members having grievances must communicate in writing to their Branch Secretaries, if members of a Branch, and in other cases to the Association Secretary, for consideration by the Vice President.

Misconduct

9. If a member misconducts himself in any way or is deemed to have brought discredit on the Association, after due investigation of the circumstances of such conduct, consideration will be given to them being expelled from the Association, and be struck off the Roll of Membership. Where, however, the individual concerned is a member of a Branch the case will in the first instance, and at the discretion of the Association Vice President, be considered by a special Meeting of that Branch, whose recommendation will be forwarded to the Secretary. The final decision as to disposal of such cases shall rest with the Board of Directors.

Borderers Chronicle and KOSB Website

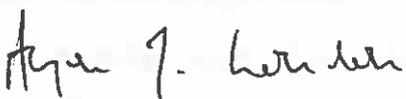
10. One of the best means of promoting and maintaining interest in The King's Own Scottish Borderers is through the circulation of the Borderers' Chronicle. The aim of the Chronicle is to promote news of events and activities which will be of interest and value to members of the Association and to all friends of The King's Own Scottish Borderers. Members whose annual subscription is the minimum of £25 will receive the Chronicle at no extra cost, and all members are encouraged to contribute articles and news for publication.

11. The KOSB Association website is an excellent method of circulating news of events and activities. Members of the Association are encouraged to submit articles and photographs for publication on the website, and to subscribe to the website mailing list.

Revision of Constitution and Rules

12. The Executive Committee shall have power at any time they think fit to add to, cancel or alter, the foregoing Constitution and Rules. The foregoing Constitution and Rules come into effect as at the date of signature hereof and they supersede all previous Declarations of Trust, Constitutions and Rules of The King's Own Scottish Borderers Association and War Memorial and War Relief Funds and Regimental Clubs.

Signed on behalf of the Executive Committee

Chairman: 

Date: 7 January 2019

ANNEX A

The requirements and responsibilities for Association Branches and Reunion Clubs are:

1. Association Branches and Reunion Clubs will consist of those who are members in accordance with the requirements set out at para 5 of the Association Constitution.

The following general obligations apply:

- a. Local Branches and Reunion Clubs may be formed in any locality where circumstances permit, and must follow the requirements set out in this Annex.
- b. Nominal Rolls of Branches and Reunion Clubs are to be submitted each year to the Association Secretary showing Branch officer bearers, and at other times when requested by the Regimental Council.
- c. Branch and Reunion Clubs are to be represented at the Association AGM, ideally by the Chairman and Secretary, or other committee members.

2. Branches and Reunion Clubs shall, subject to the approval of the Regimental Council, draw up their own Rules. Such Rules are bound to vary according to local conditions, but shall in every case make provision for the following:

- a. The appointment of a suitable Committee of 'office bearers' to include, as a minimum, a President, Chairman, Secretary and Treasurer.
- b. The appointment of a Committee of a suitable size with the necessary rules for its term of office, meetings and recordings of minutes.
- c. The holdings of Committee Meetings, including an Annual General Meeting, and maintaining an accurate record of minutes for these meetings.
- d. The setting of Branch membership subscriptions, the safe custody of funds, the proper maintenance of accounts and the provision of annual statements, when requested by the Regimental Council.
- e. The proper recording of Branch membership nominal rolls.
- f. The annual submission of Branch and Club notes with captioned photographs for publishing in the Borderers Chronicle.
- h. The submission of articles and photographs, at any time, for publishing on the Association website.
- h. The submission of obituaries for the Borderers Chronicle.

