



The Constitution

1) NAME: The name of the Association shall be:

The Association of Scotland's Self-Caterers (ASSC)

2) OBJECTIVES: The objectives of the Association shall be:

- a) To represent and further the interests of Members of the Association of Scotland's Self-Caterers (ASSC) to Government Departments, Scottish Tourist Board, Scottish Enterprise, Highlands and Islands Enterprise, Local Authorities and any other appropriate organisations.
- b) To monitor the development of the industry and to influence its expansion in line with market demand.
- c) To establish standards. All Members will be required to accept "The Charter" and any code of practice laid down and published as an Annexure to the Constitution. To support a Common Standards Quality Assurance Scheme. A "Common Standards Quality Assurance Scheme" means herein a scheme based on standards agreed between VisitScotland and other national tourism organisations in 2005 or any successor standards. The VisitScotland Quality Assurance Scheme implemented in October 2005 is an example of such a scheme.
- d) To advise on Members' operational methods and to assist in marketing and profitability.
- e) To develop and promote services for the benefit of our Members.
- f) To create a profit for the Association where possible in organising services for the benefit of our Members.
- g) To develop overseas business
- h) To negotiate special terms with suppliers for purchases made by Members and to advise on sources of supply.
- i) To promote the image of self-caterers in Scotland in general, and the Members of ASSC in particular.
- j) To pool information for the benefit of Members.

3) MEMBERSHIP and ASSOCIATESHIP:

All Members and associates agree to abide by the terms of the Constitution.

- a) Eligibility.
Membership of the ASSC shall be open to individuals who are:
 - i) The effective managers of individual units of permanent self-catering accommodation.
 - ii) The effective managers of agencies operating as specialist letting agents for quality self-catering accommodation units.

Associateship of the ASSC shall be open to:

- iii) Suppliers and contractors who derive business from Members such as suppliers and manufacturers of furniture and equipment and suppliers of services to Members of our Association.
- iv) Organisations or individuals operating in any way in the field of self-catering may submit an application for Associateship. Acceptance or rejection of such applications will be the sole discretion of the Executive Committee.
- v) Associates will be required to subscribe to the "ideals" contained in the Association's Charter, and the Executive Committee will have the right to reject any application if it considers that the individual or firm's standards or range of business are not in harmony with the "ideals" or for any other reason. Associates may attend appropriate meetings of the Association, but will have no vote.

b) Representation:

Each Member shall be entitled to attend and to vote at Meetings of the Association, but voting rights will be restricted to one vote for each Member.

c) Resignation:

A Member or an Associate may resign at any time by giving notice in writing to the Secretary. A Member or an Associate shall be deemed to have resigned if his/her subscription has not been paid within three months of becoming due. If a Member ceases to qualify as an effective manager of self catering accommodation, that Member may continue to be a Member until the 1st. of February following but not thereafter.

d) Members' Subscriptions:

- i) Members' subscriptions fall due on 1st. February of each year. Members who have not paid by the 1st. April may be excluded from the published list of Members and brochures.
- ii) If a subscription is not paid within three months, para c) Resignation will apply.
- iii) An individual who applies to become a member after 1st. February shall not be admitted to membership until they pay a subscription.

e) Termination of Membership:

The Executive Committee has the right to terminate Membership or Associateship if it considers that the Member's standards have ceased to be acceptable or if it considers that the standards or range of business of the Associate have ceased to be acceptable.

f) Appeal against termination of Membership:

Any Member who has been notified that their Membership has been terminated will have leave to appeal to The Executive Committee for reinstatement and should notify the secretary of their intent within three weeks of receiving their notification of termination. The appeal shall be heard by three members, one of whom can be nominated by the affected Member.

g) Use of name and logo

Members shall have a right to use, whilst membership is current, the name of the association and, either separately or in conjunction, any logo used by the association. This right does not include a right to use the name or any such logo in the course of or in connection with marketing of a unit of accommodation unless there is current in respect of that unit an award under a Common Standards Quality Assurance Scheme.

4) MEETINGS:

- a) The Association shall, between 1st. November and 15th. December, hold an Annual General Meeting. The business to be transacted at all Annual General Meetings shall be:

- i) To receive and consider the Reports of the year.
- ii) To receive and consider the Financial Statement for the previous period.
- iii) To transact any other competent business.
- iv) To elect a Chairman and members of an Executive Committee for the ensuing year.

b) Special General Meetings of the Association may be called at any time to determine matters of urgency:

- i) On the instructions of the Chairman.
- ii) On a requisition lodged with the Secretary and signed by one tenth of members.
- iii) Notice of all Special General Meetings of the Association shall be communicated to each member not less than six days before the meeting.

c) Not less than one month before the date fixed for the Annual General Meeting the Secretary shall send a preliminary communication to each member of the Association intimating:

- i) The date fixed for the Meeting.
- ii) The date before which any notices for submission to the Meeting must be received by the Secretary, such date being not less than ten clear days prior to the date of the meeting.

d) No business shall be transacted at any General Meeting of the Association unless at least fifteen members are present.

e) In the event of equality of voting the Chairman shall have a casting vote.

5) COMMUNICATION:

A communication sent by The Association and/or its officers to Members and/or Associates in any manner approved by The Executive Committee shall be deemed sufficient communication.

6) OFFICE BEARERS:

- a) A Chairman shall be elected at the Annual General Meeting of the Association, and he/she will be eligible to hold office for a period of one year.
- b) The Chairman shall appoint a Vice-Chairman from the members of The Executive Committee and shall be solely responsible for delegating the various areas of responsibility within the committee.
- c) The Executive Committee shall appoint a permanent Secretary, who shall be eligible to hold office until The Executive Committee decides otherwise. The Executive Committee may appoint a Secretary who is not a Member, if such a course is considered necessary.
- d) The Association shall appoint such persons as they think fit to act as Auditor or Auditors.

7) EXECUTIVE COMMITTEE:

- a) An Executive Committee shall be elected at each Annual General Meeting. The number of Members serving on the Executive Committee shall be a minimum ten (including officers).
- b) Membership of the Executive Committee shall be restricted to Members of the Association.

- c) No business shall be transacted at any meeting of the Executive Committee unless at least five members of the Committee are present.
- d) In the event of equality of voting the Chairman shall have a casting vote.
- e) If a Member fails to attend three consecutive meetings of the Executive Committee without good reason he or she may be asked to resign from the Executive Committee.
- f) The Executive Committee shall:
 - i) Conduct the business of the Association to which it shall report annually.
 - ii) Hold such meetings or appoint such committees or panels as it may decide, or as may be called at any time on the instructions of the Chairman.
 - iii) Make such rules as it thinks fit for the conduct of its meetings and the transaction of its business.
 - iv) Make such staffing, accommodation and other arrangements, as it may think necessary.
 - v) Have the power to co-opt additional non-voting Members at their discretion for particular meetings or specific functions up to a maximum period of one year, and a maximum number of ten additional Members.
 - vi) The Executive Committee shall have the power to consider complaints by customers of Members, and to adjudicate in their absolute discretion upon the merits of such complaints in relation to the ideals of standards and service contained within **the Charter**, to hear or receive evidence from the Member and from such other parties as are relevant to the complaint and to decide to refund in whole or in part any payment which has been made by such customer or not to refund in whole or in part such payment as the Executive Committee in their sole discretion shall determine. The Executive Committee shall have power to resort to Court action, if necessary, to recover from Members any payments made by the Executive Committee to customers of Members in terms of this clause. The Member has the right to lodge an appeal with the Secretary within fourteen days. The appeal shall be heard by three Members, one of whom can be nominated by the affected Member. The Members hearing the appeal shall report to the Executive Committee within fourteen days. The Committee will then issue a decision.
- g) The Executive Committee will have the power to remove any member of the Committee from the Committee but only with a 75% majority agreement.
- h) The Executive Committee will have the power to remove the Chairman from his office, but only with a 75% majority agreement, and reappoint a new Chairman if necessary.
- i) All Members accept that they shall have no claim for contractual, delictual or other liability at Common Law or by Statue against any member of the Executive Committee

8) FINANCE:

- a) The financial year of the Association shall commence on the first day of February.
- b) The Executive Committee shall ensure that complete accounts of the Association's income and expenditure shall be kept and that an abstract of audited accounts shall be prepared for each financial year to be submitted to the Annual General Meeting next following the close of the financial year to which the accounts relate.
- c) The rates of subscription to be paid by Members of the Association from year to year shall be decided at the Annual General Meeting.
- d) The Executive Committee shall decide the rates of subscription to be paid by Associates.

- e) The Executive Committee shall endeavour to augment the funds of the Association in whatever manner it thinks fit.

9) ALTERATION OF CONSTITUTION:

- a) Any alteration of the Constitution or the Charter shall be made only by a vote of the whole membership, either by attendance or by proxy vote at an Annual General meeting or at a Special General Meeting of the Association, or by postal &/or electronic vote, of which meeting notice shall have been given in accordance with Clause 4 and such notice shall set out in full the terms of the proposed amendment and recommendations of the Executive Committee thereon.
- b) Such a vote on the proposed alteration to the Constitution, whether in person or by proxy at the Annual General Meeting or a Special General Meeting, or by postal &/or electronic voting, shall be adopted only if not less than two-thirds of the Members voting so decide.
- c) Copies of the Charter and the Constitution are held by the Secretary and are available for inspection.

10) DISSOLUTION:

- a) The Association shall only be dissolved by a majority vote of the whole Membership of the Association. Such vote may be postal, electronic, by proxy or by attendance at a General meeting or any combination of these.
- b) COMMENCEMENT
- c) The foregoing Constitution of the Association shall have effect as from the 6th November 2007.