

16th October 2017.

<p>TRINIDAD AND TOBAGO FAMILY LAW ASSOCIATION</p>
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CONSTITUTION

1. NAME

The name of the association is the **Trinidad and Tobago Family Law Association [FLA]**.

2. AIMS

The aims of the FLA are as follows:

- a) To advocate for the proper administration of Family Law, the courts in which family law is practiced in Trinidad and Tobago and for matters of concern to family law practitioners, their clients and the children involved;
- b) To promote and provide education and training in Family Law and in the skills necessary for good practice;
- c) To provide opportunities and facilities for members to meet and to exchange knowledge, views and ideas at national, regional and international levels;
- d) To make recommendations for improvements to and the updating of Family Law and practice with a view to the changing needs of families and the society as a whole;
- e) To monitor law reform which has a bearing on Family Law and to engage in the process of such reform;
- f) To provide a point of reference for the public and for other stakeholders on Family Law issues;
- g) To provide for continuing legal education for its members and other members of the legal profession;
- h) To organise and host lectures, seminars, workshops and conferences;
- i) To promote a system of Family Law reporting;
- j) To collaborate with the judiciary in matters pertaining to Family Law including the appointment of judicial officers and
- k) To undertake such other activities as the Committee or membership may from time to time determine.

3. MEMBERSHIP

3.1. The FLA's membership shall comprise members, associate members and honorary members.

Members shall include Attorneys at Law as defined in the Legal Profession Act Chap 90:03 of the Laws of Trinidad and Tobago.

Associate Members shall include:

- a) Trainee attorneys and law students;
- b) Persons qualified to practice law in accordance with the requirements of jurisdictions other than Trinidad and Tobago and
- c) Academics at any institution and any other category of persons admitted by the Committee to associate membership from time to time.

Honorary member may include such other persons as the Committee will, from time to time admit.

3.2. All applications for membership or associate membership shall be in the prescribed form set out in Appendix 1.

4. COMMITTEE

4.1. The Committee shall consist of not more than 7 elected members.

4.2. The term of office of Committee members shall be for 2 years.

4.3. The functions of the Committee shall be to conduct the affairs of the FLA.

4.4. A quorum shall be 4 members. In the event of an equality of votes the Chair shall have a casting vote.

4.5. A member of the Committee may be called upon by the Committee to vacate his or her position if absent for 3 or more consecutive meetings without excuse.

5. OFFICERS

The officers of the Association shall consist of:

Chairman
Deputy Chairman
Secretary
Treasurer

5.1. Each officer shall be elected at a Biennial General Meeting [BGM].

5.2. The term of office shall be two years.

5.3. If he or she wishes to stand for a further term in that office, he or she may stand for re-election along with any other candidate for that office.

5.5. In the event that any office becomes vacant, and no officer is elected, the Committee may appoint one of its members or a member of the FLA qualified for election to fill the vacancy for the remainder of the unexpired term of office.

6. CHAIRMAN

The duties of the chair shall include:

- a) ensuring that any meeting of the Committee or membership is chaired and good order kept at all meetings;

- b) ensuring good order is kept at any vote or election and that an account is taken of all votes properly made;
- c) ensuring that time is allocated for discussion at the meeting of any items on the agenda;
- d) reporting to the membership on the implementation and furtherance of the FLA's aims and the discharge of its duties;
- e) representing the FLA as and when required by the Committee and
- f) such other duties as the Committee shall from time to time determine.

7. DEPUTY CHAIRMAN

The duties of the vice chair shall include:

- a) Acting as Chairman in the Chairman's absence;
- b) representing the FLA as and when required by the Committee and
- c) such other duties as the Committee may from time to time determine.

8. SECRETARY

The duties of the secretary shall include:

- a) maintenance of a register of members with all appropriate contact information;
- b) ensuring that an agenda is prepared and provided to each Committee member, the agenda to include any matters arising from the last minutes, reports by the Officers, any matters requested for inclusion on the agenda by any Committee member, any applications for membership and any other competent business;
- c) ensuring that minutes are taken at each Committee meeting and disseminated to each Committee member prior to the next Committee meeting;
- d) promptly acknowledging and bringing before the Committee, correspondence addressed to the FLA, the Committee or any of the Officers;
- e) ensuring that all postal and proxy votes are timely received and are taken account of at the relevant meeting or election;
- f) promptly arranging any Extra Ordinary General Meeting [EGM] called by the Committee or requested by members;
- g) ensuring that the Committee is advised of any request for an EGM at the next Committee meeting held following such a request;
- h) informing in writing, the membership of the date, time and place of any proposed AGM or EGM, such information to be received no later than 14 days before the proposed meeting;
- i) preparing and informing of an agenda for the or EGM to the membership to be received no later than 14 days before the meeting;
- j) ensuring that the Committee is advised of any appeal against expulsion;
- k) reporting to the membership of the AGM on the discharge of his/her duties as an officer since the last AGM;
- l) representing the FLA as and when required by the Committee and
- m) such other duties as the Committee may from time to time determine.

9. TREASURER

The duties of the treasurer shall include:

- a) ensuring that all income is credited to a bank account in the name of the FLA;
- b) ensuring that proper accounting records are kept;
- c) producing to each Committee meeting a short financial report;
- d) ensuring that accounts are audited annually;
- e) reporting to the membership at the AGM on the discharge of his/her duties as an officer since the last AGM;
- f) maintaining a register of all financial members in each financial year of operation;
- g) representing the FLA as and when required by the Committee and
- h) such other duties as the Committee may from time to time determine.

10. ELECTIONS & VOTES

10.1. Elections shall be held every two years and Officers and Committee members shall be elected at the same time at the AGM.

10.2 Each financial member shall have one vote in general meetings.

10.3 Proxy votes shall be accepted provided that the member getting the proxy has intimated to the secretary his or her intention to grant a proxy no later than one week before the vote is to take place.

10.4. All elections shall be by way of secret ballot, a simple majority is sufficient in all instances except where otherwise provided. In the event of a tied vote, the chair (or in the absence of the chair, the vice chair) shall have a casting vote in addition to his or her ordinary vote.

10.4. Any member seeking election as a Committee member or Officer shall state his or her intention to stand to the secretary within 7 days of the date of the Notice of the AGM.

10.5. Statement of an intention to stand as a Committee member or Officer shall be in the prescribed form set out at Appendix 2.

11. SUBSCRIPTIONS AND MEMBERSHIP

11.1 A person shall become a member of the FLA upon payment of the required subscription.

11.2 The initial subscription rate shall be \$500.00 annually for members over 10 years and \$300.00 for members under 10 years standing. Membership subscription rates may be increased in a general meeting.

12. ACCOUNTS

12.1 The first Committee shall cause to be opened a bank account in the name of the FLA and shall appoint three trustees of which the Treasurer from time to time shall administer such account.

12.2 The statements issued on or for the said account shall then be kept and maintained by the Treasurer and shall be made available for viewing by the Committee upon request.

13. ANNUAL GENERAL MEETING

13.1 The AGM shall be held in the last quarter of each year at a time and place to be determined by the Committee. At least 14 days notice shall be given to the membership.

13.2 At the AGM

- either at the Chairman or Secretary and the Treasurer shall report to the membership;
- the audited accounts shall be considered and adopted;
- an auditor shall be appointed for the coming year;
- there shall be consideration of any other matters on the agenda and
- elections shall take place thereafter.

13.3 A quorum at a general meeting shall consist of 10% of the general membership in good standing. In the event there is no quorum ½ hour after the time fixed, the meeting shall be adjourned to a later time and members then in attendance shall constitute a quorum.

14. EGM

14.1. An EGM may be called by the Committee or requested by not less than 5 members in good standing. An EGM requested by members must be made in writing to the secretary indicating the purpose of the EGM. Such a meeting must be held within 14 days of receipt of the requisition.

15. TERMINATION OF MEMBERSHIP

15.1. A member shall automatically cease to be such during any period that they are removed from or suspended from the Roll of Attorneys of Trinidad and Tobago or any other jurisdiction in which they had been admitted to practice law.

15.2. The Committee shall have the power to expel members for cause. Where it is intended to expel a member such member shall be notified in writing of the reasons and be given an opportunity to be heard by the Committee, after which the Committee shall decide whether or not to proceed with the expulsion.

15.3. Any member who is expelled or otherwise ceases to be a member forfeits all rights to, or claim upon:

- a) the FLA or its property;
- b) funds that he or she would have contributed by reason of his or her membership;
- c) any return or refund of subscription;

and remains liable for any subscription or other fees outstanding at the expulsion/cessation of membership.

15.4. Any member desirous of reinstatement to good standing shall first resume payment of membership fees.

16. POWERS OF THE COMMITTEE

The Committee shall have power to:

- a) appoint and dismiss staff;
- b) fix honoraria for the secretary. The Committee shall otherwise decide to whom honoraria are to be paid and at what level. The identity of the payees and the level of the honoraria shall be reported to the membership at the AGM;
- c) authorise the Treasurer to reimburse any member for expenses incurred whilst undertaking activity on behalf of the FLA;
- d) contract for the provision of goods and services;
- e) purchase, lease or licence real estate and

f) do such other things required to be done in the furtherance of the aims and objectives of the FLA.

17. INDEMNITY

The Officers and Committee members shall not be liable for their acts or omissions in management carried out in good faith and in accordance with this constitution and any losses incurred as a result of such acts or omissions shall be borne by the FLA alone and the officers and Committee members shall be indemnified against risk and expense out of the FLA property.

18. AMENDMENTS TO THE CONSTITUTION

18.1 Amendment to the constitution requires a two-thirds majority at a general meeting.

18.2 Any proposed amendments to the constitution must be received by the Secretary in good time to be disseminated to the membership no later than 7 days before the General Meeting at which the amendments shall be considered.

19. DISSOLUTION

19.1 Dissolution of the FLA requires a two-thirds majority at a general meeting called for that purpose.

19.2 In the event of dissolution any surplus funds or assets after satisfaction of all debts and liabilities of the FLA shall be transferred to a successor organisation or an organisation with like aims and objectives, or distributed to a charity as decided by majority decision at the said general meeting.

APPENDIX I
TRINIDAD AND TOBAGO FAMILY LAW ASSOCIATION
MEMBERSHIP APPLICATION FORM

DATE:

TITLE:

SURNAME:

FORENAME:

BAR NUMBER:

OFFICE ADDRESS:

OFFICE TELEPHONE:

OFFICE FAX:

EMAIL ADDRESS:

CELL NUMBER:

AREAS OF PRACTICE:

Do you consent to your data being placed on the Family Law Association Directory? YES/NO

Cheque payment for annual subscriptions should be made payable to the "Family Law Association".

APPENDIX II

TRINIDAD AND TOBAGO FAMILY LAW ASSOCIATION

CONFIRMATION OF INTENTION TO STAND AS OFFICER/COMMITTEE MEMBER

I, (full name) of
(business address)

hereby confirm my intention to stand as (Officer/Committee Member) of the FLA. I am a FLA member in good standing. I understand that the term of office is for 2 years and that after the expiry of the term that I may stand for a further term of 2 year. I am aware that the maximum period in any one office is 2 years (subject to the vacancy provisions).

I confirm that I am aware of the duties of (office) set out in the constitution and agree, if elected, to discharge these duties to the best of my ability.

..... (Signed) (Date)

I, (proposer)

Of (business address) hereby confirm that I am a FLA member in good standing and propose

(Candidate) for the post of
the FLA.

..... (Signed) (Date)

I, (seconder)

Of (business address) hereby confirm that I am a FLA member in good standing and propose

(Candidate) for the post of the
FLA

..... (Signed) (Date)