

# Mull & Iona Ferry Committee Constitution

## 1. Name

The name of the group shall be Mull & Iona Ferry Committee (MIFC)

## 2. Aims

The aims of MIFC shall be:

To further the interests of the island-resident users of ferry services to and between the isles of Mull & Iona. This representation will be directed to all and any commercial and public bodies involved with the provision of ferry services to the islands, and will concern all aspects of the service. MIFC shall at all times and to the best of endeavours aim to consider the needs and aspirations of the residents of Mull and Iona equally in the round. It is recognised that action by MIFC may not apply equally to all island ferry users, but pursuit of the greatest common good shall be paramount. Where any action of MIFC will impact on both islands, MIFC will always give equal consideration to both Iona and Mull, irrespective of their different population sizes. Where it is necessary to consult by public vote or survey, and where the subject of the consultation may impact differentially on each island, it will be necessary to achieve a majority of votes on both islands, counted separately. This requirement will not apply where the action will not have a differential effect on one island or another

## 3. Powers

MIFC shall have the powers to:

Raise funds and apply for, invite, obtain and collect and receive contributions, grants, subscriptions, fees and otherwise.  
Use funds raised for the furtherance of the Aims, for any services or products appropriate.  
Affiliate, either formally or informally to any local or national group or association that MIFC decides is appropriate and disaffiliate from any group or organisation if continued affiliation be, in the Committee's view, against the interests of MIFC  
Do all such other lawful things as shall further the Aims of the Committee.  
Reimburse expenses lawfully incurred by members of the Committee in furtherance of the Aims.  
Run public consultations by means of survey or vote.

## 4. Equal Opportunities

Mull and Iona Ferry Committee will not discriminate on the grounds of gender, race, colour, ethnic or national origin, sexuality, disability, religious or political belief, marital status, age, or place of birth.

## 5. Membership

The business of the committee will be carried out by committee members themselves, led by Officers elected at the Annual General Meeting.

The Committee will consist of a maximum of 20 members..

Members may declare a subject or sector 'specialism'. The Committee should endeavour to ensure that membership reflects the broad spectrum of the Mull & Iona population and economic activities. The Committee should refer to the declared specialisms when considering new members for co-option, when encouraging new candidates to join the committee, or when considering the application of a candidate for a vacant position.

Community groups from Mull & Iona may each nominate one representative to serve on the committee. The list of community groups is in annexe 2, and may be amended at the agreement of the Committee at an AGM. All members must have their main home on Mull or Iona. It is the responsibility of each member to actively garner and represent the views of the part of the population they represent through consistent informal consultation and discussion. Up to 5 additional members may be co-opted at the discretion of the committee. A minimum of one representative shall be a resident of Iona.

Each member will serve for three years, after which time their position will be available to be filled by a replacement. A member may decide to return to the committee for a further three years uncontested if no other candidate presents themselves. Where any position is contested by more than one person, all other committee members shall vote by secret ballot to decide the outcome. In the event of a tie, names will be drawn at random.

***Transitional arrangement – If at the first AGM under this constitution, there are more candidates than available positions, then all present at the AGM will vote by secret ballot. The 20 people (net of delegated community group positions) who gain the most votes will form the committee. In the event of a tie, names will be drawn at random.***

Any committee member not attending a meeting for three consecutive meetings will be contacted by the chair and asked if they wish to resign. The committee will retain the discretion to eject a member if non-attendance continues, subject to vote.

***Transitional arrangement – Upon adoption of this constitution, all new members will draw lots to determine at random whether their position becomes vacant in 1, 2 or 3 years.***

## 6. Conduct of members.

As a body working on behalf of the community, MIFC members are expected to adhere to the code of conduct (included as Annex 1), which is based upon the code of conduct used by Community Councils in Scotland. This code of conduct may be reviewed from time to time as required, and will be guided by the prevailing code of conduct for Community Councillors. The guiding principles for members will be the same as for Community Councillors, ie:

Service to the Community • Selflessness • Integrity • Objectivity • Accountability and Stewardship • Openness • Honesty • Leadership • Respect

Upon joining the committee, members must register any interests they have that may create a real or perceived conflict with the guiding principles above. These include but are not restricted to: employment by the islands' ferry operator(s); supplier or customer of the ferry operator(s) (other than as a passenger); any business interests that compete with the islands' ferry operator(s); owner or occupier of land or property close to ferry operations.

In addition to registering such interests when joining the committee, members must update the register if their circumstances materially change.

When discussing a subject at a meeting that may create a real or perceived conflict of interest not otherwise covered by their registered interests, members must note their interest at the start of proceedings.

The committee will retain the discretion to eject a member for failure to comply with the code of conduct, subject to vote.

## 7. Officers

The officers' roles are as follows:

Chair, who shall chair meetings and direct the work of the committee.  
Vice-Chair,  
Treasurer  
Secretary

In the event of an officer standing down during the year a replacement will be elected at the subsequent meeting.

After three years in post, officers will make their position available to be filled at the subsequent AGM. They may be considered alongside any other candidates that present themselves, and if contested all other committee members shall vote by secret ballot to decide the outcome.

## 8. Meetings

### Annual General Meetings

An Annual General Meeting (AGM) will be held within fifteen months of the previous AGM.

The public will be notified by public invitations in widely available printed or electronic media across Mull & Iona at least 3 weeks before the date of the meeting, giving the venue, date and time.

Nominations for the committee may be made to the Chair before the meeting, or at the meeting.

The quorum for the AGM will be 50% of voting members or 5, whichever is the greater.

At the AGM:-

The Chair will present a report of the committee's work over the year. The Treasurer will present the accounts Mull & Iona Ferry Committee for the previous year. The officers and Committee for the next year will be elected. Any proposals given to the Chair at least 7 days in advance of the meeting will be discussed.

### Special General Meetings

The Chair will call a Special General Meeting at the request of a simple majority of the committee, giving a written request stating the reason for their request.

The meeting will take place within twenty-one days of the request.

The public will be given two weeks notice (by the same means as for an AGM) of such a meeting, giving the venue, date, time and agenda.

The quorum for the Special General Meeting will be 50% of the voting membership or 5, whichever is the greater.

## Committee Meetings

Committee meetings may be called by any of the officers, but as a matter of routine will adhere to an agreed timetable. There shall be a minimum of four meetings per year. Committee members must receive notice of meetings at least 7 days before the meeting.

The quorum for Committee meetings is five voting members. The chair or vice-chair must be in attendance.

MIFC meetings shall be open to members of the public to attend, but not to speak unless invited by the chair.

## 9. Rules of Procedure for meetings

All questions that arise at any meeting will be discussed openly and the meeting will seek to find general agreement that everyone present can agree to.

If a consensus cannot be reached a vote will be taken and a decision will be made by a simple majority of members present. If the number of votes cast on each side is equal, the chair of the meeting shall have an additional casting vote.

## 10. Finances

An account will be maintained on behalf of the committee at a bank agreed by the committee. One officer will be nominated by the committee to operate the bank account.

Records of income and expenditure will be maintained by the nominated officer and a financial statement given at the AGM. Intermediate statements may be made at regular committee meetings.

All money raised by or on behalf of MIFC is only to be used to further the aims of the group, as specified in item 2 of this constitution.

## 11. Amendments to the Constitution

Amendments to the constitution may only be made at the Annual General Meeting or a Special General Meeting.

Any proposal to amend the constitution must be given to the Chair in writing. The proposal must then be circulated with the notice of meeting.

Any proposal to amend the constitution will require a two thirds majority of those present and entitled to vote.

## 12. Dissolution

If a meeting, by simple majority, decides that it is necessary to close down the group it may call a Special General Meeting to do so. The sole business of this meeting will be to dissolve the group.

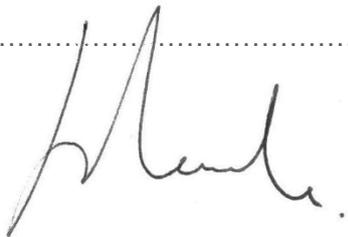
If it is agreed to dissolve the group, all remaining money and other assets, once outstanding debts have been paid, will be donated to a local charitable organisation. The organisation will be agreed at the meeting which agrees the dissolution.

This constitution was adopted by unanimous vote at the Annual General Meeting of the Mull and Iona Ferry Committee on:-

Date ...27...../...08...../.....2020.....

Name and position ...Joe Reade, Chair.....

Signed .....

A handwritten signature in black ink, appearing to read "Joe Reade", is written over the dotted line for the signature field. The signature is fluid and cursive.

## Annex 1: CODE OF CONDUCT

The Code of Conduct for MIFC members is based largely on the Code of Conduct for local authority councillors and relevant public bodies as provided for in The Ethical Standards in Public Life etc (Scotland) Act 2000.

MIFC members have a responsibility to make sure that they are familiar with, and that their actions comply with, the principles set out in this Code of Conduct. The Code of Conduct and its principles, shall apply to all MIFC members and those representing MIFC.

These principles are as follows: • Service to the Community (Public Service) • Selflessness • Integrity • Objectivity • Accountability and Stewardship • Openness • Honesty • Leadership • Respect Service to the Community

As a MIFC member you have a duty to act in the interests of the local community. You have a duty to establish and reflect, through MIFC, the views of the community irrespective of personal opinion, with particular focus on the sector or area of your representation.

You should ensure that you are, within reason, accessible to your local community and local residents. Various mechanisms to allow the general community to express their views, i.e. suggestion boxes, community surveys, opinion polls should, where possible, be made available.

### Selflessness

You have a duty to take decisions solely in terms of the interest of the community that you represent. You must not use your position as a MIFC member to gain financial, material, political or other personal benefit for yourself, family or friends.

### Integrity

You must not place yourself under any financial or other obligation to any individual or organisation that might reasonably be thought to influence you in your representation of your community. If you have any private and/or personal interest in a matter to be considered by MIFC, you have a duty to declare this and if deemed necessary by other members, withdraw from discussions and the decision making process with regard to that matter.

You should not accept gifts or hospitality that may be seen to influence or be intended to influence your opinion or judgement.

The offer and/or receipt of any gifts, regardless of form, should always be reported to and noted to MIFC.

### Objectivity

In all your decisions and opinions as a MIFC member, you must endeavour to represent the overall views of your community, taking account of information which is provided to you or is publicly available, assessing its merit and gathering information as appropriate, whilst laying aside personal opinions or preferences.

You may be appointed or nominated by MIFC to serve as a member of another representative body. You should ensure that this Code of Conduct is observed when carrying out the duties of the other body.

You are free to have political and/or religious affiliations; however you must ensure that you represent the interests of your community and Community Council and not the interests of a particular political party or other group.

### Accountability and Stewardship

You are accountable for the decisions and actions that you take on behalf of your community through MIFC. You must ensure that MIFC uses its resources prudently and in accordance with the law. MIFC members will individually and collectively ensure that the business of the MIFC is conducted according to the Council's Scheme for the Establishment of Community Councils and this Code of Conduct.

MIFC members will individually and collectively ensure that annual accounts are produced showing the financial undertakings of MIFC.

They must also ensure that all resources are used efficiently, effectively and fairly and are used strictly for the purposes of MIFC business and for no other purpose.

Minutes of Meetings recording all actions and decisions made should be produced and circulated to all members of MIFC as soon as possible after each meeting.

### Openness

You have a duty to be open about your decisions, actions and representations, giving reasons for these where appropriate. You should be able to justify your decisions and be confident that you have not been unduly influenced by the views and/or opinions of others.

If you have dealings with the Media, members of the public, or others not directly involved in MIFC, you should ensure that an explicit distinction is made between the expression of your personal views and opinions from any views or statement made about or on behalf of MIFC.

### Honesty

You have a duty to act honestly. You also have an obligation to work within the law at all times. You must declare any private interest relating to your MIFC duties and take steps to resolve any conflicts arising in a way that protects the interest of the community and MIFC.

### Leadership

You have a duty to promote and support the principles of this Code of Conduct by leadership and example, to maintain and strengthen the community's trust and confidence in the integrity of MIFC and its members in representing the views and needs of the local area.

You must also promote social inclusion and challenge discrimination in any form. You should act to assist MIFC, as far as possible, in the interest of the whole community that it serves. Where particular interest groups' concerns are in conflict with those of other groups or other areas you should help to ensure that MIFC is aware of them.

### Respect

You must respect fellow members of MIFC and those that you represent, treating them with courtesy, respect and in a non-discriminatory manner at all times. This should extend to any person, regardless of their position, you have dealings with in your capacity as a MIFC member.

Recognition should be given to the contribution of everyone participating in the work of MIFC. You must comply with Equal Opportunities legislation and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill and experience taken into account. You should ensure that confidential material, including details about individuals, is treated as such and that it is handled with dignity and discretion and is not used for personal, malicious or corrupt purposes.

Annex two

	Delegate of Community Group:
1	Mull Community Council
2	Iona Community Council
3	Tobermory Harbour Association
4	Mull & Iona Community Trust
5	Marketing Mull & Iona
6	CalMac Community Board (non-voting)
7	Local Authority Councillor (non-voting)
8	South West Mull & Iona Development
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