

CEAA Constitution & Rules Version 3.1 April 2020
Certificated Enforcement Agents Association Founded 2014
Constitution & Rules

©2020 CEAA Page 1 of 7

The Certificated Enforcement Agents Association

1 – Name

- 1.1 The name of the organisation shall be The Certificated Enforcement Agents Association.
- 1.2 The name of the organisation in abbreviated form shall be CEAA.

2 – Aims

- 2.1 The aims of the Association shall be to further the professional standing of Certificated Enforcement Agents and represent those that hold or are studying for a County Court Certificate under 'The Certification of Enforcement Agents Regulations 2014' and also Associate Members who are qualified but not certificated.
- 2.2 The Association shall promote education and encourage the sharing of knowledge and experience between its Members.
- 2.3 The Association will ensure all information relating to proposed or changes to Enforcement Law is readily available to all Members.
- 2.4 The Association shall support these aims by promoting acquaintance and discussion among its Members and liaison with those that legislate Enforcement Law.

3 – Membership

- 3.1 As at the 2019 AGM the Executive and those serving as Council members will be Dave Mason (President), Vacant (Vice-President), Dave Rayner (Honorary President) Tracey Stone (General & Membership Secretary), Greg Webb, Marc Mooney, Karl Smith & Eoin Hirst and shall serve as such for a period of two years from the date of the 2019 AGM. Thereafter all members of the Executive will stand for election and be nominated and voted on by the full membership, and if re-elected serve for a further 2-year term.
- 3.2 Individual Membership – Certificated Enforcement Agents or Trainees who are interested in the objectives of the Association are eligible for Membership and shall become Members on payment of an annual subscription payable in advance and on the proviso that they fulfil the Membership criteria and sign up to the Rules of the Association. The subscription will be ratified at each AGM.
- 3.3 Corporate Membership – Enforcement Companies, where at least one Director is a Full Member of the CEAA can apply to be Corporate Members. The rights and privileges of that membership will be notified on request.
- 3.4 Associate Membership – Associate Membership is open to those fulfilling the following criteria.
 - (a) Those who hold a minimum of an NVQ 2 'Taking Control of Goods'
 - (b) Those who have completed an NVQ2 'Taking Control of Goods' by a CEAA recognised trainer and shall become Associate Members on payment of an annual subscription payable in advance and on the proviso that they fulfil one of the above and sign up to the Rules of the Association.
- 3.5 Associate Membership Rights – Associate Members will have no voting rights but may attend Regional Meetings under the region they apply for. They will receive updates on any proposed changes to Enforcement Procedures through the Association's recommended Training Service providers and have access to Education and Training should they wish to advance to Certification and full Membership.

4.0 The Executive, The Council, Committees & Projects

4.1 The following roles must be allocated and carried out by members of The Executive; A President, a Vice President, a Membership/General Secretary and a Treasurer, and shall be nominated and agreed by The Executive and serve for a period of two years.

4.2 The Council will consist of those who have been nominated and voted for by members to run one of the six nominated regions. Voting shall be conducted in a format and manner determined by The Executive, including but not limited to postal or electronic ballot or by any other means authorised under applicable British Law.

4.3 Membership to The Executive will only be available to members of The Council by majority vote of The Executive.

4.4 The Chairs of the six Regions are:

North East -	Eoin Hirst
North West -	Vacant
Wales -	Vacant
Midlands -	Dave Mason
London – South East – Home Counties -	Karl Smith
South West -	Georgina Wood

4.5 The duties of the President, Vice President, General & Membership Secretary and Treasurer shall be those normally pertaining to their posts. Any sub Committees will be have the to co-opt any person on to a sub Committee on the basis of specialised knowledge. Any sub Committee will be led by an Executive or Council member who will report the progress to The Executive and The Council.

4.6 The Executive and The Council will always meet together unless the President has a majority vote (by e-mail) from The Executive to call an Executive only meeting.

4.7 The Executive and The Council shall be the governing body of the Association, and can establish committees, projects and determine Association policies and procedures. It may assign specific responsibilities to the various Officers and Committees of the Association.

4.8 The Executive and The Council may delegate to Officers the authority to sign contracts, sit on projects and or committees.

4.9 The Executive and The Council shall appoint Editors, Assistant Editors and Project Managers to promote the voice of the Association.

4.10 The Executive and The Council may also appoint any member of The Executive or The Council to interface, discuss and be involved in the consultation with any Government Department, professional body or stake holder in the interest of the Association and/or the Enforcement Profession.

4.11 The Executive and The Council shall meet at least twice each year at the call of the President. A majority of The Executive and The Council shall constitute a quorum. The minutes of the Council shall be published as promptly as practicable and be made available to all Members.

4.12 The President may with the majority support of The Executive and The Council veto any area of the minutes that are deemed contentious or not for release into the public domain, although on each occasion reference must be made in the minutes if such action is carried out. The Council may arrange other meetings in addition to the yearly meeting as required but may use telephone conference facilities to simplify the holding of such meetings.

4.13 The executive Council can Co -opt up to 4 people onto the executive council (who serve without Vote) to do or advise on any task that the executive council see fit and they will be entitled to attend any meetings they will serve for 1 year then stand down but can be co- opted again if the executive council see fit subject to 14 days-notice.

4.14 It shall be one member one vote at all meeting involving The Executive and The Council with those unable to attend giving their proxy vote by e-mail to another member attending the meeting. If no e-mail can be produced at the meeting if so requested then that vote will not be counted. The president or person nominated by him to Chair the meeting will have the deciding vote should there be a draw.

4.15 Members of the Executive/Council shall be required to sign a confidentially agreement. For the avoidance of any possible doubt this agreement can in no way effect communication between an Executive/Committee member and an ordinary member of the Association except:

- A, The matter relates to a complaint against a member.
B, The matter relates to any subject that a simple majority of the Executive/Council believes it to be in the interest of the association, that the subject be confined to the Executive/Council for the time being,

5 – Meetings

5.1 The Executive and The Council Meetings, and the Annual General Meeting of the Association shall be held at such time and place as The Executive and The Council designate. The Executive and The Council may arrange other meetings in addition to the Annual General Meeting. The Annual General Meeting must not be held any later than 1st July of each year with the exception of special circumstances.

6 - Regional Divisions

6.1 Establishment of Regional Divisions – There are 6 Regional Divisions in England and Wales and each one has a Chair from the Executive running it. See 4.2 & 4.4.

1. **North West**– Cumbria/Lancashire/Westmoreland/Merseyside
2. **North East**- Yorkshire/Durham/Teesside/Northumberland/Tyne & Wear
3. **Wales**
4. **Midlands**– Bedfordshire / Cambridgeshire / Huntingdonshire / Leicestershire / Lincolnshire / Norfolk / Northamptonshire / Nottinghamshire / Rutland / Suffolk / Cheshire / Derbyshire / Gloucestershire / Herefordshire / Shropshire / Staffordshire / Warwickshire / Worcestershire
5. **London –South East – Home Counties** – Berkshire / Buckinghamshire / Essex / Hampshire / Hertfordshire / Kent / London / Middlesex / Oxfordshire / Surrey / Sussex
6. **South West**– Cornwall / Devon / Dorset / Somerset / Wiltshire
- 7.

6.2 Each Division shall promote the objectives of the Association in their respective areas, provide local input and knowledge to the Association and enable one regionally elected member to sit on The Council.

6.3 At the meeting outlined under 4.2 the members will elect a Chair and a Deputy Chair/Minutes Secretary. The Chair will sit on The Council, the Deputy Chair/Minutes Secretary shall provide minutes to all meetings to the General Secretary as soon as possible after the meeting, and stand in for the Chair in his/her absence and have a vote at an Executive/Council meeting.

6.4 Further Regional meetings may be held as regularly as desired.

6.5 All members who have elected to become part of a region will be sent a notice by e-mail giving them the date, venue, time, and cost (if any) of attending the said meeting, by giving not less than 28 days-notice.

6. Should the Chair or Deputy Chair/Minutes Taker from a region step down The Executive will, as soon as possible hold an election to replace them.

7 - Regional Voting Process

7.1 Ballot Organisers - All votes and voting processes will be undertaken and supervised by the President, General/Membership Secretary and the associations nominated Ballot Officer.

7.2 If one of the above is subject to a vote then the remaining two will carry out all of the duties required to allow the vote to take place.

7.3 When a vote for an appointment as a Regional Chair or Deputy Chair/Minutes Taker is required, notice of the meeting shall be given as per above, and anyone wishing to be considered for a role can apply via e-mail with a support document (120 words maximum) no

more than 14 days from the date of the e-mail together with confirmation that they will attend said meeting.

7.4 The Ballot organisers (see above) shall send an e-mail containing the names and support documents of those seeking election to all members of the said Region no later than 14 days prior to the meeting.

7.5 The above e-mail will give voting instructions, together with a closing date for votes.

7.6 The result of the vote will be passed to the Chair for announcement at the meeting.

Example A

01 Jan 2018 – E-mail issued to Regional members giving 10 February 2018 as meeting date and giving details of meeting and post(s) available

15 Jan 2018 – Closing date for those seeking election to said post(s)

23 Jan 2018 – Email sent to Regional members with names of candidates, support documents and voting process

05 Feb 2018 – Closing date for votes

09 Feb 2018 – Result of vote passed to Chair of meeting by Ballot Organisers

12 Feb 2018 - Meeting

8 - Changes in the Constitution

8.1 Immediate changes to the Constitution/Rules may be made by The Executive and The Council at any meeting or by e-mail vote if it is agreed by the majority that waiting until the next AGM will be to the detriment of the Association.

8.2 Changes to the Constitution may be proposed by The Executive and The Council by giving at least 60 days' notice prior to the Annual General Meeting (AGM) to the General Secretary. by a simple majority of the Executive/Council or by a minimum of 33% of the total Membership by giving at least 60 days' notice prior to the Annual General Meeting (AGM) to the General Secretary.

8.3 Changes to the Constitution received by the General Secretary reaching the required numbers will notify all Members and add to the Agenda for the AGM or call an EGM. Voting for such meetings will be by a two thirds majority of those members present and entitled to vote.

9 - Membership Criteria

9.1 The Certificated Enforcement Agent or Trainee applying for Membership will be provided with access to a full copy of the Constitution and incorporated Rules which they must acknowledge they have read and accept as part of the application criteria.

9.2 Associate membership – Those who have passed the NVQ level 2 'Taking Control' or completed an NVQ 2 'Taking Control' training course delivered by a CEAA recognised Trainer will be permitted to join by completing an application form and paying the annual membership fee. No voting rights are to be available to said members.

9.3 Corporate Membership – Companies where at least 1 director is a Full Member of the CEAA can apply to be corporate members. No voting rights will be associated with such membership.

9.4 A full history of the Enforcement Agent or Trainee will be required to enable the Association to provide data on a cumulative basis to the Ministry of Justice to strengthen CEAA's position.

9.5 The Membership application fee must be paid at the time of submitting the application. Should Membership be refused for any reason deemed by the Executive, a full refund will be given.

9.6 Membership will run from April to March and be renewed annually. The Executive and The Council will be able to allow members joining late in one year to have the following year's membership included.

9.7 Lifetime Membership is available for a one-off fee of £250 which will cover the period of Membership and avoid any increases in the annual fee.

10. – Finances

10.1 A bank account will be maintained on behalf of the Association (CEAA) at a Bank agreed by the Executive.

10.2 There will be at least 2 signatories to the account

10.3 Each transaction will require two signatures.

10.4 Records of Income & Expenditure will be maintained by the Treasurer and a financial statement given at each Executive meeting.

10.5 An annual statement of accounts will be presented by the Treasurer at the AGM.

All money raised by the Association (CEAA) will be spent solely on the Aims of the association as laid out in this constitution.

11 – Endorsement

11.1 Application may be made to The Executive and The Council of CEAA by those that employ or make use of Certificated Enforcement Agents endorsing their support of the objectives of the Association and their commitment to recommending those that they employ / sub contract to become Members of CEAA in their own right.

11.2 For those endorsing the Association, CEAA will openly identify each Company/Local Authority/Courts within the Associations website and future literature / communications.

11.3 Those endorsing CEAA will have no voting rights in the Association.

11.4 Those offering services that may be of interest to members will be able to advertise on the 'Service Providers' page on the CEAA website with the consent of the President or General Secretary for a fee to be agreed by The Executive and The Council.

12 – Insurance

12.1 All Members will be expected to have cover in place by their employer or as an individual in their own right for Public Liability Insurance and Professional Indemnity Insurance in addition to the Bond that is required with their Certificate application.

12.2 Additional or alternative cover may be required at a future date at the request of the Executive Council with 3 months' notice should legislation stipulate such insurance.

13 - Complaints and Disciplinary Procedure

13.1 All complaints must be in writing to the Association.

13.2 Upon receipt of a complaint from a Customer*, Debtor, Fellow Member, Creditor, Government Body or Legal Advice Centre, the Association will, through The Executive, consider the content of the complaint and request from the Member a full response to include copies of any relevant paperwork, case history and electronic device data where applicable.

*A Customer is defined as anyone an EA comes into contact with whilst working.

13.3 Members will be required to respond to The Executives request for information within 14 days of the date of the request.

13.4 The Executive may refuse to investigate any complaint where the complainant has failed to initially raise the matter with the Member, who is required to respond to any such complaint within 21 days of receipt.

13.5 There will be a 6 months restriction period from the date of the initial complaint to the Member in which to involve the Association.

13.6 The Association will not consider any complaint where the complainant is or has taken action through the legal system.

13.7 The outcome of any complaint could result in the Association cancelling the Members Membership in the worst-case scenario.

PLEASE NOTE - The Constitution is a work in progress and can be changed if the Executive Council or Members deem it necessary, for the good of the Association or its Members.

14 – Dissolution

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

14.2 If it is agreed to dissolve the association (CEAA), all remaining money and other assets, once outstanding debts have been paid, will be donated to a charity, which one to be by simple majority of the Executive / Council. The charity will be agreed at the meeting which agrees the dissolution.

This Constitution was agreed at the Annual General Meeting of CEAA