



The Customs Practitioners Group (“CPG” or “Group”) Constitution

(An association of UK Customs and Excise Specialists)

Updated 12th November 2020

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1. Objectives

To provide a forum in the UK for customs practitioners¹, to:

- 1.1 Discuss aspects of subjects which are of general concern;
- 1.2 Exchange information on a confidential basis in order to benefit members' better understanding of the practical workings of the law and interpretation of the law by customs administrations primarily in the UK;
- 1.3 Establish contacts with the relevant customs administrations and other authorities, (primarily in the UK), to promote better understanding;
- 1.4 Discuss with customs administrations and others ways of simplifying the law and mitigating unfairness in customs matters to economic operators and their advisers, from the practical experience gained within the CPG;
- 1.5 Contribute suggestions to governmental institutions on existing and proposed legislation.

2. The Council and Membership

2.1 The Council

To ensure the efficient administration of the CPG, its management shall be entrusted to a Council of up to five members to be elected by the members of the Group. This council shall include a Chairman, Secretary and Treasurer. The Secretary will also act as Deputy Chairman in the absence of any formally elected Deputy Chairman.

2.1.1 Candidates for election to the Council shall be proposed by a member and seconded by another.

2.1.2 Elections should be held by secret ballot annually, at the annual general meeting of the Group, and a candidate who receives a majority of the votes shall be declared elected. Previous Council members shall be eligible for re-election.

2.1.3 Membership of the Council shall be for a period of three years and will be restricted to individual persons. On the retirement or cessation of membership of an existing member of the Council, the remaining members of the Council shall have the power to appoint a member to fill the vacancy until the next annual general meeting.

2.1.4 The Council shall be responsible for managing day to day business and organisation of Group affairs (subject to ultimate decision, by the Group as a whole) and shall meet at

¹ See definition in section 2.2.2

least twice a year. Minutes of such meetings shall be available to any member of the Group on the website. Details of any changes to the Group's membership will be notified in the Minutes of the Council meetings. 2.1.5 The Council (or the Group) may appoint members to address particular topics or handle specified projects for the Group.

2.1.6 In the event of the termination of the CPG as an organisation, for whatever reason, any net fund shall be donated to a charity or charities, as decided by CPG Council

Definitions

“net fund” – remaining funds after payment of creditors

2.2 Admission to Membership

2.2.1 Membership follows the individual and not the organisation that they work for, even if that organisation has already paid the joining fee and/or subscription. Members can update their personal details to reflect their new employment.

2.2.2 A member's experience must be aligned with the CPG's definition of a 'Customs Practitioner'. That is an individual with significant knowledge of UK and EU customs and excise legislation. Customs or excise will usually be a primary focus of their work or background. The individual might perform this work for a company that imports or exports goods in the UK, or trades in goods subject to UK excise duty. Alternatively, they might work in an ancillary industry, such as consultancy, brokerage or legal services.

2.2.3 Application for membership shall be referred to the Secretary and shall consist of a description of the applicant's occupation with details of experience relevant to the objectives of the Group. Applicants may be proposed by an existing Member or be interviewed by up to two Council members.

2.2.4 Applications for membership shall be considered by the Council and shall be decided by a majority vote of Council members.

2.2.5 Each member will be given a copy of the constitution on being admitted, or whenever an amendment is made to the existing constitution, and a password to access the Members-only area of the website.

2.3 Cessation of Membership

2.3.1 Membership shall cease when a person no longer satisfies the criteria in 2.2.2 above.

2.3.2 The Group reserves the right to expel a member if it determines that the conduct of the member is liable to bring the group into disrepute.

2.3.3 Disciplinary Procedures

Members are expected to maintain a high standard of conduct and show respect to fellow members and guests at all CPG meetings and on all occasions where they represent the CPG in any capacity.

Any complaint received by the Council relating to the action of any member that the Council considers might bring the reputation of the CPG into disrepute will be investigated by the Council (to include at least 3 members of that Council). The member concerned will be informed in writing of the result of the investigation and will have the right of reply in writing within 28 days. The Council will then consider the result of the investigation and any written reply and issue a final decision, which may include a warning to the member or the expulsion of the member concerned from the CPG. Where any complaint, which is upheld, is considered by the Council to be minor the Council may inform the member concerned that any further complaints that are upheld may result in that member being expelled from the CPG. On expulsion the member shall forfeit all privileges of membership and all subscriptions paid shall remain the property of the CPG and the member shall remain liable to pay any outstanding subscription due to the CPG.

3. Meetings

- 3.1 Meetings will normally be held four times per year on the second Thursday in the months of February, May, September and November.
- 3.2 The meetings are held in the UK, usually London. They may also be held via video conferencing or a combination of a physical meeting with video conferencing.
- 3.3 Online meetings will not be recorded and minutes are not usually taken.
- 3.4 The members' meetings are designed to facilitate free discussion. As such, attendees are free to talk externally about the items discussed in the CPG members' meeting, but should be wary of presenting the points discussed as facts, unless followed up in writing.
- 3.5 Meetings will normally commence at 5.30 p.m. for 6.00 p.m. and conclude not later than 8.00 p.m.
- 3.6 An attendance register will be kept by the Chairman or Secretary.
- 3.7 It is expected that all members who are able to do so shall in rotation provide accommodation and refreshments at meetings.
- 3.8 Members attending must inform the Secretary two working days in advance of each meeting in order that refreshments/accommodation can be arranged. Members failing to do so will be presumed not to be attending. Substitutes will not be permitted to attend on behalf of members.
- 3.9 The Secretary will in advance of each meeting confirm to the host member the number of persons who have indicated they will be attending the meeting.
- 3.10 No later than 30 November in each year an annual general meeting of the Group will be held to review the progress of the Group in the year, hold elections for the Council, review the finances of the Group, and consider any other business. Notice of the annual general meeting, its agenda including proposed alterations to the Constitution (if any) shall be given to members not less than 14 days prior to the meeting.
- 3.11 Any member can request an invite for one guest to each members' meeting. This request is subject to approval by any one council member. All guests should meet the criteria of being a 'customs practitioner' as per the definition in 2.2.2, and the decision to invite also depends on capacity at the venue. A guest should be invited not more than once per year and encouraged to join if they wish to attend more frequently.
- 3.12 External speakers will be invited to attend. These people usually represent governmental organisations.

4. Subscriptions

- 4.1 There shall be a joining fee and an annual subscription of such amounts as shall be set by the Group. They shall be payable by 1 January in respect of the membership year beginning on that date.
- 4.2 Withdrawals from the Group's Bank Account, as needed, may be made only by the signature or action via Internet banking of one of either the Treasurer or Chairman. A withdrawal of an amount in excess of £500 must be agreed by at least 2 Council members.
- 4.3 In recognition of the time spent by Council Members on Group matters, their subscriptions shall be waived.
- 4.4 The CPG may award life-time memberships for members who have demonstrated commitment to the group over many years. This award is usually made to members who have been key contributors to the CPG and are now retiring from the profession. For such memberships, future subscription fees will be waived. Any such awards will be proposed by a member and seconded by another, then agreed at the AGM. Life-time membership can be revoked and all normal rules apply to these members.

5. Documentation

The following practice should be adopted for all meetings:

5.1 All correspondence to the Group should be addressed to the Secretary.

5.2 All correspondence and notices coming from the Group will be sent in the name of the Chairman or Secretary and the same communication may be sent by different means to individual recipients, that is by post or by fax or by email, whichever is considered convenient for the purpose of the correspondence or notice.

5.3 Notwithstanding the above, Members will be nominated by the Council to represent the Group at JCCC and JCCC Sub-Group meetings and at other meetings with government officials. Those representatives will report a note of any such meetings back to the Council and the Group.

5.4 Copies of relevant correspondence with customs administrations and other authorities will be circulated.

6. Alterations to Constitution

Any alteration to the rules and constitution of the Group shall be proposed by a member and seconded by another, circulated to all members and shall require a vote of 75% of the members present (or voting by proxy given in writing to a member of the Council present at the meeting) at an Annual General Meeting or Special General Meeting called for the purpose (or voting by written ballot) notice of the proposed alteration having been given to members 14 days before the meeting (save that 90% of the members may consent to shorter notice being given of any proposed meeting or alteration). Where the vote is by written ballot, it must be completed within 28 days from the date of circulation of the proposal for alteration.