

## **BOARD MEMBERSHIP ELIGIBILITY**

In order to be eligible for Board membership you must pay £1 for a share to become a shareholding member of the Association; be at least sixteen years of age; and be an individual who lives or works in Lochaber, or who has another well-established connection with Lochaber and who can demonstrate a clear commitment to the aims and charitable objectives of the Association.

In addition, under Rule 43 of the Association's Rules, you will not be eligible to be a Board Member and cannot be appointed or elected as such if:

- You are an undischarged bankrupt; or
- You are subject to an arrangement with your creditors; or
- In the opinion of a qualified medical doctor, you would be unable to attend Board Meetings for a period of 12 months because of incapacity due to a physical or mental illness; or
- You have been convicted of an offence involving dishonesty which is not spent by virtue of the Rehabilitation of Offenders Act 1974 or an offence under the Charities and Trustee Investment (Scotland) Act 2005; or
- You are a party to any legal proceedings in any Court of Law by or against the Association; or
- You are or will be away for a period of 12 months and would be unable to attend the Board Meetings during this time; or
- You have been removed from the governing body of another registered social landlord within the previous five years; or
- You have been removed or suspended from a position of management or control of a charity under the provisions of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 or the Charities and Trustee Investment (Scotland) Act 2005; or
- You have been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commissioners for England and Wales under section 18(2)(i) of the Charities Act 1993, section 20(1A)(i) of the Charities Act 1960 or section 20(1) of that Act (as in force before the commencement of section 8 of the Charities Act 1992) or by Her Majesty's High Court of Justice in England on the grounds of any misconduct in the administration of the charity for which you were responsible or to which you were privy, or which your conduct contributed to or facilitated; or
- A disqualification order or disqualification undertaking has been made against you under the Company Directors' Disqualification Act 1986 or the Company Directors Disqualification (Northern Ireland) Order 2002 (which relate to the power of a Court to prevent someone from being a director, liquidator or administrator of a company or a receiver or manager of company property or being involved in the promotion, formation or management of a company).

Under rule 44 you will cease to be a Board Member if:

- You resign your position as a Board Member in writing; or
- You cease to be a Member unless you are a co-optee or an appointee of The Scottish Housing Regulator; or

- You miss four Management Committee meetings in a row without special leave of absence previously being granted by the Board either at your request or by exercise of the Board's discretion; or
- The majority of Members voting at a general meeting decide this; or
- The majority of the remaining Board Members voting at a special meeting of the Board convened for the purpose decide to remove you as a Board Member. The resolution to remove you as a Board Member must relate to one of the following issues:
  - failure to perform to the published standards laid down by the Scottish Federation of Housing Associations and/or The Scottish Housing Regulator adopted and operated by the Association; or
  - failure to sign or failure to comply with the Association's Code of Conduct for Committee Members; or
  - A breach of the Association's Rules or standing orders; or
  - You have been in receipt of a payment or benefit not permitted by Schedule 7 Part 1 of the Housing (Scotland) Act 2001 or such other Code of Governance as may be issued by the Scottish Housing Regulator.