

Membership Application Sub Committee – Terms of Reference – 2017

(Approved by PSB on 8 December 2016)

Definitions:

The following words shall have the meaning shown:

“PSB” shall mean the Professional Standards Board.

“MASC” shall mean the Membership Application Sub Committee

“Sub Committee” shall mean MASC.

“Panel” shall mean three members of MASC convened to consider a membership application.

“Legally qualified” shall mean a person who is a barrister, solicitor, advocate, CILEx or equivalent in another common law jurisdiction and who practises or who practised as such.

“Lay person” shall mean a person who is not a member of the CII.

1. Membership:

1.1 The Sub Committee shall consist of at least 9 members appointed by the PSB including:

- Legally qualified persons, of whom one shall act as chair of the MASC;
- lay persons;
- CII members; and
- a member of the CII Disciplinary Committee.

1.2 Only members of the Sub Committee have the right to attend meetings of the Sub Committee on a regular basis. Other individuals may be invited by the Chair to attend all or part of any meeting as and when appropriate.

1.3 Appointments to the Sub Committee shall be for a period of up to three years which may be extended for one further three year period provided the member remains eligible.

2. Secretary:

The Director of Legal and Secretariat, or his nominee, shall act as the Secretary of the Sub Committee.

3. Quorum:

The quorum for a MASC meeting necessary for the transaction of business shall be one third of the total number on the Sub Committee, or three members, whichever is the greater.

4. Meetings:

Meetings of MASC may be by:

- physical meeting
- by telephone
- other electronic means
- any combination of the above

5. Minutes of Meetings:

5.1 The Secretary shall minute the proceedings and resolutions of all meetings of the Sub Committee, including recording the names of those present and in attendance.

5.2 Minutes of all meetings shall be circulated promptly to all members of the Sub Committee.

5.3 The Sub Committee Chair shall report to the PSB annually on the proceedings of the Committee.

6. Powers and Duties:

6.1 To oversee and agree, or otherwise, as more particularly defined at 6.3 below applications for membership of the CII from individuals as set out in the MASC guidelines

6.2 To publish appropriate guidelines, as approved in advance in writing by the PSB

6.3 To appoint a Panel (which process may be delegated to the Secretary) to decide whether an application for membership of the CII should be

6.3.1 granted,

6.3.2 rejected,

6.3.3 deferred

6.3.4 or accepted

6.3.5 with or without condition(s)

in accordance with the published guidelines.

7. Panel:

7.1 The Secretary shall convene a Panel consisting of 3 members of the Sub Committee and provide the Panel with case details. The three Panel members, who shall have no conflict of interest with the applicant, shall include:

- a legally qualified chair;
- 1 lay person; and
- 1 CII member.

A legally qualified person may act as a CII member, provided that s/he is a member of the CII and there is another legally qualified person who acts as the chair of the panel.

A legally qualified person may act as a lay person, provided that s/he is not a member of the CII and there is another legally qualified person who acts as the chair of the Panel.

7.2 The Panel shall consider the suitability of the applicant for membership of the CII in accordance with the published guidelines.

7.3 The decision shall be based solely on the information and documentation provided.

7.4 Decisions shall be communicated to the Secretary in writing by the Panel Chair.

7.5 The Secretary shall report to each meeting of the PSB and Disciplinary Committee on the decisions made by MASC.

8. Authority:

8.1 The Sub Committee's authority derives from the PSB.

8.2 The Sub Committee shall be responsible for conducting its own affairs, within these Terms of Reference, but at all times shall act in accordance with the Laws of the Institute.

9. Reporting Responsibilities:

9.1 The Chair of the Sub Committee shall report formally to the PSB on an annual basis.

9.2 The Sub Committee shall make whatever recommendations to the PSB it deems appropriate on any area within its terms of reference where a majority of the members of the Sub Committee (the Chair having a casting vote) consider action or improvement is needed.

10. Other:

10.1 The Sub Committee shall, at least once a year, review its own performance, constitution and terms of reference to ensure it is operating at maximum effectiveness and recommend any changes it considers necessary to the PSB for approval.

10.2 The Sub Committee shall, at least once a year, review the published guidelines for applicants and recommend any changes it considers necessary to the PSB for approval.