

# THE WS SOCIETY

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## THE SOCIETY OF WRITERS TO HM SIGNET STUDENT MEMBERSHIP - APPLICATION AND NOTES

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## THE SOCIETY OF WRITERS TO HM SIGNET STUDENT MEMBERSHIP – NOTES

1. The application requirements for membership of The WS Society (the **Society**) are set out in the regulations (the **Regulations**) last updated at a general meeting of the Society on 5 June 2018. A print of the Regulations is included in the application form.
2. By completing and signing this application, you will be accepting the Regulations (as amended from time to time) as governing your membership of the Society.
3. Your application for membership of the Society will require to be approved by its office bearers, which meet monthly.
4. The application must be signed by you as the applicant on pages 5 and 14 and by your referee on page 4.
5. You will be notified as soon as your application has been approved and your membership will take effect immediately. You will be notified of the proportion of the annual subscription of £35 per annum payable from the date of your admission to the next annual renewal. Cheques are payable to “The WS Society”.
6. You will also be invited to attend the next admissions ceremony usually held in May and November every year. The admissions ceremony is an opportunity to celebrate your membership and to meet the Society’s office bearers and other members, as well as the Society’s executive team.
7. The application form should be completed and returned to:

**Membership The WS Society  
The Signet Library  
Parliament Square  
EDINBURGH  
EH1 1RF**

**DX 549300 EDINBURGH 36**

8. Any questions about your application should be referred to Membership on **0131 220 3249** or **membership@wssociety.co.uk**

## THE SOCIETY OF WRITERS TO HM SIGNET STUDENT MEMBERSHIP – APPLICATION

*Please complete in block capitals.*

### PERSONAL

**Surname:**

**Title (Mr/Ms/Mrs/Miss):**

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**Forenames** (*please underline salutation name*):

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**Date of Birth:**

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**Address:**

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**Postcode:**

**E-mail:**

**Tel:**

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## UNIVERSITY AND ACADEMIC INFORMATION

University:	
Year of study	
Year expect to complete degree	
Year expect to complete Dip LP (if applicable)	

### Details of any previous degrees

University:	From:	To:	Degree:

## REFEREE

With reference to the application of the following individual for student membership of The Society of Writers to Her Majesty's Signet (the Society):

Name of applicant:

### Referee

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I, the undersigned, confirm that:

(a) the applicant is a matriculated student at

Name:
Organisation:
Position held:
E-mail:
Date:
Signature:

\* Applicant's referee can be a Director of Studies, Academic Advisor or any other appropriate person

## DECLARATIONS

1. I am an undergraduate or postgraduate enrolled at a Scottish university or institution of higher education studying Scottish Law.
2. I authorise the Society to make any enquiries it sees fit to make of any third parties named or referred to in this application form.
3. I unconditionally agree that, so long I am a member of the Society, I shall report to the Society any convictions of a competent court made against me involving dishonesty or moral character
4. I undertake to pay the subscription fee due in respect of my membership and agree to be bound by the Regulations, any determinations, decisions or guidelines issued pursuant to them.
5. The details contained in this application are true and complete.
6. I apply for student membership of the Society and understand that, whilst the Society may issue a renewal notice, it will be my responsibility to renew annually.

**Signature:**

**Date:**

*Please also sign last page of attached print of Regulations.*

**Data Protection:** By completing this form, you agree to your personal data being processed for the legitimate purposes of The WS Society. This data is used to process your membership, provide information to you, to enable the Society to carry on its membership activities, and to provide us with management and statistical information.

## The WS Society Regulations

Adopted by resolution of the Society in general meeting on 5<sup>th</sup> June 2018.

### Part 1: Definitions

#### 1. In the Regulations:

1.1. The following expressions shall have the meanings respectively set out opposite them:

- |  |   |
|--|---|
| (a) <b>the Act</b>                       | the Solicitors (Scotland) Act 1980 (as amended and to be amended or re-enacted);  |
| (b) <b>Additional Office Bearers</b>     | not more than two holders of offices of the Society elected, and with the function(s) determined, pursuant to the Regulations;  |
| (c) <b>Admission Fees</b>                | a non-refundable contribution to the funds of the Society payable by an Applicant in order to apply to become a Member as fixed by Council from time to time;             |
| (d) <b>Advocate</b>                      | a member of the Faculty of Advocates in Scotland;   |
| (e) <b>Affiliate Member</b>              | a Member who has been admitted to the category of Membership known as an Affiliate Writer to the Signet;  |
| (f) <b>Applicant</b>                     | a person who submits an application to become a Member;   |
| (g) <b>Associate Member</b>              | a Member who has been admitted to the category of Membership known as an Associate Writer to the Signet;  |
| (h) <b>Chief Executive</b>               | the Society's senior employee and head of the Executive appointed by Council to manage the affairs of the Society from day to day;  |
| (i) <b>Clerk</b>                         | the holder of the office of Clerk of the Society elected pursuant to the Regulations;   |
| (j) <b>College of Justice</b>            | the College of Justice in Scotland;   |
| (k) <b>Commission</b>                    | a commission subscribed by the Keeper admitting a person to Membership as a WS Member;  |
| (l) <b>Council</b>                       | the body of WS Members of the Society appointed pursuant to the Regulations and with the functions, powers and responsibilities set out in the Regulations;               |
| (m) <b>Deputy Keeper</b>                 | the holder of the office of the Society known as Deputy Keeper of the Signet;   |
| (n) <b>Executive</b>                     | the employees of the Society, from time to time, organised according to their functions and responsibilities under the management and supervision of the Chief Executive; |
| (o) <b>Extraordinary General Meeting</b> | a General Meeting other than the General Meeting held annually as required by the Regulations;  |
| (p) <b>Fellow</b>                        | a person who has been admitted on an honorary basis to the category of Membership known as Fellow of the Society of Writers to the Signet;                                |
| (q) <b>Fiscal</b>                        | the holder of the office of Fiscal of the Society elected pursuant to the Regulations;  |
| (r) <b>General Meeting</b>               | a general meeting of the Society;   |

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(s)	<b>Keeper</b>	the holder of the office of the Keeper of the Signet in Scotland;
(t)	<b>Management Group</b>	a group comprising Deputy Keeper, Office Bearers and Clerk, together with such members of the Executive as the Deputy Keeper, Office Bearers and Clerk may determine from time to time;
(u)	<b>Member</b>	a person who is member of the Society;
(v)	<b>Membership</b>	membership of the Society;
(w)	<b>Membership Benefits</b>	the privileges, benefits and services available to Members as determined by Council from time to time;
(x)	<b>Oath de Fideli</b>	an <i>oath de fideli</i> in the form prescribed by Council from time to time and to be sworn or affirmed by an Applicant in person or in writing;
(y)	<b>Office Bearers</b>	Treasurer, Fiscal and Additional Office Bearers;
(z)	<b>Part</b>	a part of the Regulations, each of which may be referred to by number;
(aa)	<b>Practising Certificate</b>	a practising certificate within the meaning of section 4 (c) of the Act;
(bb)	<b>Registered Foreign Lawyer</b>	a registered foreign lawyer as defined in the Act;
(cc)	<b>Regulations</b>	these regulations, each of which may be referred to by number, as amended from time to time;
(dd)	<b>Society</b>	The Society of Writers to Her Majesty's Signet, a corporation under the common law of Scotland;
(ee)	<b>Solicitor</b>	any person enrolled or deemed to have been enrolled as a solicitor pursuant to the Act;
(ff)	<b>Student Member</b>	a Member who has been admitted to the category of Membership known as a Student Member of the Society;
(gg)	<b>Subscription Fees</b>	a non-refundable contribution to the funds of the Society payable annually by a Member in order to maintain Membership;
(hh)	<b>Treasurer</b>	the holder of the office of Treasurer of the Society elected pursuant to the Regulations;
(ii)	<b>Trustees</b>	the Deputy Keeper and Office Bearers from time to time as trustees for and on behalf of the Society;
(jj)	<b>WS Member</b>	a Member who has been admitted to the category of Membership known as a Writer to the Signet and who has received a Commission.

- 1.2. The masculine shall include the feminine and *vice versa* and the singular shall include the plural and *vice versa*.
- 1.3. The headings are for guidance only and shall not affect interpretation.
- 1.4. Where the words "include(s)" or "including" are used, they are deemed to have the words "without limitation" after them.



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## Part 2: Property and funds

### Trustees

2. The property and funds of the Society shall vest in and be managed by the Trustees.

### Trustees' powers

3. In addition to the usual powers of investment available to trustees in Scotland, the Trustees shall have power to invest the funds from time to time under their charge in the purchase or on the security of such heritable or real property, corporeal moveables, investments, stocks, shares (including partly paid shares), deposits and securities (including bonds or securities payable to bearer) whether within the United Kingdom or abroad as the Trustees in their sole discretion think fit, all to the same extent as if they were the absolute owners of the funds.
4. The Trustees may appoint and remunerate professional fund managers to manage the investments of the Society and delegate to them power at the discretion of such fund managers to take the same in the name of any nominee company or bank and to buy and sell investments and to deposit or otherwise deal with uninvested cash all within a general investment policy decided by the Trustees from time to time always provided that the fund managers shall be required to report regularly to the Trustees on their transactions.
5. The Trustees shall not have the power to sell, lease or otherwise alienate or dispose of any part of the Society's heritable property except with the approval of not less than 75% of the WS Members present in person or by proxy at a General Meeting convened for the purpose of considering such a disposal or alienation.

## Part 3: Office holders and functions

### Functions

6. The following are the officers of the Society with their respective individual functions set out opposite them (as the same may be supplemented by the Regulations as a whole):
  - (a) **Additional Office Bearers** a specified by Council for each office;
  - (b) **The Clerk** officer charged with the formal regulation of the Society, including, without limitation, the calling of meetings and the admission, suspension and expulsion of Members in accordance

with the Regulations.

- (c) **Deputy Keeper of the Signet** most senior representative of the body of members and chair of meetings of council, trustees and management group;
- (d) **Fiscal** Responsible for providing or procuring legal advice to the society;
- (e) **Treasurer** superintendence of the society's financial affairs and responsible for preparation and submissions of society's accounts.

### Deputy Keeper

7. The Deputy Keeper is a WS Member appointed by the Keeper.

### Office Bearers and Clerk

8. No Member of the Society shall be eligible for election as an Office Bearer or as Clerk unless he or she is a WS Member.
9. Office Bearers shall be:
  - 9.1. elected annually at a General Meeting; and
  - 9.2. eligible for re-election yearly until the General Meeting next following the dates on which they have respectively been Office Bearers of the Society for ten years or have earlier attained the age of sixty five years.
10. On the death or resignation of an Office Bearer, or on any of them becoming ineligible for re-election when a new appointment falls to be made, notice calling for nominations shall be sent by the Clerk to each WS Member not less than one month before the meeting of the Society at which the election will take place
11. Nominations of candidates for the office of an Office Bearer shall be signed by two WS Members, as proposer and seconder, and sent to the Clerk not less than two weeks before the date of the meeting. The names of the candidates and their proposers and seconders shall be appended to the notice sent out to summon the General Meeting for the election and, in any case where there are two or more candidates, postal voting slips in such form as the Council may prescribe shall accompany the notice for use by WS Members or contributors in recording their votes.
12. The Clerk shall be

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- 12.1. elected annually at a General Meeting of the Society;
- 12.2. eligible for re-election until the General Meeting next following the date on which he has held office for twenty years or has earlier attained the age of sixty five years.
13. The rules applicable to the election on the death or resignation of an Office Bearer, or on an Office Bearer becoming ineligible for re-election, shall also apply to the election on the death or resignation of the Clerk, or his or her becoming ineligible for re-election.
14. If there are two candidates for the appointment of an Office Bearer or Clerk, the voting at the General Meeting shall be by ballot of the WS Members or contributors as the case may be present and voting by post. The candidate with the larger number of votes shall be elected.
15. If there are more than two candidates for the office of Office Bearer or Clerk then, if the candidate having the most votes shall secure a majority of the votes cast, he or she shall be elected. If he or she shall not secure such a majority of the votes cast, the candidate having the fewest votes shall retire, and further ballots shall be taken until one candidate shall secure a clear majority of the votes cast.

## Council

16. The Council shall consist of the Deputy Keeper, Office Bearers and the Clerk and twenty-one elected WS Members of the Society, with power to co-opt additional WS Members (and other Members on a non-voting basis), if so desired, either generally or *ad hoc*, and three WS Members shall form a quorum. The Deputy Keeper, whom failing, one of the Office Bearers, whom failing, the Clerk, shall chair all meetings and the chairman shall have a deliberative as well as a casting vote.
17. At a General Meeting in each year, seven of the members of Council shall retire in rotation in accordance with the seniority of their election and shall not be eligible for re-election until the lapse of one year. At the General Meeting, new members of Council shall be elected in place of those retiring of whom at least three shall be members of the Society of not less than ten years' standing and at least one shall be engaged in legal work outwith the boundaries of the City of Edinburgh.
18. Meetings of Council of the Society shall be held on such dates as Council may decide.
19. The Deputy Keeper on his or her own initiative may, and at the request in writing of five members of Council shall, instruct the Clerk to call additional meetings. Requests for, and notices of, such additional meetings shall specify the subjects

for discussion, and discussion at such additional meetings shall be limited accordingly.

20. All matters of discipline affecting the Members shall be the responsibility of Council. Without prejudice to the generality of Council's powers with respect to discipline it shall have the power to expel a Member from Membership, or suspend a Member's Membership, on the grounds of:
  - 20.1. a Member's misconduct, or provision of inadequate or negligent professional advice or services, as determined by any competent court, tribunal, commission or other authority; or
  - 20.2. a Member being subject to proceedings or other due process in respect of any alleged misconduct, or provision of inadequate or negligent professional advice or services (provided that Council may revoke or suspend the Membership of a Member only during the period until such proceedings or other due process have been brought to a conclusion); or
  - 20.3. the suspension or revocation or imposition of conditions by the Law Society of Scotland, or equivalent authority, in relation to his or her Practising Certificate, or equivalent licence; or
  - 20.4. a Member is convicted of a criminal offence of such a nature as in the opinion of Council is liable to bring the Society into disrepute; or
  - 20.5. a Member engaging in conduct which in the opinion of Council is likely to bring the Society into disrepute; or
  - 20.6. failure to comply with the Regulations as they apply from time to time.
21. Council shall have overall responsibility and authority in relation to the Society's business and activities, including the Society's buildings and contents, and generally for all matters of business affecting the Society or its Members. There shall be reserved from the matters which Council may finally decide:
  - 21.1. the various appointments which at present are made by the Keeper and/or the society in general meeting;
  - 21.2. all matters within the powers of the Trustees in terms of Part 2;
  - 21.3. all matters affecting the relation of the Society to other societies;
  - 21.4. all matters affecting the constitution of the Society; and

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- 21.5. all matters of such special or important nature as in the view of the majority of Council should be reported to the Society before any decision is made.
22. Council shall have power to create such *ad hoc* or standing committees of Members as it sees fit, the members of which need not be members of Council, provided that the chairs of such committees shall, if not already elected members of Council, be co-opted members thereof during the periods of their chairmanship.

## Commissioners

23. All references to "Commissioners" of the Society in any deeds, documents or other writings shall be construed prospectively as references to the members of Council from time to time.

## Management authority

24. Subject to Regulation 22, the Council shall have authority in relation to
  - 24.1. strategic management of the Society's business and activities, including the Society's buildings and contents; and
  - 24.2. delegating to, and supervising, the Management Group in relation to operational matters, with full power to instruct, and reverse, the decisions of, the Management Group and Executive.
25. Subject to Regulation 21, and subject to the Council's authority in relation to strategic management, delegation and supervision as above, the Management Group shall have authority in relation to
  - 25.1. operational management of the Society's business and activities, including the Society's building and contents; and
  - 25.2. delegating to, and supervising, the Chief Executive in relation to operational matters, with full power to instruct, and reverse, the decisions of, the Chief Executive.

## Part 4: General meetings

26. There shall be at least one General Meeting of the Society held in each calendar year.
27. The Deputy Keeper on his or her own initiative may, and at the request in writing of any twenty WS Members shall, instruct the Clerk to call an Extraordinary General Meeting. Requests for, and notices calling, Extraordinary General Meetings shall specify the motions and subjects for discussion, and discussion at these meetings shall be limited accordingly.

28. The Clerk shall give not less than one week's notice of all General Meetings.
29. The Deputy Keeper, or in his or her absence one of the Office Bearers, shall take the Chair at all meetings of the Society, and the Chairman shall have a deliberative as well as a casting vote.
30. The quorum for a General Meeting of the Society shall be ten WS Members.

## Part 5: Membership

### Membership categories

31. Council may admit a person to one of the following categories of Membership in accordance with the Regulations:
  - 31.1. Writer to the Signet (with the post nominal "WS"); or
  - 31.2. Affiliate Writer to the Signet (with the post nominal "AffWS"); or
  - 31.3. Associate Writer to the Signet (with the post nominal "AWS"); or
  - 31.4. Fellow of the Society of Writers to the Signet (with the post nominal "FWS"); or
  - 31.5. Student Member of the Society of Writers to the Signet.
32. The criteria, requirements and procedures for admission to each category of Membership are set out in this Part 5.
33. The Admission Fees and Subscription Fees applicable to each category of Membership shall be fixed annually at a General Meeting. All Admission Fees and Subscription Fees shall be payable within the time periods stipulated by Council from time to time.
34. The Membership Benefits applicable to each category of Membership shall be determined by resolution of Council from time to time.
35. Each Member shall be entitled, so long as he or she remains a Member, to design himself or herself using the name or post nominal of the category in which he or she is a Member (as set in Regulation 31).

### WS Members

36. Subject to the provisions of this Regulation, an Applicant shall not be admitted to Membership as a WS Member unless the Applicant has satisfied Council that the Applicant:
  - 36.1. has completed and returned to the Clerk an application in the form prescribed by

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Council from time to time which shall be signed by the Applicant and by one proposer and one seconder, each of whom shall be WS Members;

36.2. is a fit and proper person to receive a Commission;

36.3. has

(a) either

(i) completed all the qualification requirements to become a Solicitor, whether or not they are at the time of application for Membership, or have ever been, a Solicitor, and is not at the time of the Applicant's application an Advocate, or

(ii) become, and remains at the date of the Applicant's application for Membership, a Registered Foreign Lawyer; and

(b) for a continuous period of at least three years prior to the date of the Applicant's application for Membership, been employed or engaged in any jurisdiction in the capacity of

(i) a Solicitor or equivalent, or

(ii) a lawyer, legal adviser, or legal consultant; and

36.4. has paid, or given a binding undertaking to the Society to pay, the applicable Admission Fees and Subscription Fees.

37. The Applicant's details shall be circulated by the Clerk to the members of Council for comment.

38. If Council is satisfied as to the suitability and fitness of the Applicant to be a WS Member, the Deputy Keeper shall recommend to the Keeper that a Commission should be granted to the Applicant.

39. Should the Council reach the opinion that the Applicant is for any reason unsuitable for admission as a WS Member, the Clerk shall inform the Applicant that the Applicant's application has been refused. No reason for such refusal shall be given unless the Deputy Keeper so instructs, but any Admission Fees or Subscription Fees paid by the Applicant shall be refunded without interest.

40. An Applicant shall be admitted as a WS Member by the Keeper or the Deputy Keeper (or his or her nominee) upon the Applicant taking the Oath de Fideli and subscribing to the Regulations in such

manner as Council may prescribe from time to time.

41. A WS Member (except whilst an Advocate) shall be entitled to attend and vote at any General Meeting of the Society.

## WS firms

42. The post nominal initials or abbreviation "WS" and the designation "Writer to the Signet" or "Writers to the Signet" may only be used by or appear on any written or printed material after the name of a law firm or legal practice at which the number of WS Members who are partners, members, directors, employees or consultants of that law firm or legal practice - as a proportion of the total number of partners, members, directors, employees or consultants of that law firm or legal practice, exceeds 50%

43. If a law firm or legal practice which previously was entitled to the use of such post nominal or designation ceases for any reason to be so entitled, that law firm or legal practice may continue to use such suffix or designation from its written or printed material until the expiry of a period of one year from the date on which it ceased to be so entitled without having taken steps to restore the entitlement.

## Affiliate Members

44. Subject to the provisions of this Regulation, an Applicant shall not be admitted to Membership as an Affiliate Member unless the Applicant has satisfied the Office Bearers that the Applicant

44.1. has completed and returned to the Clerk an application in the form prescribed by Council from time to time which shall be signed by the Applicant and by a law firm partner, or law firm limited liability partnership member, or senior lawyer, to whom the Applicant is known in a professional capacity;

44.2. is a fit and proper person to become an Affiliate Member;

44.3. has

(a) either

(i) become, and remains at the date of the Applicant's application for Membership, employed under a training contract as a trainee Solicitor, or

(ii) has completed all the qualification requirements to become a Solicitor, whether or not they are at the time of

application for Membership, or have ever been, a Solicitor, or

(iii) become, and remains at the date of the Applicant's application for Membership, a Registered Foreign Lawyer; and

(b) been, and remains at is at the date of the Applicant's application for Membership, employed or engaged in any jurisdiction in the capacity of

(i)a trainee Solicitor, Solicitor or equivalent, or

(ii) a lawyer, legal adviser, or legal consultant (other than an Advocate); and

44.4. has paid, or given a binding undertaking to the Society to pay, the applicable Admission Fees and Subscription Fees.

45. The Applicant's details shall be circulated by the Clerk to the Office Bearers for comment.

46. If the Office Bearers are satisfied as to the suitability and fitness of the Applicant to be an Affiliate Member, the Applicant shall forthwith be admitted to Membership as an Affiliate Member.

47. Should the Office Bearers reach the opinion that the Applicant is for any reason unsuitable for admission as an Affiliate Member, the Clerk shall inform the Applicant that the Applicant's application has been refused. No reason for such refusal shall be given unless the Deputy Keeper so instructs, but any Admission Fees or Subscription Fees paid by the Applicant shall be refunded without interest.

48. No one eligible for admission to Membership as a WS Member shall be admitted as an Affiliate Member and, if an Affiliate Member becomes eligible for Membership as a WS Member, his or her Membership as an Affiliate Member shall automatically terminate one year thereafter or, if sooner, on his or her becoming a WS Member.

49. Membership as an Affiliate Member shall not of itself confer or imply membership of the College of Justice.

50. An Affiliate Member shall not

50.1. be entitled to hold himself or herself out in any manner to be a WS Member; or

50.2. be entitled to attend or vote at any General Meeting of the Society; or

50.3. have any right or interest in the property and assets of the Society.

## Associate Members

51. Subject to the provisions of this Regulation, an Applicant shall not be admitted to Membership as an Associate Member unless the Applicant has satisfied the Office Bearers that the Applicant

51.1. has completed and returned to the Clerk an application in the form prescribed by Council from time to time which shall be signed by one proposer who shall be a WS Member;

51.2. the Applicant is a fit and proper person to become an Associate Member;

51.3. is either

(a) a lawyer, legal adviser, or legal consultant qualified in a jurisdiction other than Scotland, or

(b) an Advocate, or

(c) the holder of a law degree in any jurisdiction, or

(d) an academic employed in the law school or law faculty of a university or equivalent in any jurisdiction; and

51.4. has paid, or given a binding undertaking to the Society to pay, the applicable Admission Fees and Subscription Fees.

52. The Applicant's details shall be circulated by the Clerk to the members of Council for comment.

53. If the Office Bearers are satisfied as to the suitability and fitness of the Applicant to be an Associate Member, the Applicant shall forthwith be admitted to Membership as an Associate Member.

54. Should the Office Bearers reach the opinion that the Applicant is for any reason unsuitable for admission as an Associate Member, the Clerk shall inform the Applicant that the Applicant's application has been refused. No reason for such refusal shall be given unless the Deputy Keeper so instructs, but any Admission Fees or Subscription Fees paid by the Applicant shall be refunded without interest.

55. No one eligible for admission to Membership as a WS Member shall be admitted as an Associate Member and, if an Associate Member becomes eligible for Membership as a WS Member, his or her Membership as an Associate Member shall automatically terminate one year thereafter or, if sooner, on his or her becoming a WS Member.

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56. Membership as an Associate Member shall not of itself confer or imply membership of the College of Justice.
57. An Associate Member shall not
  - 57.1. be entitled to hold himself or herself out in any manner to be a WS Member; or
  - 57.2. be entitled to attend or vote at any General Meeting of the Society; or
  - 57.3. have any right or interest in the property and assets of the Society.

## Fellows

58. Council may invite a person of distinction to become a Fellow.
59. Senators of the College of Justice shall *ex officio* be Fellows.
60. Membership as a Fellow shall not of itself confer or imply membership of the College of Justice.
61. A Fellow shall not
  - 61.1. be entitled to hold himself or herself out in any manner to be a WS Member; or
  - 61.2. be entitled to attend or vote at any General Meeting of the Society; or
  - 61.3. have any right or interest in the property and assets of the Society.

## Student Members

62. Subject to the provisions of this Regulation, an Applicant shall not be admitted to Membership as a Student Member unless the Applicant has satisfied the Office Bearers that the Applicant
  - 62.1. has completed and returned to the Clerk an application in the form prescribed by Council from time to time;
  - 62.2. the Applicant is a fit and proper person to become a Student Member;
  - 62.3. is an undergraduate or postgraduate enrolled at a Scottish university or institution of higher education studying Scottish law; and
  - 62.4. has paid, or given a binding undertaking to the Society to pay, the applicable Admission Fees and Subscription Fees.
63. The Applicant's details shall be circulated by the Clerk to the members of Council for comment.
64. If the Council is satisfied as to the suitability and fitness of the Applicant to be a Student Member,

the Applicant shall forthwith be admitted to Membership as a Student Member.

65. Should the Council reach the opinion that the Applicant is for any reason unsuitable for admission as a Student Member, the Clerk shall inform the Applicant that the Applicant's application has been refused. No reason for such refusal shall be given unless the Deputy Keeper so instructs, but any Admission Fees or Subscription Fees paid by the Applicant shall be refunded without interest.
66. No one eligible for admission to any other category of Membership shall be admitted as a Student Member and, if a Student Member becomes eligible for admission to another category of Membership, his or her Membership as a Student Member shall automatically terminate forthwith.
67. Membership as a Student Membership shall not of itself confer or imply membership of the College of Justice.
68. A Student Member shall not
  - 68.1. be entitled to hold himself or herself out in any manner to be a WS Member; or
  - 68.2. be entitled to attend or vote at any General Meeting of the Society; or
  - 68.3. have any right or interest in the property and assets of the Society.

## Part 6: General

### Alterations and amendments

69. The Society shall have power by simple majority vote at a General Meeting to alter the Regulations or any other regulations of the Society.
70. If an alteration is proposed by a WS Member or WS Members, notice shall be given to the Clerk one month before the meeting at which such alteration is to be proposed, and the terms of such proposed alteration shall be sent along with the notice calling the meeting.
71. If an alteration is recommended by Council, it shall be sufficient if the terms thereof are sent along with the notice calling the meeting.

### Accounts

72. The Treasurer shall procure the preparation of accounts for the Society to such date in each year as Council shall determine. The accounts shall be audited and an abstract shall be sent to each Member and the accounts shall be submitted for approval at a General Meeting in each year.

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73. The Auditor shall be appointed annually by WS Members at a General Meeting.

## Subscription of documents

74. All deeds and documents shall be validly executed by the Society if subscribed by
- 74.1. any two of the Deputy Keeper, the Clerk and the Office Bearers in the presence of one witness, or
  - 74.2. if so authorized by a document subscribed by any two of the Deputy Keeper, the Clerk and the Office Bearers in the presence of one witness, by a member of the Executive in the presence of one witness.

## Legal effect

75. If any provision in the Regulations is invalid or unenforceable, the Regulations as a whole shall not be invalidated or rendered unenforceable but shall have effect to the full lawful extent possible, disregarding the invalid or unenforceable provision.

## Prospective effect

76. Nothing in the Regulations shall affect or detract from the voting rights held by any WS Member admitted to Membership prior to 5<sup>th</sup> June 2007.

## Communication of Notices

77. Any notice, request, document or information required by or under the Regulations to be given to a Member may, without prejudice to any other competent method of communication, be given to such Member by email to an email address of such Member provided by such Member, or otherwise lawfully known, to, the Society. Any Member may request by notice in writing to the Society the Member's preference to receive notices, etc. from the Society in hard copy by post and the Society shall give effect to that request. For the purposes of this Regulation, "email"

## Appendix: Guidelines for the appointment of the Deputy Keeper

**This appendix does not form part of the regulations on the preceding pages.**

1. The retiring Deputy Keeper shall convene a committee for the purpose of recommending his or her successor, comprising Deputy Keeper as chairman, Treasurer, Fiscal, two Council members and two other members of the Society, the last four to be appointed by Council.
2. The retiring Deputy Keeper shall submit a short list of full WS members for possible appointment as his or her successor to the committee for its consideration and the committee shall select one of these persons for recommendation to the Keeper as his or her future Deputy.
3. The incoming Deputy Keeper should be invited on his or her acceptance of appointment to sign an informal undertaking to demit office after serving a ten-year term, or on attaining age sixty five years, or if he or she should cease to be a full WS member for any reason.
4. In the event of the Deputy Keeper's death or mental or physical incapacity, his or her functions and duties shall be performed by the Treasurer until a successor to the Deputy Keeper has been appointed in terms of these guidelines.

**These are the Regulations referred to in the foregoing application form.**

Signature
Date