



**Drumchapel
Housing**

Co-operative Limited

Form “C”

Management Board Eligibility Statement

The Eligibility Statement is in accordance with the Model Rules and sets out the eligibility for appointment as a Board Member. **Please read carefully prior to signing.**

Rule Eligibility for the Board

- 37.1 A person will not be eligible to be a Board Member and cannot be appointed or elected as such if:
- 37.1.1 He/she has been adjudged bankrupt, has granted a trust deed for or entered into an arrangement with creditors, or his/her estate has been sequestrated and has not been discharged; or
 - 37.1.2 He/she has 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
 - 37.1.3 He/she is a part to any legal proceedings in any Court of Law by or against the Association; or
 - 37.1.4 He/she is or will be unable to attend the Board Meetings for a period of 12 months; or
 - 37.1.5 He/she has been removed from the Board of another registered social landlord within the previous five years; or
 - 37.1.6 He/she has resigned from the Board in the previous five years in circumstances where the resignation was submitted after the date of his/her receipt of notice of a special Board meeting convened to consider a resolution for his/her removal from the Board in terms of Rule 38.5; or
 - 37.1.7 He/she has been removed from the Board in terms of Rules 38.4 or 38.5 within the previous five years; or
 - 37.1.8 He/she has 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
 - 37.1.9 He/she has 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 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 he/she were

responsible or to which he/she were privy, or which his/her conduct contributed to or facilitated; or

37.1.10A disqualification order or disqualification undertaking has been made against that person 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); or

37.2 At an annual general meeting he/she has served as a Board Member for a continuous period in excess of nine years and the Board has not resolved to permit him/her to stand again or otherwise be nominated for re-election.

37.3 A person cannot be re-elected as a Board Member if the Board is not satisfied under Rule 38.6 of the individual's continued effectiveness as a Board Member. In these circumstances, the Board will not allow the individual to stand for re-election.

38 A Board Member will cease to be a Board Member if:

38.1 He/she resigns his/her position as a Board Member in writing; or

38.2 He/she ceases to be a Member unless he/she is a co-optee in terms of Rule 336.1 or an appointee of The Scottish Housing Regulator; or

38.3 He/she misses four Management Board meetings in a row without special leave of absence previously being granted by the Board either at his/her request or by exercise of the Board's discretion; or

38.4 The majority of Members voting at a general meeting decide this. (The Members at the meeting may then elect someone to take his/her place. If a replacement is not elected at the meeting, the Board may appoint a Board Member in terms of Rule 35); or

38.5 The majority of those remaining Board Members presenting and voting at a special meeting of the Board convened for the purpose decide to remove him/her as a Board Member. The resolution to remove him/her as a Board Member must relate to one of the following issues:

38.5.1 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;

38.5.2 failure to sign or failure to comply with the Association's Code of Conduct for Board Members; or

38.5.3 a breach of the Association's Rules, standing orders or other policy requirements.

38.6 He/she becomes ineligible as a Board Member in terms of Rule 31.3, 31.4 and 37; or

- 38.7 He/she is a co-optee whose period of office is ended in accordance with Rules 33.1 or 36.1; or
- 38.8 He/she is a Board Member retiring in accordance with Rule 33.1.