



# **NAEP CONSTITUTION AND FINANCIAL INSTRUCTIONS**

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## **Introduction - National Association of Equipment Providers**

The constitution sets out how the National Association of Equipment Providers (NAEP) operates, how decisions are made and the procedures that are followed to ensure the Council is efficient, transparent, and accountable to the membership.

The Council is composed of eleven members, also known as NAEP National Officers and each may be a representative of an internal sector of the Association.

It is accepted as part of the terms of the constitution that the number of Council members will be reviewed and could increase as new government initiatives take place and that will ensure the future development of NAEP. These additions will be posted on the NAEP Website and written expressions of interest with a current biography will be invited.

The NAEP Executive Team oversees the performance, operational, membership and financial elements of NAEP. The Executive Team is made up of the NAEP Chair, Vice Chair, Treasurer, Service Development Officer, and the Membership Administrator/Secretary.

Representation at Council Meetings of the Special Interest and Operational Groups is covered by the Chairs of the Clinical & Prescribers Special Interest Group and the Chairs of two Operational Groups for Communications and Conference Planning. These positions are currently taken by National Officers with appropriate professional skills and experience. Election for these posts should run concurrently with the election of existing posts held on the Council.

In addition to the Nationally elected Council Officers, Regional Group Chairs are invited to attend all meetings of the NAEP Council.

Post holders are elected in accordance with section 8.

The constitution will be updated by the Executive Team and then ratified by the Council. If there should be any ambiguity or difference of opinion concerning the update or interpretation of this Constitution and Financial Instructions, reference shall be made in writing to the Membership Administrator/Secretary, who shall refer the matter to the Council. The decision of the Council shall be final and binding to all parties.

All members of the Association shall be bound to adhere to the Constitution and Financial Instructions.

## **Aim of NAEP**

To support and share good practice to all members across the UK in the provision of community equipment.

## **Objectives**

- To promote networking & communication between those working in the field of equipment provision, commissioning, clinical and/or governance
- To provide a membership service to all groups working within community equipment services, including commissioning, clinical, administration, decontamination, provision, logistics, associated and voluntary organisations
- To receive and interpret Government Papers
- To inform members of new legislation and white papers for both Health & Social Care
- Where appropriate to discuss any draft Health & Social Care Government Papers and make recommendations on behalf of members
- To broaden the knowledge base of the Association's members through education and information services
- To promote fellowship between members through the formation of Regional Groups and Special Interest Groups whose activities network across the UK
- To strengthen links between members, users, carers and other complimentary services throughout the UK, including but not limited to, manufacturers, suppliers, retailers, voluntary organisations and associated services.
- To support equipment retailers to become recognised providers of equipment to the public and offer a national retailer accreditation (CERA - Community Equipment Retailer Accreditation)
- To identify future needs for the supply of community equipment services to users.

The Aim and Objectives underpin the work of the Association at a National and local level.

## **1. Membership**

### **1.1 Membership Categories**

Membership will be open to all personnel working or supporting the field of community equipment Provision, Commissioning, Clinical, Administration, Governance or Procurement.

- And the employing organisation is either in the public sector (statutory lead provider), a non-commercial provider, commercial provider, retailer or is part of the voluntary sector

#### **Category 1 Membership - Individual Membership**

This category is applicable for personnel working as a: service manager, therapist, clinician, operations manager, prescriber or as an assessor, driver or driver/fitter, trainer, commissioner, administrator, or in the procurement of services.

#### **Collective Membership:**

A Collective Membership is available in this membership option and facilitates an organisation to have five employees as named individual members of NAEP, for a beneficial total price equivalent to the cost of four individual memberships.

All five individuals will each receive the same benefits as detailed for Category 1 - Individual Membership.

#### **Category 2 - Commercial Membership**

This category is applicable to you if you are a Supplier or Manufacturer of equipment that supports the provision of equipment into the community and acute environments. This category of membership provides you with corporate membership of your Company and for one named person.

***Category 2B - Commercial Named Staff Membership – This category is now included under the Individual Membership***

#### **Category 3 - Associate Membership**

This category is applicable if you are a Retailer of equipment, a franchised business, or a Consultancy Service that supports the provision of equipment, the Associate Membership provides you with corporate membership and for one named person.

***Category 3B - Associate Named Staff Membership – This category is now included under the individual membership***

Full details of the NAEP Membership Categories and the respective membership benefits are available on the NAEP Membership page of the NAEP website and can be found at [www.naep.org.uk](http://www.naep.org.uk).

1. The NAEP Membership Year is effective per calendar year from the 1<sup>st</sup> January to 31<sup>st</sup> December.
2. Membership is open to all qualifying Members, organisations and individuals who are interested in furthering the work of the Association.
3. Members who retire, but who would like to continue supporting and being a fully paid up and active member of NAEP can do so with written confirmation from the Chair.
4. All Members will be issued with a unique membership number which is non-transferable during the year.
5. The Council may terminate the membership of any member bringing the organisation into disrepute.
  - i. The member concerned shall have the right to be heard by the Council before a final decision is made.

## **2. Application for Membership**

**2.1** Applications for membership of NAEP under the Individual, Commercial or Associate membership categories should be submitted via the online application form on the NAEP Website [www.naep.org.uk](http://www.naep.org.uk)

**2.2** Memberships will only become valid on receipt of the annual subscription fee, when paid in full.

## **3. Termination of Membership**

**3.1** Any member wishing to terminate their membership shall inform the NAEP Membership Administrator / Secretary by email and arrange for the return of any property (if appropriate) belonging to the Association that may have been loaned or placed in the care of the Member. Property would include Laptops, Mobile Telephones and Printers.

**3.2** In the event of 3.1 any outstanding membership term is non-transferrable to another person. The membership fee is non-returnable.

## **4. Subscriptions**

**4.1** Annual Subscriptions of an amount determined by the Council will be received yearly and shall be payable by each member. All subscriptions will attract Value Added Taxation at the prevailing rate.

**4.2** Annual subscriptions become due on 1<sup>st</sup> January of each membership year, with the subscription being paid by Bank Transfer, PayPal, cheque, or other such recognised means. Payment terms are 30 days from date of invoice.

**4.3** A member's subscription entitles the member to all the benefits of membership, relative to the paid-up membership category for one full year. Non payment will result in removal from the database.

**4.4** The Association may from time to time update the level of benefits available to Members and will only undertake such changes as to be in the good favour to the Membership.

**4.5** The Association will increase the level of subscription fee should this be deemed appropriate and will notify the membership prior to the start of a new membership year.

## **5. Annual Report**

**5.1** The NAEP Council has no obligation to hold an Annual General meeting and will therefore provide a written Annual Report which will outline the Activities and the undertakings of the Association during the preceding 12 months.

**5.2** The NAEP Chair will provide an overview of the Annual Report yearly at the NAEP Annual Conference.



## **6. Power**

In the pursuance of empowering the Association to achieve the aim of the organisation, the following criteria will apply:

### **6.1 The Association will have the powers to:**

- i. Raise funds through subscriptions as determined annually by the Council.
- ii. Rent or own property and equipment necessary to achieve the aim and objectives of the Association.
- iii. Appoint Sub-Councils or constitute Regional Groups where such powers would further the aim and objectives of the Association.
- iv. Co-operate with other groups/organisations or exchange information where this would further the aim and objectives of the Association.
- v. Affiliate to any local or national group or association that the Council warrants to be appropriate. Furthermore, to disaffiliate from any group or organisation if continued affiliation is against the interest of the Association.
- vi. To conduct all such other lawful processes that will further the attainment of the aim and objectives of the Association.

## **7. The National Council**

### **7.1 NAEP Executive Team**

The Officers of the Executive Team are a shared resource for the day to day management and functions of the Association.

The Serving Officer positions of the Executive Team are as detailed below:

1. NAEP Chair
2. Vice Chair
3. Treasurer
4. Service Development Officer
5. Membership Administrator / Secretary

## **7.2 National Council Officers**

The National Council's Officers are expected to hold a full membership of NAEP for at least two years prior to taking up a post.

1. Chair
2. Vice Chair
3. Treasurer
4. Service Development Officer
5. Membership Administrator / Secretary
6. Clinical Representative
7. Health Representative
8. Social Care Representative
9. Associate Services Representative
10. CERA Representative
11. Honorary Legal Advisor (only in attendance at Council meetings as & when required).

Additional posts that can be held by an existing Council Member:

- a. Clinical & Prescribers Special Interest Group Chair
- b. Conference Operations Group Chair
- c. Communications Operations Group Chair

## **7.3 NAEP Regional Groups**

1. NAEP Scotland Regional Group
2. NAEP North West Regional Group
3. NAEP North East Regional Group
4. NAEP Trent Regional Group
5. NAEP Midlands Regional Group
6. NAEP Eastern Regional Group
7. NAEP South West Regional Group
8. NAEP South East Regional Group
9. NAEP London Regional Group
10. NAEP Welsh Regional Group

11. NAEP Northern Ireland Regional Group

**7.4** Nationally elected Council Members will be eligible to hold the post of Chair of one of the Operational groups or Special Interest Groups.

**7.5** In addition to the Nationally elected Council Officers, all Regional Group Chairs will where possible, attend all meetings of the NAEP Council, which are inclusive of voting rights. The exception to this clause is the exclusion of voting rights regarding Council Post elections.

## **8. Election of Council Officers**

**8.1** National Council Officers will serve on the Council until they present the Chair with a letter of resignation.

**8.2** The Chair, Vice Chair and Treasurer will be elected by the Council and will hold the posts until they present the Council with a letter of resignation.

- i. Therefore there is no limit on the length of term that an officer may serve in these posts, providing they are still actively involved in the provision, commissioning, accreditation, governance, procurement or the supporting of equipment services and continue to promote the aim and objectives of the Association.

**8.3** In the event of a resignation of a Council Officer, nominations for Officers of the Council (except the Chair, Vice Chair, Treasurer, Service Development Officer and Membership Administrator / Secretary) will be advertised and members are required to submit in writing on the form designated for this purpose.

1. The form must be completed in full and signed by the Proposer and the Secunder of the nominee.
2. All Proposers and Seconders are required to hold a valid membership of the Association.
3. Candidates should ensure that their submission is complete and accompanied by a supporting biography. The results of successful candidate(s) in any election will be notified in the NAEP News and made available on the NAEP website. The Membership Administrator / Secretary shall acknowledge receipt of all nominations and proposals.

**8.4** For elections to the Council for the posts of NAEP Chair, Vice-Chair and Treasurer, expressions of interest will be requested together with a written statement. The Membership Administrator / Secretary shall acknowledge receipt of all expressions of interest. An extraordinary meeting will be convened where the Membership Administrator / Secretary will read out the names of the Council Members that have put forward an expression of interest. Each of these Council Members will be asked to leave the room and each in turn will be invited to present themselves and read their statements. The results of the process will be published in the NAEP News and on the NAEP Website.

**8.5** The positions of Service Development Officer and Membership Administrator / Secretary are paid posts and post holders are required to be registered with HMRC in a self-employed capacity. Job descriptions, hours of work and salary terms are agreed by the Chair, Vice Chair and Treasurer and are dependent on the needs of the Association. These posts are regularly supervised and managed by the Chair in terms of work tasks/projects and performance. There is no time limit to the term of office, in the interest of succession planning, a termination notice period is required. During this time expressions of interest will be requested, together with a written statement and completed application form. Interviews for shortlisted candidates will be held and members of the interviewing panel will be selected from National Officers of the Council and/or Regional Chairs. The results of the process will be published in the NAEP News and on the NAEP Website.

## **9. Eligibility and Absences at Council Meetings**

**9.1** Any member of NAEP who is no longer actively involved in the provision, commissioning, purchasing, accreditation or supporting of equipment services, will not be eligible to serve on the NAEP Council.

- The exception to this ruling will be to permit a Council Officer to continue serving as a National Officer to the Council on a voluntary basis following retirement.

**9.2** Should an elected Officer of the Council be absent from three consecutive ordinary meetings of the Council, to which they have been invited, the Council will invite an explanation as to the reasons. If the Council are subsequently satisfied that the absence was unavoidable due to reasonable cause, they will be permitted to continue in post. If the Council is not satisfied, the seat will be declared vacant and available for re-election.

**9.3** At any time a Member of the Council may resign from their position on the Council, by submitting a signed notice in writing to the NAEP Chair.

## **10. Meetings and Proceedings of the NAEP Council**

- i. The Council will hold at least 4 ordinary meetings each year, with the scope to increase the number of meetings as and when necessary.
- ii. The Chair shall be present and act as Chair at all meetings of the Council. If the Chair is absent, then the Vice-Chair takes up the duties and responsibilities of the Chair.
- iii. There shall be a quorum when four or more National Officers of the Council are present at a meeting.
- iv. Each matter will be decided by a majority of votes from the members of the Council and voting on any questions raised. In the case of equality, the Chair will have a second or casting vote.
- v. The Council will keep minutes of all meetings that follow the proceedings of the Council or any Sub-Council.
- vi. The Council will from time to time make or alter rules for the conduct of the Association.
  - a. No rule may be made which is inconsistent with this constitution.

- vii. The Chair may call an extraordinary meeting at any time, subject to not less than 14 days' notice being given and stating the time and place of the meeting and the objects for which it has been summoned.
- viii. The Chair, if requested to do so by not less than two thirds of the Members of the Council, summon an extraordinary meeting, subject to not less than 14 days' notice being given, stating the time and place of the meeting and the purpose for which it has been summoned.

## **11. Regional Groups**

- 11.1** The Council supports the establishment of Regional Groups to oversee the work of NAEP within designated localities.
- 11.2** The Terms of Reference for Regional Groups will be clearly defined by the Council and made available to the membership. The Terms of Reference will serve as a working document and point of reference for the operation of Regional Groups.
- 11.3** Regional Groups will elect their own Chair, Vice Chair and Secretary. All post holders must be fully paid up NAEP Members.
- 11.4** Vacancies for elected posts occurring on any Regional Group are to be notified to local Secretaries to invite nominations from the membership. The Chair / Vice-Chair will be responsible for requesting the appropriate nomination forms from the NAEP Membership Administrator / Secretary.
- 11.5** Regional Groups should meet as often as necessary to conduct the business for which purpose it was formed. Where possible, meetings should be held at a suitable /accessible location. Meetings should be planned and where possible meeting dates should be agreed for twelve months in advance.
- 11.6** Regional Group meeting minutes are to be sent to the NAEP Chair and the Membership Administrator/Secretary as soon as is practical, with an appraisee of the minutes being produced by the Regional Group Chairs and presented at each of the Council Meetings. A summary of the meeting should be sent to the NAEP Chair and the Membership Administrator / Secretary for inclusion in the NAEP News publication.

## **12. Sponsorship of Regional Group Meetings**

Wherever possible sponsorship should be sought for Regional Group Meetings. Expenditure should be kept to a minimum and in the event of extraordinary costs being incurred, prior notification should be given to the NAEP Chair for rectification.

### **13. Sub-Groups / Special Interest Groups**

- 13.1** The Council will have the power to appoint Sub-groups where specialist advice or assistance is required whilst upholding the Aim and Objectives of the organisation. Any such groups shall not enter into any legal or financial agreement without the prior consent of the NAEP Council.
- 13.2** Terms of Reference clarify how the sub-groups will operate and their term will be time limited.
- 13.3** Subgroups / Special Interest Groups will be bound by the same requirements as at clause 8.3 in relation to the election of posts and the conduct of the Group.
- 13.4** The Chair of the Subgroup / Special Interest Group will have membership made up of representatives with a diverse range of skills/work experiences and where possible with members from across the various NAEP Regional Groups. The Chair reserves the right to have two members from the same Regional Group where either their speciality of knowledge is viable, and the members area of practice is sufficiently different as to enhance the work of the group, or where the opportunity for representation from all the Regional Groups has not been taken up.
- 13.5** The Clinical & Prescriber Special Interest Group is not required to seek sponsorship for their respective meetings in order that the Association retains and demonstrates a level of impartiality, neutrality and transparency in the conduct and development of the work programmes of this group. The Group Chair may, by invitation seek to invite a Commercial entity to attend group meetings for the specific enhancement of their work programmes, whilst observance of impartiality, neutrality and transparency is always maintained.

### **14. NAEP Operational Groups**

The Conference and Communications Groups are assigned as having an Operational Group status in recognition of these two groups having the greatest financial implication / liability on the Association's expenditure.

#### **14.1 Conference Operations Group**

The work of this group has a primary responsibility as the principal lead for the operational planning and delivery of the annual Conference. The Group acts as a focal point for the representation of the views of the membership, exhibitors, and the Council, to ensure the conference reflects both the content and strategic goals of the Association.

The Executive Team oversee the Key Performance Indicators for the Annual NAEP Conference and which serve to benchmark the performance, achievements, and the timely delivery of the essential functions to be

undertaken. This will be inclusive of the operational elements of the Conference and to ensure financial compliance.

The Executive Team will ascertain if the conference will be managed in-house or if outside support is required/financed. Any decisions on this matter will be ratified by the Council.

#### **14.2 Communications Operations Group**

This Group has the operational responsibility for the following main functions.

- a. The ongoing / development of the NAEP website.
- b. The production of feature articles for the NAEP News publication to be provided to the designated NAEP Publisher, together with the provision of the quarterly submissions and updates from all Regional Group Chairs.
- c. Ensuring clear and regular communications throughout all membership categories for the participation and involvement of all paid up members.

#### **15. Co-opted Members**

The Council has the power to co-opt additional members or specialist advice in the furtherance of the Aim and Objectives of the Association. Should there be an occasion to co-opt other members to the Council this will only be done with the full agreement of all Council Officers.

The council may appoint such persons as it sees fit to act as advisers – Advisors shall not have voting rights.

#### **16. Frequency of Council Meetings**

To ensure that the Council functions effectively, meetings will be held four times per annum. In the event of the Group failing to hold any meetings, the membership may call a special general meeting, to either elect a new council or dissolve the Group. In respect of good practice, the Agenda and Minutes of all meetings will be taken and distributed by the NAEP Membership Administrator / Secretary.

#### **17. Extra Ordinary Meetings**

**17.1** A special / Emergency meeting may be called by the NAEP Chair if it is necessary for the organisation. All members will have 14 days' notice of the meeting and the notice of the meeting will give details of the business to be discussed at the meeting.

**17.2** The Secretary shall call the Extra Ordinary Meeting within 14 days of receiving a written request to do so. Only the business specified in the notice for the meeting shall be discussed at the Extra Ordinary Meeting



## **18. Dissolution of NAEP Groups**

Dissolution ensures that the closing of the group is done democratically and prevents anyone from closing the group down without consultation and the approval of the majority of the NAEP Members involved in the Group.

## **19. Administration of Property**

In accordance with the rules of the Association all property of the Association will be administered and managed by the NAEP Council. An annual inventory of NAEP property will take place and the results will be kept by the Treasurer for presentation to the Chartered Accountant together with financial papers.

## **20. NAEP Emblems, Trademark or Letter Headings**

The Council will approve the use of the National Association of Equipment Providers emblems for any items produced for sale.

- i. The NAEP Council will require look at each request for the use of the NAEP and CERA logos before consenting to their use.
- ii. Upon consent, the requesting organisation will be furnished with a copy of the NAEP Logo and strapline for their use.
- iii. Only those persons entitled to the use of such Emblems will receive a current and valid copy of the emblem and logo together with any updates that that may have been implemented.



- iv. The Association retains the right to withdraw the use of the NAEP Emblems, Trademark or Letter Heading when circumstances prevail, i.e. because of the non-payment of membership fees which will negate this agreement.
- v. No variations on the reproduction or replication of NAEP Emblems, Trademark or Letter Headings are permitted from those issued by NAEP.

## **21. Notices**

The accidental omission to give notice of a meeting by any member shall not invalidate any proceedings or resolutions at any meeting of the Association or any Council thereof.

## **22. Alterations to the Constitution**

The Constitution and Standing Orders of the Association may be altered at a Council Meeting or in exceptional circumstances at an Extraordinary Council Meeting.

To affect an alteration to the Constitution, it will be adopted if at least three quarters of the Council members present vote in favour of the proposed change.

## **23. Interpretation**

If there should be any ambiguity or difference of opinion concerning the purpose or interpretation of this Constitution, reference will be made in writing to the NAEP Chair and the Membership Administrator / Secretary, who will refer the matter to the Council. The decision of the Council will be final and binding to all parties.

## **24. On Joining**

All members will be issued with a copy of the Constitution on joining the Association. For existing members, this document will be available on the NAEP website at: [www.naep.org.uk](http://www.naep.org.uk)

## **25. Equality and Diversity**

All members will be treated with respect regardless of culture, race, ethnicity, disability, language, religion or spiritual beliefs, sexual orientation or identity, age or gender.

## **26. Disclosure of Members Details**

The Association will observe the protection of all member details in accordance with the Data Protection Act 2018.

## **27. Adoption of the Constitution**

The Constitution is formally adopted by final approval and signature of the NAEP Chair.



## FINANCIAL INSTRUCTIONS

## **Financial Instructions**

- 1.** The Council retains sole control and management of the income and property of the Association and the exclusive right to appointing, removing and of prescribing any respective duties in accordance with the Financial Instructions
- 2.** The income and property of the Association and all monies received on behalf of the Association will be applied solely towards the furtherance, promotion and execution of the aim and objectives of the Association. No portion thereof shall be paid by way of dividends, bonus, or profit to any member of the Association.
- 3.** All expenses incurred by members of the NAEP Executive or the NAEP Council for services actually rendered to the Association shall be recorded and sent to the NAEP Chair for approval before sending onto the NAEP Treasurer for payment. The NAEP Chair will send their recorded expenditure to the NAEP Vice Chair [the Vice Chair being the second Mandated person for the NAEP Bank Account] for signature and payment.
- 4.** All monies payable to the Association will be receipted by the Membership Administrator / Secretary and reconciled by the NAEP Treasurer. Payment for membership subscriptions are due 30 days from date of invoice. Any member whose invoice is not settled within a further 2 months will be removed from the annual database and no longer be in receipt of agreed benefits.
- 5.** All funds belonging to the Association shall (unless invested) be deposited into a bank account in the name of the Association and no sum shall be drawn from this account except by cheque or bank transfer approved by such person or persons as the Council may direct. The Council shall cause the Association to keep proper accounting records, which show and explain all transactions and disclose with reasonable accuracy, at any time, its financial position.
- 6.** The financial year of the Association shall run from 1<sup>st</sup> January to 31<sup>st</sup> December.
- 7.** The positions of Service Development Officer and Membership Administrator / Secretary are paid council posts. Post holders are required to be registered with HMRC in a self-employed capacity. Job descriptions, hours of work and salary terms are agreed by the Chair, Vice Chair and Treasurer and are dependent on the needs of the Association. Invoices for hours worked, and any agreed expenses incurred whilst carrying out the required duties, will be submitted to the NAEP Chair or Treasurer monthly in arrears. Once the invoice has been checked and approved, payment will be made by way of a bank transfer.

**8.** The NAEP Chair and/or Treasurer will prepare the annual accounts, which will provide a true and fair view of the financial position and of the Association's income and expenditure for the Associations agreed financial year-end.

**9.** Financial decisions regarding sums of money under five thousand pounds (£5,000.00) may be authorised by the Chair without the approval of the NAEP Executive Team or the NAEP Council. Sums in excess of £5,000.00 will require the approval of the NAEP Executive Team and the Council.

**10.** The Association will appoint appropriately qualified Chartered Accountants to Audit the NAEP Accounts. The Council shall approve the Chartered Accountants Fees.

### **Funds and Finance**

**1.** All funds shall be devoted to the objectives of NAEP.

**2.** A Bank account will be in place in the name of the National Association of Equipment Providers.

**3.** All cheques shall be signed by 1 of the 2 signatories, none of whom shall be related or live at the same address.

**4.** Invoices and expenses can be paid by Bank Transfer: This action can be carried out through a Bank Mandate by the NAEP Chair / Treasurer and/or the Vice Chair.