

# **NATIONAL COUNCIL**

**FOR**

# **METAL DETECTING**

# **CONSTITUTION**

Agreed version for implementation with effect from the 1995 Annual General meeting

1. Amended 1997
2. Amended AGM 1998
3. Amended AGM 2000
4. Amended AGM 2005
5. Amended AGM 2006
6. Amended AGM 2007
7. Amended AGM 2011

### 1. NAME

The name shall be THE NATIONAL COUNCIL FOR METAL DETECTING, hereinafter referred to as THE NATIONAL COUNCIL or THE NCMD.

### 2. OBJECTS.

The objects of the National Council shall be: -

- a) To promote, protect and encourage the hobby of metal detecting for its members.
- b) To protect the hobby of metal detecting from attack, control or legislation which inhibits or compromises existing freedoms.

### 3. MEMBERSHIP.

i) Membership of the National Council shall be open to all those individuals who are accepted as a member of an NCMD organisation at local or regional level conditional upon, freedom from conviction for any offence relating to metal detecting activities, payment of all relevant subscriptions and levies, and adherence to the NCMD current Code of Conduct (as at Appendix 'A' of this constitution.)

ii) Membership of the National Council's Executive Committee shall be drawn from the appointed representatives of all recognised NCMD Regions.

iii) Organisations formed from a group of Metal Detecting Clubs and seeking representation on the Executive Committee of the NCMD shall acknowledge acceptance of The Role and Duties of the NCMD Regions as set out in Appendix 'B1' of this Constitution, then make application in writing to the General Secretary who will bring it before the next appropriate meeting of the Executive Committee for consideration and the necessary approval.

iv) There shall also be a facility for special classes of membership and the Executive Committee shall be empowered to offer affiliate membership to individuals and organisations, including those with vested commercial interests, if such membership be considered beneficial to the hobby. The Executive Committee shall review these memberships annually.

**v). To safeguard the interests of the Central Register Club and Individual and Associate members in the absence of appointed delegates drawn from those bodies, representation will be undertaken by the Chairman, General Secretary, Assistant General Secretary and the Membership Secretary. Delegates drawn from the membership of the Central Register Clubs or the Independent and Associate members will substitute for one or more of the officers up to the required level of four delegates or representatives. Appointed delegates are to be elected on a yearly basis.**

vi) In order to reward services to the hobby of metal detecting The Executive Committee may elect Honorary Members and Honorary Life Members to the NCMD. For exceptional services

Honorary Presidency may be offered to individuals. Such posts shall carry neither duties nor voting powers.

vii) The Executive Committee shall be empowered to refuse or cancel the membership of any organisation or individual.

There will be an appeal procedure to a sub-committee appointed by the Executive Committee and convened for such a purpose. The decision of that sub committee shall be final.

#### **4. SUBSCRIPTIONS.**

The Annual Subscription shall be decided upon at the last General Meeting held prior to 31 December in any calendar year to take effect from 1 April immediately following. The Executive Committee shall be empowered to seek additional funds by way of a levy on total membership.

Subscriptions collected and held by regions on behalf of the NCMD shall be paid to the NCMD Treasurer by, or at, the NCMD meeting immediately following their collection.

Payment of Annual Subscriptions shall be completed by the last day of March of the year for which they were set.

#### **5. ANNUAL GENERAL MEETING.**

The Annual General Meeting shall be held not later than the 30th June and the General Secretary shall give written notice, of at least twenty-eight days, to all members. The notice shall contain details of retiring officers and invite nominations to fill those vacancies.

Nominations for vacant offices shall be submitted in writing to the General Secretary at least 14 days prior to the meeting. Both proposer and nominee shall sign nomination forms.

In the event of no written nominations being received within the above time scale, nominations may be accepted from members present at the meeting.

The advance notice of the Annual General Meeting shall also contain any proposed alterations to the current constitution.

#### **6. ORDINARY MEETING.**

Ordinary Meetings of the Executive Committee shall be held at least three times annually, preferably evenly spaced throughout the year. The General Secretary to give at least 28 days notice of such meetings.

#### **7. EXTRAORDINARY GENERAL MEETINGS.**

Fifty percent of the Officers of the National Council shall be empowered to call an Extraordinary General Meeting, by giving notice of at least seven days, and stating the purpose for such a meeting.

## 8. CONDUCT OF BUSINESS.

The formation of all committees and subcommittees and the conduct of all their meetings and business, shall be in accordance with the current set of NCMD Standing Orders, as contained in Appendix 'C' of this document and within the wording and spirit of this constitution.

## 9. OFFICERS of the NCMD

The Principal Officers of the NCMD shall be: -

**President.** Elected at an A.G.M. for a period of three years.

**Duties:** The guardianship of the constitution, good name, and principles of the NCMD. Superintendent of the general policy, in an advisory capacity. Representing the NCMD at official or social functions, when requested.

The Executive Officers of the NCMD shall be: -

**Chairman. Vice Chairman . Treasurer. General Secretary. Assistant General Secretary. Membership Secretary. Public Relations Officer.**

**Chair.** The Chair is the chief executive officer of the NCMD, elected by vote at an A.G.M. and holding the appointment until the following A.G.M.

**Duties:** The duties of this officer encompass the co-ordination of all NCMD business without exception. Within this capacity, the Chair holds the authority of the NCMD to direct at all times the activities and actions of all Executive Committee Officers engaged on any or all NCMD business, subject only to the current directives of the Executive Committee. The Chief Executive Officer is automatically the Chair of all meetings of the Executive Committee of the NCMD and is responsible for conducting the business of those meetings, and ensuring Standing Orders are applied. The Chair is, ex officio, a member of any NCMD committee or subcommittee, with the exception of the Policy Management Team.

**Vice Chair.** The election of the Vice-Chair shall be at an A.G.M., for the same period as the Chair.

**Duties:** This officer assumes all the duties of the Chair in the latter's absence.

**General Secretary.** This officer is elected at an A.G.M. for a period of three years.

In accordance with the will and mandate of the Executive Committee this officer conducts the administrative business of the National Council.

With full support of the Chair this Officer may require any Officer of the NCMD or any other NCMD mandated person to submit to the Executive Committee, details of any proposed verbal written or physical action related to outside bodies prior to the undertaking of such, unless the Executive Committee has previously agreed otherwise.

This Officer is the principal liaison source to all other bodies outside the NCMD, other than the public media and is authorised to call upon any other Officer of the NCMD for aid or co-operation. The Assistant General Secretary and the Minuting Secretary are responsible to the General Secretary.

This Officer is responsible for all the administrative arrangements of Executive Committee meetings, also ensuring the booking of venues and the provision of required materials and refreshments

This Officer has, as a primary responsibility at the direction of the Chair, the task of ensuring the presentation to the Executive Committee of the order of business (agenda) for any Executive Committee meeting, the provision of any documents or papers relevant thereto, and the accurate recording and keeping of minutes for those meetings.

**Assistant General Secretary.** This officer is elected at an A.G.M. for a term of three years.

**Duties:** This Officer is mandated to assist the General Secretary in all duties, tasks and other activities of the NCMD in such a manner, that they form and/or maintain a cohesive policy strategy.

**Treasurer.** The Treasurer is elected for a period of three years by vote at the A.G.M.

**Duties:** The Treasurer has charge of all moneys subscribed or disbursed and keeps the accounts of the NCMD. He will render annually to the NCMD a written statement of the accounts which has been examined by the persons appointed by the NCMD Executive Committee for that purpose. The Annual Accounts will incorporate an analysis under the various heads of all moneys received and expended on behalf of the NCMD. This Officer shall give report on the NCMD current financial state at each Ordinary meeting of the National Council.

**Membership Secretary** This officer is elected at an AGM for a period of two years.

**Duties:** This officer undertakes the following duties: -

Distribute all membership cards to Clubs, Regions and Individual Members.

Keep an up-to-date record of all membership subscriptions collected and forwarded to the NCMD Treasurer.

Post out receipts on behalf of Treasurer, to Individual Members.

Post out membership renewal reminders to Individual Members.

Send out Reconciliation Sheets to all Central Register clubs.

Ordering or co-opting the ordering of membership cards.

**Public Relations Officer.** This officer is elected at an AGM on an annual basis.

Duties: This officer is mandated to represent the NCMD to the public media. In all matters concerning national media exposure of NCMD policy or image, this Officer will consult with both Chair and General Secretary.

This Officer prepares and distributes periodic news bulletins for publication in the hobby press and Internet Fora and prepares agenda for NCMD meetings.

### **General responsibilities of all NCMD Officers**

For a serving NCMD Officer with conflicting interests between Regional and National Council responsibilities, allegiance to the National Council shall prevail.

An NCMD Officer may tender his resignation at any time and in such an event the Executive Committee may fill the vacancy on a casual basis until the next A.G.M.

An NCMD Officer may be asked to resign at any time if 50% of the members of the Executive Committee shall require this. An Extraordinary General Meeting shall be convened for this purpose.

There shall also be a facility for the Executive Committee to appoint additional Officers. These appointments are to be non-executive, activated for specific tasks, fixed term, reviewable, and be responsible to the Executive Committee, which shall be empowered to activate or deactivate them by a simple majority vote.

Unless otherwise decreed by the Executive Committee, it is the duty of all Officers to confine their NCMD representational activities to those defined in the preceding job descriptions. In 'grey' areas, they are obliged to consult with and accept the directive of the Chair.

### **10. POLICY MANAGEMENT TEAM.**

The Executive Committee shall form a Policy Management Team responsible for matters of policy between quarterly meetings, to be reported at a full committee meeting.

In consultation with each other, they may make decisions and authorise statements on behalf of the NCMD, with the approval of the NCMD Officers.

### **11. DELEGATES.**

The Delegates shall consist of four members from each Region.

In accordance with "3 (iv)" of this constitution, commercial interests may send up to two members each.

The names of all authorised members shall be notified to the General Secretary immediately following the A.G.M. and any subsequent changes should be notified as soon as they are made.

Casual absences may be filled by substitute members, who must be identified to the General Secretary at the commencement of the meeting.

#### 12. **EXECUTIVE COMMITTEE.**

The Executive Committee shall consist of the Officers and the Delegates, together with any persons who may be co-opted from time to time for specific purposes.

#### 13. **VOTING**

Voting at all meetings shall be by a show of voting cards, unless more than 50% of voting members present request a secret ballot.

Voting cards shall be issued at the commencement of each meeting and returned thereafter to the General Secretary.

The Officers of the National Council shall not be entitled to vote excepting: -

i) The Chair may use a casting vote in the case of an equality of votes.

ii) As a substitute member of the Executive Committee.

Affiliated members, honorary members, invited members, co-opted members and members of subcommittees, will not have voting powers.

#### 14. **MANAGEMENT OF NATIONAL COUNCIL AFFAIRS.**

(i) The day-to-day management of the National Council shall be carried out by the Officers and this may be without need to convene a formal meeting.

(ii) The Executive Committee shall be responsible for the overall management of National Council affairs.

(iii) The Executive Committee shall be empowered to appoint subcommittees and may also co-opt members for specific purposes.

#### 15. **FINANCES.**

The funds of the National Council shall be lodged with a recognised national bank or Building Society with Public Liability Company status.

All cheques and other negotiable instruments shall be signed by any two of the approved signatories.

Excepting for payments to statutory bodies, no payments over the amount of £500 (five hundred pounds) shall be made without the approval of the Executive Committee.

The Financial accounting Year of the National Council shall be from 1st April to the following 31st March.

At each Annual General Meeting two persons shall be appointed to examine the NCMD Annual Accounts on behalf of the NCMD Executive Committee. These persons shall serve until the next Annual General Meeting and will be empowered to employ professional accountancy aid if they feel it necessary. The Officers of the National Council shall be empowered to fill any casual vacancy which may occur.

#### **16. CONSTITUTION.**

There shall be no amendments made to the constitution excepting at an Annual General Meeting, or at an Extraordinary General meeting called for that purpose.

In any conflict between the actions of the NCMD and this constitution, the constitution will prevail.

The Constitution document shall be made available to all members on request.

#### **17. LIABILITY.**

Only the Executive Committee of the National Council may commit it to financial or physical liability.

#### **18. WINDING UP PROCEDURE.**

The National Council for Metal Detecting may be wound up by a two-thirds majority vote of the Executive Committee, in response to a properly advised motion proposed by one recognised NCMD Regional Organisation and jointly seconded by two others. Such a motion shall be the sole business of an Extraordinary General Meeting called by the General Secretary for this purpose.

Any surplus assets remaining, following payment of all known claims shall be disbursed to existing member Regional Organisations and Centrally Registered Clubs, in proportion pro rata to their total subscriptions paid to the NCMD during the previous three financial years. This shall be the duty of the Executive Committee, who shall take legal and / or financial advice, should this be necessary.

#### **19. APPENDICES.**

Appendix A to this constitution (attached) shall be the current NCMD Code of Conduct.

Appendix B1 to this constitution (attached) shall be The Role & Duties of Regions

Appendix C to this constitution (under separate cover) shall be NCMD Standing Orders.

Appendix D to this constitution (attached) shall be Appendix C to this constitution (under separate cover) shall be NCMD policy statement on the recording of finds data with third parties.

## **The National Council for Metal Detecting**

### **Code of Conduct**

1. Do not trespass. Obtain permission before venturing on to any land.
2. Respect the Country Code, leave gates and property as you find them and do not damage crops, frighten animals or disturb nesting birds.
3. Wherever the site, do not leave a mess or an unsafe surface for those who may follow. It is perfectly simple to extract a coin or other small object buried a few inches below the ground without digging a great hole. Use a suitable digging implement to cut a neat flap (do not remove the plug of earth entirely from the ground), extract the object, reinstate the grass, sand or soil carefully, and even you will have difficulty in locating the find spot again.
4. If you discover any live ammunition or any lethal object such as an unexploded bomb or mine, do not disturb it. Mark the site carefully and report the find to the local police and landowner.
5. Help keep Britain tidy. Safely dispose of refuse you come across.
6. Report all unusual historical finds to the landowner, and acquaint yourself with current NCMD policy relating to the Voluntary Reporting of Portable Antiquities.
7. Remember it is illegal for anyone to use a metal detector on a designated area (e.g. scheduled archaeological site, SSSI, or Ministry of Defence property) without permission from the appropriate authority.

8. Acquaint yourself with the definitions of the following documents: -
  - Treasure contained in the Treasure Act 1996 and its associated Code of Practice, making sure you understand your responsibilities.
  - Advice for Finders of Archaeological Objects including Treasure 2006.
9. Remember that when you are out with your metal detector you are an ambassador for our hobby. Do nothing that might give it a bad name.
10. Never miss an opportunity to explain your hobby to anyone who asks about it.

**Appendix A to the NCMD Constitution**

Revised February 2000

Amended AGM June 2007

## **THE ROLE AND DUTIES OF REGIONS**

### **Role: -**

To promote, protect and Encourage the hobby of metal detecting at regional and local levels.

To represent the interests of ALL members, within the best interests of the hobby as a whole.

To maintain and to contribute to the formation of national policy via membership of the NCMD.

To liaise with the media and non-detecting organisations at regional and local levels.

To arbitrate and mediate in inter-member disputes at regional and local levels.

To undertake any other activity which is conducive to the good of its members and the metal detecting hobby as a whole.

### **Duties: -**

To conduct its business via a democratic structure of officers and committee elected from within its membership.

To conduct its business via a constitution based upon natural justice, which is in the best interests of its members within the best interests of the hobby as a whole. A copy of this constitution to be available to any members upon request.

To have within its constitution a facility for disciplining errant members via reprimand suspension or expulsion. And, to have a just appeal procedure in such cases.

To maintain and contribute to national policy by an acceptable level of attendance and participation at NCMD meetings.

To accumulate relevant accurate information concerning the hobby and to disseminate it via the hobby structure to members National Council, or both.

To conduct its finances in an open manner and within two months of the financial year-end, to publish a statement of accounts to its members, which have been examined by persons appointed by the region for that purpose.

To undertake any other activity necessary for the well-being of its members and the metal detecting hobby as a whole.

### **Appendix B1 to the NCMD Constitution**

Amended AGM November 1997.

## **NCMD POLICY STATEMENT ON THE RECORDING OF FINDS DATA WITH THIRD PARTIES**

The NCMD recognizes that landowners hold a greater legal title to all non-Treasure items found by metal detection or other means on their land. In doing so, NCMD members need to recognize that they have a duty of care to ensure that they uphold this at all times. This duty also includes an intent to ensure that before recording any finds with third parties they have full permission from the landowner/tenant/occupier to do so and then only to an accuracy and detail to which all relevant parties feel comfortable. Issues surrounding the potential publication of find spots data, such as on the Internet and elsewhere as well as the possible use of such data by recipients should be considered in discussions with landowners. Where necessary, recording organisations should be informed of any required restrictions on publication at the time of recording and should make provision for this information on recording forms and/or receipts.

**Appendix D to the NCMD Constitution**  
AGM June 2007.