



## THE INSTITUTE OF BREWING & DISTILLING

### BYELAWS 2022

#### 1. Definitions and Interpretation

1.1 Unless the context otherwise requires words and expressions defined in the Articles and not defined below shall have the respective meanings given to them in the Articles and the following definitions are used throughout the Byelaws of The Institute of Brewing & Distilling (The IBD):

Address	Any means of communication to individuals or bodies whether traditional or electronic.
AGM	Annual General Meeting as defined in the Articles.
Articles	The Articles of Association of The IBD.
Awards Committee	The committee appointed by the Council to oversee the giving of awards.
Board	Board of Directors (Trustees) of The IBD as defined in the Articles.
Board of Examiners	The Board of Examiners appointed by the Chair of the Board of Examiners to support the overseeing of examinations administered by The IBD. .
Board Secretary	The person appointed by the Board to act as Secretary to them.
CEO	The Chief Executive Officer, being a paid employee of The IBD responsible for its day to day running reporting to both Council and the Board. The CEO may also act as Company Secretary and Secretary to the Council.
Chair of the Board of Examiners	The person appointed by the Board to oversee the examinations administered by The IBD.
Company Secretary	The person appointed to act as Company Secretary.
Council	The Council constituted pursuant to the byelaws and being responsible for suggesting policy to the Board for discussion and ratification.
Deputy President	Honorary Officer of the IBD, elected by the Members.
Editor	Person (or persons) who oversee the publication of The IBD Journals.



Fermentation Industries	Those industries involved in the production of products by use of a fermentation process and those supplying raw materials, equipment and services to these industries.
FC	The Financial Controller, being a paid employee of The IBD overseeing its financial running and reporting.
General Meeting	A general meeting of the Members as defined in the Articles.
Honorary Officers	The President, Deputy President, Immediate Past President and Treasurer.
IBBS	Incorporated Brewers Benevolent Society, established for the purpose of providing voluntary contributions for the relief or maintenance of people employed or formerly employed in the brewing and distilling professions and the dependents of such persons.
Immediate Past President	Honorary Officer who was the last person to hold the position of President.
IBG	The International Brewers' Guild, formerly Brewers' Guild and being a company, limited by guarantee, incorporated in 1929 under the name The Incorporated Brewers' Guild and dissolved in 2001 following amalgamation with the Institute of Brewing.
IoB	The Institute of Brewing, formed in 1886 as the Laboratory Club and dissolved in 2001 upon amalgamation with the International Brewers Guild.
In Writing	This shall include electronic means only where a member has the capability and has requested to receive information in this manner.
Journal	Journals produced under the control of the Council in whatever form.
Member	Any person holding membership of The IBD within the definitions in the Articles and Byelaws.
Nominations Committee	The Nominations committee comprises the President, Vice-president, Immediate Past-president, Chair of the Governance sub-group and the Board Secretary.
Non-voting Member	Members without voting rights as defined within the Articles and Byelaws.
Notice	As defined in Byelaw 28.



President	Honorary officer of The IBD elected by the Members.
Register of Members	A list of all IBD Members.
Registrar	The person appointed by the CEO (on behalf of the Board) to maintain the register of members.
Section	Sections of The IBD composed of organised groups of Members
Section Committee	A committee constituted pursuant to Byelaw 22.7 to oversee the running of a Section.
Section Chair	The chair appointed by the relevant Section pursuant to Byelaw 22.7.
Section Secretary	The Secretary appointed by the relevant Section pursuant to Byelaw 22.7
Subscribing Member	Member required to pay subscriptions.
Treasurer	Honorary officer whose function is to ensure that financial information is properly maintained.
Voting Member	Those Members entitled to vote at General Meetings being Fellows, Senior Members, Ordinary Members, Student Members, Certificate Members, Members in Retirement and Life Members.

1.2 The expression “individual” shall mean a natural person in their personal capacity and not in a representative or a fiduciary capacity. The term “person” shall, unless the context otherwise requires, include any natural or legal person and any body of persons corporate or unincorporated.

1.3 In relation to electronic communication the expression “address” shall include any number or address for the purposes of such communication and “communication” and “electronic communication” shall have the same respective meanings as in the Electronic Communications Act 2000.

1.4 Words importing the singular number only shall include the plural number and vice versa. Words importing the masculine gender only shall include the feminine and neuter genders and vice versa.

## **2. Byelaws**

These Byelaws are made by the Directors under the powers of the Articles.

## **3. Membership Issues**

3.1 Membership is composed of Voting (also known as statutory) and Non-voting Members.



3.2 Voting members are Subscribing Members and are divided into the following categories: Fellows, Senior Members, Ordinary Members, Student Members, Certificate Members, Life Members and Members in Retirement, details of which are set out below:

- (a) Fellow: an individual who has been nominated by a Section, approved by the Awards Committee and ratified by Council because they are a distinguished member with substantial experience and responsibility in the fermentation industries or over a number of years has shown dedicated service to The IBD (or both).
- (b) Senior Member: a person who has gained this status within the International Brewers' Guild (category now closed to new members).
- (c) Ordinary Member: an individual who has applied for membership in the prescribed manner and been approved by Council.
- (d) Student Member: an individual who is registered for an IBD Diploma examination or an individual in full time study in the fermentation or associated industries or in academic study related to those industries. Individuals in fully time study must be able to verify their full time student status from their place of learning. A reduced membership fee is applicable.
- (e) Certificate Member: members who have applied for a General Certificate or Fundamentals qualification. This category may join at a reduced subscription rate for the first three years.
- (f) Member in Retirement: Members who have ceased full time employment and have 20 years or more service to The IBD or those organisations that have been subsumed into it and who have reached the age of 55 and have applied to become a Member in Retirement. A reduced membership rate applies for Members in Retirement.
- (g) Life Member: Members who have had 40 years continuous membership of The IBD and former organisations subsumed by it or Members in Retirement who have applied to commute to Life Membership of The IBD by paying a one off fee consisting of 10 years at the current rate for Members in Retirement

3.3 Non-voting members are composed of Honorary Fellows and Honorary Members and are not subscribing members, elected in accordance with Byelaw 4.2:

- (a) Honorary Fellow: a distinguished person who has furthered the objects of The IBD but is not a Voting Member at the time of their election.
- (b) Honorary Member: a person who, in the opinion of Council, has significantly furthered the aims of The IBD.

3.4 Members are admitted by election at Council as detailed in these Byelaws.

## **4. Election of Members**

4.1 The procedure for electing Voting Members is:

- (a) Applicants shall complete the requisite application form, stating why they wish to join The IBD, and submit the form to the Registrar along with the required membership fee.
- (b) The applicant shall select the Section of which they wish to become a Member.
- (c) The Registrar shall add the applicants name to the register of members and issue a membership certificate.



- (d) Each month the membership department will send the Secretary of each Section a list of those applicants wishing to join their Section. The Section Secretary will distribute this list to the Section Committee for consideration and feedback any comments to the membership department.
- (e) The Registrar will submit a list of applicants to each Council meeting.
- (f) The Council will ratify membership by a simple majority on a show of hands.
- (g) The Registrar will retain a register of all Members which shall also contain details of the name, address and date of election of every Member, the class of membership and the Section to which they belong. Every Member shall inform the Registrar of each change of their address for entry in the register of members.

4.2 The procedure for election of Fellows is:

- (a) Section committees will consider those people from their Section who meet the criteria for Fellowship and have consented to be put forward.
- (b) The Section Secretary shall arrange that a recommendation from the Section for each candidate is written and two sponsors for each are obtained on the prescribed form. Electronic confirmation of sponsorship is acceptable.
- (c) The Section Secretary shall forward the completed forms to the Registrar.
- (d) The Registrar will forward applications to the Awards Committee, who will recommend to the Council whether or not the applications should be accepted.
- (e) The Council will decide whether each application is acceptable.
- (f) The Registrar will inform the Section Secretary and candidates whether their proposal has been accepted.

4.3 The procedure for the election of Honorary Fellows and Honorary Members is:

- (a) A Council member will nominate a person for membership, confirming that the nominee is prepared to accept and giving reasons for the proposal.
- (b) The CEO will arrange that nominations are circulated to the Council with the agenda.
- (c) The Council will consider the proposals and vote on the suitability of each candidate by a simple majority on a show of hands.
- (d) The membership department will inform the candidate of their acceptance or rejection and issue a membership certificate if appropriate.

## 5. Certificate of Membership

The Registrar shall issue certificates of membership to Members. The certificate belongs to The IBD and must be returned on request.

## 6. Subscriptions

- 6.1 Honorary Fellows, Honorary Members and Life Members are not required to pay subscriptions.
- 6.2 The level of subscriptions shall be recommended by the Council, ratified by the Board and approved at the AGM.



- 6.3 Subscriptions become due and payable on admission to membership of The IBD and, thereafter, are payable yearly on the anniversary of the first payment

## **7. Resignations and Expulsions**

- 7.1 Members may resign their membership at any time by notice in writing to the Registrar.
- 7.2 Membership automatically terminates on death.
- 7.3 Members who have not paid their fees within 2 months of their renewal date will be sent a reminder. If they have still not paid by the time 3 months from their renewal date has elapsed, they will be removed from the Register of Members by the Registrar. If they subsequently pay the arrears and submit a satisfactory reason to the Registrar for non-payment, they may be reinstated as a Member keeping their original renewal date and the Registrar shall restore their name on the Register of Members. The Registrar will provide the Council with a list of resignations and removals at each Council meeting.
- 7.4 Members convicted of an indictable offence will immediately cease to be a Member and be removed from the register of Members but may be reinstated at the discretion of the Council.
- 7.5 Members who are declared bankrupt will immediately cease to be a Member and be removed from the register of Members but may be reinstated at the discretion of the Council.
- 7.6 The Council may refuse to accept a new Member without giving reasons.
- 7.7 The Council, after ratification by the Board, may notify any Member whose conduct is in its opinion unbecoming or injurious to The IBD of their concern and request that Member to resign. If the Member concerned does not resign the procedure set out in Byelaw 25 (Disciplinary Procedures and Appeals) shall be followed.
- 7.8 If a Member is expelled from The IBD their subscription will not be refunded, except at the discretion of the Council.

## **8. Officers of the Institute**

The eligibility and appointment of the Officers of The IBD are contained in the Articles and the Officers are the President, Deputy President, Immediate Past President and Treasurer. All are honorary posts.

## **9. President, Deputy President and Immediate Past President**

- 9.1 The President, Deputy President and Immediate Past President shall be Subscribing Members of The IBD and shall have given outstanding service within the Fermentation Industries.
- 9.2 The President and Deputy President shall be nominated by the Council, ratified by the Board and elected annually by the Members at the AGM.
- 9.3 The term of office of the President is generally 2 years but may be a single year if agreed by the Council.
- 9.4 On retiring from the office of President, the incumbent shall become the Immediate Past President, usually for a term of two years.



- 9.5 The President, Deputy President or Immediate Past President may resign at any time by notifying the Board Secretary in writing.
- 9.6 The President, Deputy President or Immediate Past President may be removed from office by a resolution passed by a two-thirds majority of the Board.
- 9.7 On resignation or removal, the President, Deputy President or Immediate Past President will immediately cease to be an officer of The IBD and will, therefore, no longer be a member of the Council or the Board.
- 9.8 If the office of President or Deputy President falls vacant, the Council will recommend a replacement to the Board who will ratify the appointment if the nominated person is deemed to be appropriate. Such person will hold office until the next AGM, when a formal appointment will be made by the membership.

## **10. Treasurer**

- 10.1 The Treasurer shall be a Subscribing Member of The IBD.
- 10.2 The Treasurer shall be nominated by the Council, ratified by the Directors and elected by the Members at the AGM.
- 10.3 The nominated person shall be suitably qualified and experienced.
- 10.4 The term of office of the Treasurer is one year and he shall retire at the AGM following his election, but he shall be eligible for re-election at subsequent AGMs up to five times, with a maximum term of office of 6 years.
- 10.5 The Treasurer may resign his office at any time by notifying the Board Secretary in writing. Such resignation will immediately terminate their position on the Council and the Board.
- 10.6 The Treasurer may be removed from office if a resolution is passed by a two-thirds majority of the Board.
- 10.7 If the office of Treasurer falls vacant, the Council will recommend a replacement to the Board who will ratify the appointment if the nominated person is deemed to be appropriate. Such person will hold office until the next AGM, when a formal appointment will be made by the membership.
- 10.8 The Treasurer shall:
  - (a) oversee the bank accounts of The IBD paying any moneys received into the appropriate account;
  - (b) keep The IBD accounts;
  - (c) present, with the FC, the income and expenditure accounts of The IBD to the membership at the AGM along with the balance sheet and
  - (d) make recommendations to the Board on any financial issues.

## **11. Notification of General Meetings**

Under the direction of Council, the Company Secretary will send a notice to all Voting Members stating the date, time and venue of the AGM. The notice must be sent at least 21 days before the due date of the AGM. The notice will also state those officers retiring at the AGM and those that the Council have nominated for election to the vacant position(s).



## **12. Board of Directors**

The Board of Directors shall be constituted as set out in the Articles.

## **13. Composition and Election of the Board of Directors**

13.1 The Officers of the IBD shall be Directors.

13.2 There shall be five further directors elected at a General Meeting.

13.3 The procedure for election of both these and the IBD Officers is:

(a) Any vacancies on the Board will be formally identified at each Board meeting. The Nominations Committee will review the current Board 'skill set' matrix and determine the criteria against which any nominations will be recommended. These skills and criteria will be made available to Section chairs enabling them to seek suitable candidate(s) for the vacant position(s).

(b) Each Section may propose candidates (together with their skill sets and CVs) for election to the role of Director.

(c) Members can nominate potential Directors who must have the support of 2 Members. Their skill sets and c.v. should be sent to the Nominations Committee.

(d) In the event of insufficient candidates being received from Sections or Members, the Nominations Committee will conduct a search and identify suitable candidates

(e) The Nominations Committee will consider the candidates and give a recommendation to Council.

(f) Council will decide from among the nominated candidates who will go forward to the AGM for election as a Director (Trustee) . Council may only provide nominations for election sufficient to fill the notified vacancies.

(g) The CEO will inform the General Meeting of those nominated by the Council. The names and skill sets of those nominated will be made available for those attending the General Meeting.

13.4 Directors may be removed from the Board if a minimum of two-thirds of the Directors agree to this. In this instance the Director whose removal is proposed shall not have the right to vote on the matter

13.5 The Directors shall elect a Secretary to the Board from among their ranks.”

## **14. Chief Executive Officer**

The CEO:

14.1 is appointed by the Board,

14.2 does not need to be a member of The IBD.

14.3 may act as Company Secretary and Secretary to the Council,

14.4 shall act as the point of contact for outside bodies such as the Charities Commission,

14.5 shall determine and communicate The IBD's strategic direction, recommend courses of action, policies and procedure to Council and implement those ratified by Council and the Board,

14.6 shall manage the day to day running of the IBD, ensuring the ethical running of The IBD and the welfare of its staff,

14.7 is responsible to the Board of Directors and reports to them via the President,





14.8 shall ensure that minutes are kept of all General and Council meetings.

## **15. Financial Controller**

The IBD will employ a FC who reports to the CEO on the financial running of The IBD under the supervision of the Treasurer. Unless otherwise directed by the Council, the FC will be appointed by the CEO.

## **16. Registrar**

The IBD will employ a Registrar who is responsible for keeping the register of IBD members. Unless otherwise directed by the Council, the registrar will be appointed by, and report to, the CEO.

## **17. Council**

- 17.1 The Council shall be responsible for decisions on the running of The IBD within the policies and constraints laid down by the Board.
- 17.2 The Council shall inform the Board of their proceedings and make recommendations to the Board on all issues pertinent to the running of The IBD.
- 17.3 The President, Deputy President, Immediate Past President and Treasurer shall be members of the Council.
- 17.4 A representative of the IBBS shall be a member of the Council.
- 17.5 Each Section Chairman shall be a member of the Council. The Section Chairman may appoint a deputy, who will have voting rights, to act on their behalf.
- 17.6 Each standing committee shall report to the Council but will not be entitled voting representation on the Council.
- 17.7 The President or their nominated deputy shall chair Council meetings.
- 17.8 Each Council member shall have one vote on any resolutions, which will be decided by a simple majority on a show of hands.
- 17.9 If any vote is tied, the Chairman will have the casting vote.
- 17.10 The FC shall report to each Council meeting, not necessarily in person.
- 17.11 The Council shall be responsible for appointing any sub-committees required to conduct tasks on their behalf.

## **18. Proceedings of Meetings of the Board of Directors**

The proceedings of meetings of the Board of Directors shall be as set out in the Articles.

## **19. Proceedings of the Council**

- 19.1 Council meetings will be convened by the CEO when directed by the Council, President or Deputy President.
- 19.2 A minimum of twelve Subscribing Members may also request a meeting of the Council by writing to the CEO.
- 19.3 There must be a minimum of twelve days' notice of any Council meeting. Notice must be in writing or by electronic means.
- 19.4 The quorum for Council meetings is eight.
- 19.5 A majority of three-quarters is required for the nomination of Deputy President, President or



Treasurer.

- 19.6 If, through vacancies on the Council, quorum is not reached, business required by The IBD may be conducted by the continuing members.
- 19.7 Voting shall be by a show of hands.
- 19.8 The CEO shall ensure that proper minutes are taken for all meetings of the Council and agreed as correct at the next meeting and signed by the President or Deputy President.
- 19.9 Minutes shall be sent to all Section secretaries and posted on The IBD website.
- 19.10 Resolutions in writing may be passed, again by a simple majority (except where required pursuant to Byelaw 19.5 above) and when there is no imminent Council meeting.

## **20. Examinations**

- 20.1 The Board of Examiners will make regulations for IBD examinations, under the authority of the Board. The Board shall appoint a paid Chair of the Board of Examiners to set and maintain the quality, standards, content and marking of IBD examinations. This appointment may be delegated to the CEO.
- 20.2 The day to day running of the examination process including the time and venue of the examinations shall be delegated to such employees of The IBD as the Council shall determine from time to time.
- 20.3 Qualifications obtained under the IoB, IBG and related organisations are equally valid to those obtained through The IBD.
- 20.4 The BoE shall appoint examiners, who do not necessarily have to be Subscribing Members of The IBD.
- 20.5 The BoE shall report the results of examinations to Council and prepare and publish a report for the Members.
- 20.6 A certificate signed by the President and Company Secretary shall be sent to each successful candidate.

## **21. Board of Examiners**

- 21.1 The BoE is a standing committee reporting to the Board whose main function is to develop and maintain the quality and standards of the content and marking of IBD examinations.
- 21.2 Members of the BoE do not need to be Subscribing Members of The IBD.
- 21.3 The main function of the BoE is to develop and support the examination process.
- 21.4 The quorum for meetings of the BoE is 3.
- 21.5 The BoE may appoint sub-committees to administer and organise elements of their work. The chairman of the BoE will be a member of any such committees.
- 21.6 The BoE may appoint additional members to its ranks at their discretion.
- 21.7 Members of the BoE may resign at any time by writing to the Chairman of the BoE.

## **22. Sections**

- 22.1 The IBD operates a number of Sections, which are organised groups of members.
- 22.2 Each Section shall have, and be governed by, its own Terms of Reference, which must abide by the Objects of The IBD and be audited by the Board.
- 22.3 Currently, the Sections operated are UK Southern Section, UK Midland Section, UK Great Northern Section, UK Scottish Section, Irish Section, Asia Pacific Section, Africa Section and



- International Section.
- 22.4 New Sections may be requested by a minimum of twenty Subscribing Members. Such requests must be recommended by the Council and ratified by the Board.
- 22.5 Only with the approval of the Council and ratification by the Board, may Sections acquire and hold property, including that held before these Byelaws came into force, and appeal for funds for both itself and The IBD.
- 22.6 Sections may make and rescind rules for their own governance, provided that they meet the Objects of The IBD (as set out in the Articles), meet the requirements of the Charities Commission and are legal. They must be submitted to the Council for approval before implementation and ratified by the Board.
- 22.7 Each Section must have an elected Chairman and a Committee composed of, and elected by, members of the Section. Other officers may be appointed by the Members of the relevant Section.
- 22.8 Each year, the Committee shall provide the Treasurer and FC with a statement of accounts for the year ending 31<sup>st</sup> December. Each Section may request a grant to cover those aspects of its activity that are approved by the Council.
- 22.9 Sections may not, other than a newsletter and publicity for, and reporting of, events, make any publications.
- 22.10 Sections may not pledge money or resource on behalf of The IBD in general.
- 22.11 Individuals may choose which Section they will belong to.
- 22.12 The Council may dissolve a Section at any time if it has insufficient numbers or has failed to meet the obligations laid down in these Byelaws.
- 22.13 If the Council proposes the dissolution of a Section, it must:
- (a) have their decision ratified by the Board.
  - (b) Notify the Members in general of its intention by publishing a notice on The IBD website and/or in written publications.
  - (c) Write to the Chairman of the Section involved, inviting them to attend the Council meeting at which the dissolution will be discussed (at least 3 months notice must be given). The communication must state the name of the Section to be dissolved, the reason for the dissolution and the person who will make the proposal.

The quorum for Council in this instance is twelve and at least seventy-five percent of the Council members attending must support the dissolution. In this instance only, proxy votes are permitted.

## **23. Publications**

- 23.1 The Board will oversee the publication of a Journal or Journals in whichever form is deemed fit (hard copies, electronic, etc.).
- 23.2 Journals may contain original papers and extracts from published papers and books and reports of proceedings of meetings of The IBD.
- 23.3 Journals may include reviews of publications mainly, but not exclusively, in the field of fermentation and related industries.
- 23.4 Journals may include articles of general interest, deemed to be of interest to the membership.
- 23.5 Journals may include correspondence from Members.



- 23.6 Journals may include advertisements.
- 23.7 The Board will appoint an editor(s) for the journal(s) on whatever terms are deemed fit. The editor will supervise the publications produced.
- 23.8 Sub-editors and other assistants may be appointed as the Board sees fit.
- 23.9 Editor(s) will produce reports to each Council meeting.
- 23.10 The Section Committees are entitled to publish articles on any events that they hold.
- 23.11 The Board has the ultimate control of the content of the articles published.
- 23.12 Unless agreed in writing with the author, copyright remains with The IBD.
- 23.13 All published communications, papers, etc. remain the property of The IBD, except as agreed in clause 24.12.
- 23.14 Direct payments may be made for writing publications.
- 23.15 In some instances, members may be sponsored to attend events and in such circumstances will be expected to produce a paper on any event attended.

#### **24. Code of Professional Conduct**

- 24.1 Members are expected to uphold the reputation of The IBD at all times.
- 24.2 All Members of The IBD are required to:
- 24.3 Use their professional skill and judgement to discharge their professional responsibilities with integrity.
- 24.4 Serve as an example to other Members and the public in general.
- 24.5 Have regard to the interests and wellbeing of customers, colleagues and the public in general.
- 24.6 Do all in their power to ensure that their activities do not put others at risk.
- 24.7 Be objective and give the best advice possible when called upon for a professional opinion.
- 24.8 Never engage in corrupt practices.
- 24.9 Further the interests and maintain the dignity and welfare of The IBD and the Fermentation Industries and associated industries.

#### **25. Disciplinary Procedures and Appeals**

The disciplinary procedure is designed to allow The IBD to deal openly, fairly and proportionately with complaints against one or more of its Members as set out in Byelaw 7.7 or regarding a breach of the professional code of conduct detailed in Byelaw 24. The procedure is:

- 25.1 Complaints should be made to The IBD direct but can also come from other sources or be detected by The IBD itself.
- 25.2 Complaints should be directed to the CEO, who will convene an Initial Investigation Group (IIG) comprising of at least two Fellows. These shall be independent of both the complainant and the defendant.
- 25.3 The IIG will determine whether the complaint is within The IBD's remit and whether there is sufficient evidence to justify further investigation.
- 25.4 Evidence must be provided to support a complaint; if no evidence is provided a finding of "no case to be answered" will be recorded. If evidence is provided, the IIG will consider it and determine whether there is a case to answer.
- 25.5 If the IIG considers there is a case to answer they will refer it to The IBD Disciplinary Panel (DP) who will decide if the complaint is justified. The DP shall consist of at least two Fellows (who were not members of the IIG) and one other independent person.



- 25.6 At this point the CEO will inform the Board of the issue.
- 25.7 The DP will collect, examine and clarify the evidence supplied by both parties.
- 25.8 The DP will arrange a disciplinary hearing and both parties will be invited to attend. Both parties will have access to all information provided.
- 25.9 The IBD reserves the right to invite a legal advisor to the disciplinary hearing. At least 2 days' notice of the hearing will be given to both parties. Both parties may also bring a representative with them, who may, or may not, be a legal expert.
- 25.10 At the hearing the DP will consider all evidence presented to them by both parties, whether presented in person or in writing. Both parties and their representatives may cross-examine the other and their witnesses.
- 25.11 The DP will decide whether the case is proven and, if it is, consider any mitigating evidence that is presented.
- 25.12 The DP will decide on any sanction that is justified, which may include expulsion from The IBD, suspension from The IBD, a formal reprimand, retraining or advice on future conduct.
- 25.13 At this point the CEO will inform the Board of the outcome.
- 25.14 The defendant has a right of appeal if new evidence or any other change of circumstances exists, which will be heard by an Appeals Panel (AP) consisting of two Fellows and the Immediate Past President, who will chair the panel. Members of the IIG and DP are not eligible to serve on the AP.
- 25.15 The AP will consider all evidence presented and decide if there is cause to change the original decision. Their decision will be final.

## **26. Equal Opportunities Policy Statement**

- 26.1 This statement covers all aspects of The IBD's activities including recruitment, education and examination.
- 26.2 The IBD will not discriminate on the basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.
- 26.3 The IBD is committed to providing an atmosphere where all beliefs are respected and people in all circumstances can work with dignity.
- 26.4 The IBD abhors bullying for whatever reason.
- 26.5 The IBD will take suitable action which can include removal from the register of members should this policy be breached. Should this be necessary the procedures outlined in Byelaw 25 will be invoked.

## **27. Indemnity**

No IBD member or employee shall incur personal liability for any act done by them under the direction, or with the approval, of Council or the Board.

## **28. Notices**

- 28.1 Any notices given in connection with these Byelaws shall be in writing.
- 28.2 For the purpose of these Byelaws writing shall include electronic means.
- 28.3 Notice may also be given in person.
- 28.4 Details of proof of delivery are given in the Articles.
- 28.5 Accidental omission of notification of a meeting, etc. shall not render that event invalid.