

Rules of the NFU Legal Assistance Scheme

General Background

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15. Appointments are made by the Governance Board from nominations by the Regional Boards and NFU Cymru in accordance with the NFU Constitution and following an open and transparent application process as detailed in the Operating Agreement.
16. Generally Board members will be in office for no longer than 6 years, however, the Governance Board of the NFU in appointing from the nominations from the Regional Boards must have regard to the balance of expertise within the Legal Board and be mindful of the need for future potential Chairmen. No member will hold the office of Chairman for more than 6 years. No member will sit on the Legal Board for more than 12 years.
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Rules of the NFU Legal Assistance Scheme

awards in other cases shall be made in accordance with the Operating Agreement. Under no circumstances will the Legal Board or the LAS have any responsibility for any adverse costs that may be incurred.

27. The Legal Board may make awards towards actions undertaken by members of the NFU other than LAS subscribers if they consider it to be in the interest of LAS subscribers.
28. The Legal Board may with the approval of the NFU Governance Board utilise a part of its retained funds to establish initiatives for the direct benefit of its subscribers such as setting up a mediation service for subscribers or an alternative business structure as outlined in the Legal Services Act 2007.
29. The Legal Board may make such arrangements as it thinks fit with an independent firm of solicitors to seek advice for itself and for LAS subscribers and any additional expenditure thereby incurred by the NFU on behalf of the LAS shall be paid for out of LAS funds.
30. Honoraria shall be paid to each Legal Board member, as determined by the Audit and Remuneration Committee. Other expenses necessarily incurred during the course of carrying out LAS duties will be reimbursed in accordance with the NFU members' expenses policy.

Old Scheme Funds

Background

Following the introduction of the LAS in 1987, NFU members who had been subscribers to County Legal Aid Schemes became subscribers to the LAS. Although the County Legal Aid Scheme funds were under the general control of the County Executive Committee, the members of the County Legal Committee acted as constructive trustees of the pre-1987 funds. In 1998 NFU Council made changes to the NFU Constitution and the NFU County Branch was removed as a legal entity on 31st October 1999. As far as the pre-1987 funds were concerned, three options became available: wind up the Scheme; transfer to a private trust; or transfer to the National Scheme. In the event most committees transferred their funds into the National Scheme and ensured the ability to spend

Rules of the NFU Legal Assistance Scheme

- c) Old Scheme Funds may be classed as part of the reserves of the LAS where former Local Legal Committees have agreed. Subject to the consent of the relevant County Chairman together with the relevant Council Representative, local Branch Chairman and the Honorary Treasurer (where applicable), those funds shall only be available to the LAS if all current LAS funds are exhausted.

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Rules of the NFU Legal Assistance Scheme

44. Should the LAS be dissolved then any Old Scheme Funds held by the LAS at that time will be returned to the LAS subscribers of each County on whose behalf the funds are held and shall not form part of the surplus funds as described in para 43.