

ESNEFT Constitution - version control changes version 8 to version 9

Section	Page Ref	Amendment	Reason
Title Page and Footer	All	Change of version reference and date throughout	Version control
Interpretation and definitions	page 2 Constitution	Removal of "and that has effect in accordance with Section 56A of the 2006 Act"	This is a reference to legislation relating to the transaction and is no longer relevant
	page 3 Initial Elections	Removal of "Initial Elections means the elections for the Initial Elected Governors held in accordance with Annex 4".	"Initial elections" only happen once and all future elections will be referred to as "elections". NB reference to Initial Elected Governors will remain in the definitions until 2021, when their terms of office will expire
	page 4 Registered Dental and Medical Practitioner	Correction of spelling error "license to practice" changed to "licence to practise"	Spelling error
	page 4 Staff Constituency	Correction of internal reference from 8.2 to 8.3	Incorrect internal reference
	page 5 Transitional Governor and Transitional Period	Removal of "Transitional Governor means any Elected Governor in post on the Transaction Date; Transitional Period means the period from the Transaction Date until the election of the Initial Elected Governors;"	Transitional period has passed and there are no transitional governors
Council of Governors - Composition	page 8 paragraph 11.2	Removal of "The composition of the Council of Governors during the Transitional Period shall be as set out in Annex 3.1	Transitional period has passed
Council of Governors - Election of Governors	page 8 para 12.3	Correction of internal reference from 44 to 45	Incorrect internal reference
Elected governors - arrangements to fill casual vacancies	page 9 para 13.1.1	Change of "six (6) months" to "twelve (12) months"	To avoid unnecessary by-elections, it is proposed that when a casual vacancy arises, the person with the next number of votes at an election within the previous 12 months is offered the seat

Council of Governor - Tenure	page 9 para 14.10	Removal of "six (6) year" from "previous maximum six (6) year term" as it is inconsistent with the rest of that sentence	Removal of inconsistency
Council of Governors - Conflicts of Interest of Governors	page 11 para 20	Change of "paragraph 8" to "paragraph 7"	Incorrect internal reference
Board of Directors - Composition	page 12 para 22.3	Removal of paragraph starting "For a period of up to six months from the Transaction Date, the Trust may have up to 10 non-executive directors..."	Transitional period has passed
	page 12 para 22.4	Renumbering of all paragraphs following removal of 22.3	Renumbering
Board of Directors - Qualification for appointment as a Non-Executive Director	page 12 para 24.1.3	Correction of "paragraph 288" to "paragraph 28"	Correction of typographical error
Board of Directors - Conflicts of Interest	page 15	Renumbering of all paragraphs in 31.1	Correction of numbering error
Annex 3 Composition of the Council of Governors	page 27	Removal of "1. During the transitional period the Council of Governors shall comprise the Transitional Governors and the Appointed Governors" and "2. The Trust shall publish notice of the Initial Elections no later than [2 weeks] after Transaction Date"	Transitional period has passed

	page 27	Removal of "4. Any initial elected governor who is elected unopposed shall be deemed to have no votes" and "5. In the event of equality of votes, where necessary the Initial Elected Governors shall draw lots to determine who will serve three years and who will serve two years"	This is no longer relevant
	page 28	Renumbering of the paragraph following the removal of preceding paragraphs and "below" changed to "above"	Referencing correction
Standing Orders (CoG)	page 75 para 4.1.7	"wishing address" amended to "wishing to address"	Correction of typographical error
	page 83 para 7.1.2	"8.1.1" changed to "7.1.1"	Incorrect internal reference
	page 84 para 7.2.4	"1998" changed to "2018"	Legislation updated
	page 87 para 8.5	"9.2" changed to "8.2"	Incorrect internal reference
	page 88 para 11.2.6	"15.3 changed to "14.11"	Incorrect internal reference
Standing Orders (Board)	page 97	Removal of paragraph "3.1.2 For a period of up to six months from the Transaction Date, the Trust may have up to 10 non-executive directors..."	Transitional period has passed
	page 104 para 4.12.8	Correction of Standing Order 6 to Standing Order 3.4.2	Incorrect internal reference
	page 105 para 4.17.1	Correction of 4.11 to 4.1.1	Incorrect internal reference

| |