



At the Council Chamber, Whitehall

THE 28th DAY OF APRIL 2021

BY THE LORDS OF HER MAJESTY'S MOST HONOURABLE
PRIVY COUNCIL

The Privy Council has allowed amendments to the By-laws of The Legal Education Foundation as set out in the Schedule to this Order.

Richard Tilbrook

SCHEDULE

AMENDMENTS TO THE BY-LAWS OF THE LEGAL EDUCATION FOUNDATION

1. Under "General":
 - (i) **renumber** "1" as "1(a)";
 - (ii) after renumbered "1(a)" **insert**:

"1(b) Any reference in the By-laws to an enactment includes a reference to that enactment as re-enacted or amended from time to time and to any subordinate legislation made under it. Words importing the singular number only shall include the plural number, and vice versa."

2. Under "Words/Meanings":
 - (i) in the definition of "In writing" after "another" **insert** " , including writing in electronic form";
 - (ii) after the definition of "In writing" **insert**:

"Electronic Form

_____ A document or information is sent or supplied in electronic form if it is sent or supplied (a) by electronic means (for example, by email or fax), or (b) by any other means while in an electronic form (for example, sending a disk by post). A document or information is sent or supplied by electronic means if it is (a) sent

initially and received at its destination by means of electronic equipment for the processing (which expression includes digital compression) or storage of data, and (b) entirely transmitted, conveyed and received by wire, by radio, by optical means or by other electromagnetic means. A document or information authorised or required to be sent or supplied in electronic form must be sent or supplied in a form, and by a means, that the sender or supplier reasonably considers will enable the recipient to read it and to retain a copy of it.”.

3. In By-law 3(b) *delete* “37” and *substitute* “41”.
4. *Renumber* By-laws 13 to 41 as 17 to 45.
5. *Insert* new By-laws 13 to 16:
 - “13. In determining attendance at a General Meeting (including whether a person is ‘present’, ‘personally present’ or similar terms) it is immaterial whether any two or more members attending it are in the same place as each other.
 14. A person is able to exercise the right to vote at a General Meeting when:
 - (a) that person is able to vote, during the meeting, on resolutions put to the vote at the meeting; and
 - (b) that person’s vote can be taken into account in determining whether or not such resolutions are passed at the same time as the votes of all the other persons attending the meeting.
 15. The Governors may make whatever arrangements they consider appropriate to enable those attending a General Meeting to exercise their rights to speak or vote at it.
 16. Two or more persons who are not in the same place as each other attend (and are present at) a General Meeting if their circumstances are such that if they have (or were to have) rights to participate, speak and vote at that meeting, they are (or would be) able to exercise them.”.
6. In By-law 21 as renumbered, *delete* “18” and *substitute* “22”.
7. In By-law 33 as renumbered:
 - (i) *delete* “28” and *substitute* “32”;
 - (ii) *delete* “37” and *substitute* “41”.
8. *Renumber* By-laws 46 to 57 as 50 to 65.
9. *Insert* new By-laws 46 to 49:

- “46. In determining attendance at a meeting of the Governors (including whether a person is ‘present’, ‘personally present’ or similar terms) it is immaterial whether any two or more Governors attending it are in the same place as each other.
47. A person is able to exercise the right to vote at a meeting of the Governors when:
- (a) that person is able to vote, during the meeting, on resolutions put to the vote at the meeting; and
 - (b) that person’s vote can be taken into account in determining whether or not such resolutions are passed at the same time as the votes of all the other persons attending the meeting.
48. The Governors may make whatever arrangements they consider appropriate to enable those attending a meeting of the Governors to exercise their rights to speak or vote at it.
49. Two or more persons who are not in the same place as each other attend (and are present at) a meeting of the Governors if their circumstances are such that if they have (or were to have) rights to participate, speak and vote at that meeting, they are (or would be) able to exercise them.”.
10. **Renumber** By-laws 58 to 65 as 67 to 74.
11. **Insert** new By-law 66:
- “66. The Governors shall comply with the requirements of the Charities Act 2011 as to keeping financial records, the audit or examination of accounts and the preparation and transmission to the Charity Commission of:
- (a) annual reports;
 - (b) annual statements of account; and
 - (c) annual returns or confirmation statements.
- Except as provided by law or authorised by the Governors or an ordinary resolution of the Charity, no person is entitled to inspect any of the Charity’s accounting or other records or Documents merely by virtue of being a member.”.
10. **Delete** By-law 67 as renumbered and **substitute**:
- “67. At the Annual General Meeting in every year the Governors shall lay the annual reports and annual statement of account before the Foundation for the period since the last preceding account made up to a date not more than five months

before such meeting Reports of the Governors and the Auditors, and copies of such account, balance sheet and reports shall not less than twenty-one clear days before the date of the meeting be sent to the Auditors and to all other persons entitled to receive notices of General Meetings in the manner in which notices are hereinafter directed to be served. The Auditor's report shall be open to inspection and be read before the meeting."

11. In By-law 70 as renumbered, after "personally" *insert* ", in writing or".