

# Chapter 10

## Disputes

## 10.1 Overview

- 10.1** We often receive questions about society disputes, including between members, or between members and the society. This chapter explains our remit, role and approach to disputes, and gives some details about members' rights.
- 10.1.1** **G** We do not determine disputes. That is a matter for the society's rules and, ultimately, for the courts. Members may take legal action against the society or its committee.
- 10.1.2** **G** Disputes between a society or its officers and a member (or a former member who left within the last six months) must be decided in the way laid down in the society's rules.
- 10.1.3** **G** Many societies choose to include a provision for arbitration or alternative dispute resolution in their rules. Many of the model rules give that role to the sponsoring body.
- 10.1.4** **G** If the rules state that the dispute is to be decided by us (or our predecessors) then the dispute must be referred to the county court (or Sheriff in Scotland). It cannot be decided by us.
- 10.1.5** **G** However, if members are concerned that the society is not being operated in accordance with the relevant registration requirements for a society, they can complain to us. This would be on the basis that we should exercise our statutory powers and we will consider the information provided by the member.