

## **RULES**

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## **INTERPRETATION**

In these rules, unless there be something in the subject or context inconsistent therewith:-

- (a) The "Society" shall mean the Prison Officers' Medical Aid Society.
- (b) The "Acts" shall mean the Friendly Societies Acts 1896 to 1977 as from time to time amended, extended or replaced.
- (c) The "Association" shall mean the Prison Officers' Association.
- (d) The "Committee" shall mean the Committee of the Society constituted in accordance with these rules.
- (e) "Meetings" shall include Annual and Extraordinary General Meetings.
- (f) "Service" shall mean the Prison Service.
- (g) "Writing" includes typewriting, printing, lithography and any other mode of representing or reproducing words or figures in a visible form.
- (h) Words importing the singular number include also the plural and words importing the plural number include also the singular.
- (i) Words importing the masculine gender include also the feminine gender.

**Note:** *This Rule Book incorporates amendments up to and including A.G.M. 30 March 2012.*

## **RULE 1 TITLE**

The title of the Society is the Prison Officers' Medical Aid Society.

## **RULE 2 CONSTITUTION**

The Society is a Friendly Society composed solely of serving and retired members of the Service and their registered dependants.

## **RULE 3 REGISTERED OFFICE**

The registered office shall be in Ireland at 397e North Circular Road, Dublin 7 or at such place in Ireland as the Committee may from time to time determine.

Notice of any change shall be sent, within fourteen days, to the Registrar of Friendly Societies in the prescribed form.

## **RULE 4 OBJECTS AND PURPOSES**

The Society is established for the purpose of providing by the voluntary subscriptions of members, by contributions and donations or otherwise, a fund or funds out of which the Committee may, subject to the provisions of these Rules and the Schedule of Benefits:-

- (a) Afford to members and their registered dependants the necessary facilities for procuring medical and surgical treatment;
- (b) Grant such further facilities for procuring medical and surgical treatment to members and their registered dependants as the Committee shall think fit and consider deserving because of special hardships which have arisen.

## **RULE 5 CONSTITUTION OF THE FUNDS**

The funds shall consist of:

- (a) Subscriptions from members
- (b) Interest on Investments
- (c) Grants in aid from the Department of Justice
- (d) Donations, bequests, or other monies, received from any person or persons or other sources.

## **RULE 6 APPLICATION OF FUNDS**

The funds shall be applied in carrying out the objects and purposes of the Society and in paying the expenses of management, in accordance with these Rules.

Any member misapplying any monies of or received from the Society shall repay the amount misapplied without prejudice to his liability to prosecution for such misapplication.

## **RULE 7 MEMBERSHIP**

All the following persons are eligible to be members of the Society:-

- (i) All serving Prison Officers
- (ii) All retired Prison Officers
- (iii) All recruit Officers of the Service

No other persons are eligible to be members of the Society. Any eligible person wishing to become a member shall apply in writing to the Secretary. All applications for membership must be in writing signed by the Applicant.

Subject to the exceptions listed hereafter all applications will be subject to the approval of and the conditions laid down by the Committee whose decision shall be final.

Recruit Officers who apply for membership within three months of commencement of their service and shall be admitted to membership without any requirement that their membership be approved by the committee.

All applicants shall, prior to admission as members, agree to pay such subscriptions to the funds of the Society at such time and in such manner as shall from time to time be prescribed by the Committee. On payment of his first subscription the applicant shall be deemed to be a member and to accept and be bound by the Rules.

## **RULE 8 DEPENDANTS OF MEMBERS**

In addition to members, such persons as are registered as dependants of members may also receive relief and benefit from the Society.

A member who wishes to register a partner as a dependant shall complete a declaration on the form provided by the society which should be sworn before a practicing solicitor or Commissioner for Oaths.

Members may only register one dependant spouse or partner at any given time. Members may apply to de-register a dependant spouse or partner at any time, however, no subsequent application to register a spouse or partner shall be made until the expiration of a period of four years from the date of first registration of the previous dependant spouse or partner. This four year waiting period shall not apply in circumstances where the previous dependant spouse or partner dies.

The following persons are eligible for registration as a dependant:-

- (i) Spouses or partners of members or deceased members.
- (ii) Children of members and orphans of former members who have not yet attained their 26<sup>th</sup> birthday.

Children includes adopted or foster or step children.

A member who wishes to have an eligible person registered as a dependant of such member shall notify the Society in such manner as the Committee shall from time to time prescribe. Such applications will be subject to the approval of and conditions laid down by the Committee whose decision shall be final. Unless in exceptional circumstances, spouses or partners of deceased members must be registered within six months of the date of death of the member(s). Similarly, orphans of former member(s) must be registered within six months of the date of death of the member(s).

As a condition of registration of a dependant the Committee may charge such additional subscription or other fee as the Committee in its absolute discretion may decide.

Before coming into benefit, members and registered dependants may have to serve a waiting period as prescribed by the Committee after becoming a member or being registered as a dependant (as the case may be). Members and dependants will have to wait for a period of 52 weeks from date of registration before becoming eligible to claim for maternity or pregnancy benefit.

## **RULE 9 TERMINATION OF MEMBERSHIP**

A member shall cease to be such on the happening of any of the following events:-

(a) Where a member ceases to be a member of the Service for any cause whatsoever other than normal retirement on pension. He shall, however, be eligible for re-admission to the Society upon re-joining the Service. Members who take career breaks or special leave must notify the Secretary. They will be entitled to automatic re-admission to membership provided they apply to the Secretary upon their return to duty in the Service and will come into benefit immediately upon resuming payment of their subscription.

(b) If, in the opinion of the Committee, a member misapplies, whether under the provisions of Rule 13 or otherwise, or fraudulently claims/obtains/attempts to obtain any monies of the Society.

Any member misapplying such monies shall repay the amount misapplied without prejudice to his liability to prosecution for such misapplication.

Before taking any decision to terminate membership or otherwise under this sub-clause (b), the Secretary will ask the member concerned for a written explanation to be furnished within 21 days. Any such explanation shall be considered by the Committee. The member may also attend before the Committee to put his case. Any person whose membership has been terminated under this sub-clause (b) shall be entitled, by written notice given to the Secretary within one month of termination, to appeal the decision of the Committee to the Appeal Board. If the Appeal Board ratifies the decision of the Committee to terminate such appellant's membership he cannot re-apply for admission for a period of at least 5 years from the date of termination of his membership by the Committee. The Committee may at its discretion re-admit the former member in special circumstances.

(c) Where a member fails to pay his subscription for a period of three consecutive months and fails to pay all arrears of subscription within seven days of notice in writing having been served on him by registered post requesting him so to pay.

(d) Where a member gives one month's notice in writing of his intention to resign.

Any application for re-admission to the Society (other than a former member who has taken a career break or special leave and who is therefore entitled to automatic re-admission) shall be subject to the provisions of Rule 7.

A member ceasing from any cause to be a member shall not be entitled to a refund of any monies subscribed by him to the Society during his membership thereof.

**RULE 10 SUBSCRIPTIONS**

Subscriptions shall be at the rates set from time to time by the Committee and shall be payable in such manner as may from time to time be prescribed by the committee.

It is the responsibility of each member or registered dependant of a deceased member(s) to ensure that his subscription is at all times up to date.

The legally appointed guardian(s) will be responsible for ensuring that the appropriate subscription in respect of orphans who are eligible for registration as dependants is at all times up to date.

## **RULE 11 BENEFITS**

The Benefits shall be:-

- (a) Set by the Committee and may be varied from time to time by them.
- (b) Confined to fully paid up members and their registered dependants.
- (c) Paid out of the Income of the Society - provided however, that the total paid in such benefits in any financial year shall not exceed the income of the Society for that year together with any balances remaining undisposed of at the end of the previous financial year.

It is the responsibility of each member to ensure that his dependants are registered. Dependant children, who are not registered within 13 weeks of becoming eligible for registration, will only be entitled to benefit from the date of registration (unless in the opinion of the Committee, there are exceptional circumstances).

Determination as to the validity of claims shall be at the discretion of the Committee, who may require as a prior condition to the grant of benefit, that the applicant shall secure medical treatment or advice in an institution or from a medical practitioner approved by the Committee. The Committee shall, if satisfied that a case is eligible for and deserving of benefit, grant such benefit.

It shall be at the discretion of the Committee to pay such benefit directly to such medical practitioner or institution.

Payment of claims for benefit will be made directly to members' Bank Accounts. Members will receive acknowledgement of such payments separately by Post

Each time the Schedule of Benefits is revised it will be made available to each member.

## **RULE 12 APPLICATION FOR BENEFIT**

Every application for benefit shall be made in writing. The application shall be made on a form to be provided for that purpose by the Committee. It shall be properly completed by the member and transmitted to the Secretary. It shall be a prior condition to the grant of any benefit except annual claims, that the application for such benefit is made within three calendar months from the termination of the illness on which such application is based.

The Committee may, at its discretion, extend this time limit, but only in exceptional circumstances.

Every application for benefit must, unless otherwise determined by the Committee either generally or in a particular case, be accompanied by original itemised bills and/or original receipts for the amounts expended by the member. The Committee at its discretion may require claimants to produce medical certificates in support of their claims.

The Committee may refer to, or discuss with, any surgeon or any duly qualified medical practitioner or any other person or institution from whom or which a supporting bill or receipt has been obtained, any application for benefit under these Rules.

The Society may, in its sole and absolute discretion, suspend the payment of benefits pending a satisfactory resolution to any issue relating to medical expenses which are considered by the Society to be owing to it.

### **RULE 13 THIRD PARTY CLAIMS**

Where a member, member's spouse / partner or dependant incurs medical expenses for which a third party is liable to compensate them and where such expenses have been or will be defrayed by the Society they shall be refundable, in full, to the Society out of any award of compensation ordered by a court of competent jurisdiction or other relevant deciding body or out of any settlement sum agreed, regardless of the amount actually attributed to such medical expenses in any award of compensation made or settlement sum agreed. Any sums refundable to the Society under this Rule shall be paid to the Society within 7 days of the date upon which the member, member's spouse / partner / dependant receives the payment of the settlement sum or award of compensation, as the case may be.

The Society may request any information from any source which it considers relevant in respect of any claim under this Rule. It is the sole responsibility of the member to ensure that all medical expenses defrayed by the Society are included in the claim for compensation or settlement sum, as the case may be. The member, member's spouse/ partner and their Solicitor shall sign an Undertaking prior to any defrayal of medical expenses. The said Undertaking shall be returned to the Society within 21 days of the date upon which it was furnished to the member. The Society may, in its sole and absolute discretion, suspend the payment of subsequent benefits, pending a satisfactory resolution to any issue relating to medical expenses which are considered by the Society to be owing to it.

Where a member, member's spouse/partner/dependant's claim against a third party results in the payment of a settlement sum or award of compensation and he/ she fails or refuses to refund such medical expenses to the society in accordance with this rule, the committee, having investigated all aspects of the matter, may expel the member from the society. In the event of the society incurring costs administrative, legal or otherwise in seeking repayment of monies due to it under this rule, the member in default shall repay to the society, in full, all such costs. Any member, member's spouse/ partner subsequently repaying monies which have been misapplied and not used for the purpose for which the monies were paid to the member, member's spouse/partner under these rules, may still be liable for criminal prosecution in respect of any such misapplication. **(Rule 13).**

### **RULE 14 ANNUAL GENERAL MEETINGS**

The Annual General Meeting shall be held not later than the 31st March each year. The venue shall be decided by the Committee. Any resolutions proposed for consideration at the Annual General Meeting (other than resolutions proposed by the Committee) must be notified in writing to the Secretary not later than forty two days before the date on which the Annual General Meeting is to be held.

The Committee shall lay before the Annual General Meeting:-

- (a) An Account of the Income and Expenditure for the period since the preceding account.
- (b) A balance Sheet made up in every case to the end of the most recent financial year.

Such Account and Balance sheet shall give a true and fair view of the affairs of the Society at the end of the relevant financial year.

- (c) An Annual Report from the Committee which should contain details such as:-

1. Policy decisions
2. Extensions of cover

3. Retired Members
4. Number of Expulsions.

#### **RULE 15 EXTRAORDINARY GENERAL MEETINGS**

The Committee may, whenever it thinks fit, convene an Extraordinary General Meeting to consider special business.

#### **RULE 16 REQUISITION TO CONVENE AN EXTRAORDINARY GENERAL MEETING**

The Committee shall, within 28 days of receipt of a requisition in writing signed by not fewer than one quarter of the members, issue a notice to members convening an Extraordinary General Meeting to consider the business specified in such requisition and such other business, if any, as in the opinion of the Committee, is proper to be considered at such meeting.

Every requisition to convene an Extraordinary General Meeting shall specify the nature of the business and the precise terms of any resolution which it is proposed to submit to each meeting and a meeting required by any such requisition shall be convened within one month after receipt of such requisition by the Secretary.

#### **RULE 17 NOTICES OF MEETINGS OF THE MEMBERS**

Every Annual General Meeting or Extraordinary General Meeting shall be convened by not less than fourteen days' notice in writing specifying the place, the day and the hour of the meeting and, in general terms, the nature of the business it is convened to consider. In addition the precise terms of any resolution that it is proposed to submit to the meeting, shall be sent by the Secretary to every member prior to the meeting.

A notice may be given by the Committee to any member either personally or by sending it by post addressed to his registered address. Any notice sent by post shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of the post.

#### **RULE 18 VOTING AT GENERAL MEETINGS**

Each fully paid up member shall be entitled to one vote. Members may vote at a meeting in person or, except for a resolution to appoint a Trustee, by proxy. A proxy must be a member of the Society.

#### **RULE 19 STANDING ORDERS**

Standing Orders for the guidance of the Committee in the management of the Society in accordance with the provisions of these rules shall, as the occasion may require, be drafted by the Committee and be submitted for the consideration of the Annual General Meeting or Extraordinary General Meeting.

Every Standing Order approved and ratified by such Meetings shall take effect upon approval.

No Standing Orders shall be suspended unless a resolution authorising

such suspension shall have been passed by not less than two thirds of the votes cast.

**RULE 20 AMENDMENT OF RULES**

A new rule shall not be made, nor shall any of the rules herein contained or hereafter to be made, be amended, altered, or rescinded, unless approved by a resolution passed at an Annual or Extraordinary General Meeting,

A copy of such a new rule or amendment, signed by the Secretary and by three members shall be sent to the Registrar. A new rule or any amendment of a rule shall not be valid until registered.

**RULE 21 COPIES OF RULES**

The rules of the Society shall be printed from time to time as determined by the Committee and a copy shall be available to each member. Amendments to rules shall be notified to members.

**RULE 22 COMMITTEE**

The Committee shall consist of 9 members of the Society.

Vacancies on the Committee shall be filled by fully paid up serving members who must be nominated and seconded by two other fully paid up members. Nominations for vacant seats on the Committee must be received in writing by the Secretary not later than 28 days before the Annual General Meeting. They shall be elected by postal ballot of the members. The ballot shall be returnable to an independent Returning Officer to reach him not later than 48 hours prior to the Annual General Meeting.

No person shall continue as a member of the Committee for a period of more than six years without retiring. Upon any increase or decrease in the number of Committee members, this six year term may be altered by resolution passed at any meeting of the members of the Society. Two thirds approximately of the Committee members shall retire at every third Annual General Meeting effective from the Annual General Meeting 1999. To the extent that the six year provision does not automatically result in at least two thirds of the Committee retiring, further Committee members shall retire either on a first-in first-out basis or, if that cannot be applied, as selected by lot.

Retiring members shall be eligible for re-election immediately on retirement.

### **RULE 23 TERMINATION OF MEMBERSHIP OF THE COMMITTEE**

The office of a Committee member shall be vacated:-

- (a) If he gives twenty one days notice in writing to the Secretary of his intention to resign.
- (b) If he ceases to be a member of the Society.
- (c) By resolution passed by not less than two thirds of the votes cast at a meeting of the members of the Society called for the purpose but not necessarily for that sole purpose.

### **RULE 24 SUSPENSION OF MEMBERS OF THE COMMITTEE**

A member of the Committee, by resolution of the Committee, may be suspended provided that the Committee shall within twenty eight days of such suspension issue a notice to members convening an Extraordinary General Meeting. The members at such meeting may resolve by secret ballot, to (a) Ratify the suspension and remove from office the person so suspended and determine the manner in which the vacancy so caused shall be filled and may fill such vacancy at the meeting, (b) Rescind the suspension. However, no person shall be removed from office under this rule without being given an opportunity of being heard by the members at such Extraordinary General Meeting of which he shall be given not less than twenty one days notice.

Failure to reply to such notice or to attend at such meeting will disallow further appeal.

### **RULE 25 FILLING OF VACANCIES ON COMMITTEE**

The Committee shall, at its first meeting held after the expiration of fourteen days from the time a vacancy on the Committee occurs, fill such vacancy by co-option from among the members. Such vacancy shall be filled in accordance with the provisions of these Rules.

### **RULE 26 ELECTION OF OFFICERS**

At its first meeting following the Annual General Meeting, the Committee shall elect from amongst its number a Chairman, a Secretary and a Treasurer, who shall be officers of the Society. Officers may be removed at any time by resolution of the Committee or of the members duly passed in accordance with the provisions of these Rules.

### **RULE 27 FILLING OF VACANCIES IN OFFICERSHIP**

Where a vacancy occurs amongst the officers of the Society the Committee shall elect one of its number to fill such vacancy and the person so elected shall be an officer of the Society in the same way and subject to the same limitations as if he had been elected to the position pursuant to the provisions of these rules.

### **RULE 28 MEETINGS OF THE COMMITTEE**

The Committee shall meet as often as may be necessary but no later than once every six weeks.

At all meetings of the Committee and any sub-committee an officer of the Association authorised by the Executive Committee of the Association and also a representative of the Association of Retired Prison Officers who is a fully paid up member of the Society, shall each be entitled to attend and be heard but not entitled to vote.

The Committee shall invite one member from each Institution or Prison not represented on the Committee, elected by the members in that Institution or Prison, to act as representatives for their particular Institution or Prison. They would meet the Chairman, Secretary and Treasurer as deemed necessary by the Committee. They would carry out duties from time to time as requested by the Committee and would be subject to confidentiality on all matters.

#### **RULE 29 NOTICE OF MEETINGS OF THE COMMITTEE**

In normal circumstances not less than three clear days' notice of any meeting of the Committee specifying the place, the day and the hour of the meeting and, in the case of all special business, the nature of such business and the precise terms of such resolutions which it is proposed to submit to the meeting, shall be given to every member of the Committee.

#### **RULE 30 SPECIAL MEETINGS OF THE COMMITTEE**

The Secretary shall, upon receipt of a requisition signed by one or more of the trustees, or by no fewer than 3 members of the Committee, convene a special meeting of the Committee to conduct such business as shall be specified in the requisition.

Such special meeting shall be held within fourteen days after the receipt of the requisition by the Secretary and not less than three clear days' notice thereof specifying the special business to be conducted thereat, shall be given to every member entitled to attend such meetings.

#### **RULE 31 POWERS AND DUTIES OF THE COMMITTEE**

The Society shall be governed by the Committee who shall have full power to superintend and conduct the business of the Society, subject to and in accordance with these rules and shall in all things act for and in the name of the Society and shall be responsible to the Annual General Meeting for the proper administration of the affairs of the Society. It shall have the power to appoint a manager and staff. The Committee shall see that the books of the Society are regularly kept and that all minutes and resolutions are correctly entered and carried into effect and shall control and direct the duties of the Chairman, Secretary and Treasurer.

#### **RULE 32 QUORUM AT MEETINGS**

No business shall be transacted at any meeting of the Committee unless there are present for the transaction of ordinary business a quorum of 3 members and for the transaction of special business a quorum of 6 members.

#### **RULE 33 ADJOURNMENT OF MEETINGS**

The Chairman of any meeting may, with the consent of the meeting, adjourn it from time to time or from place to place.

#### **RULE 34 SUB COMMITTEE**

The Committee may constitute and appoint and act by subcommittee of any of its members and may delegate such of their powers as they may in their discretion think fit. A sub-committee shall consist of no fewer than three members.

#### **RULE 35 FORMS**

The Committee may prescribe such forms as may be deemed necessary or desirable for the purpose of giving full force and effect to these rules and may, from time to time, add to, vary or amend any form so prescribed.

#### **RULE 36 CHAIRMAN**

The Chairman shall preside as Chairman at all meetings of the Committee and of the Society. In the absence from any meeting of the Chairman, the members present shall choose one of their number to be Chairman of such meeting. The Chairman shall regulate the proceedings and every question properly submitted to the meeting shall be decided in accordance with standing orders. In the case of an equality of votes the Chairman shall have a casting vote in addition to his vote as a member. A declaration by the Chairman that a resolution has been carried or defeated and an entry to that effect in the minute book, shall be sufficient evidence of the fact, without proof of the number or proportion of votes recorded in favour of or against any such resolution.

### **RULE 37 SECRETARY**

The Secretary shall be required to attend all meetings of the Committee or of the members. (In the absence from any meeting of the Secretary, the members present shall choose one of their number to act as Secretary for the purposes of such meeting). He shall record correctly the names of the persons present at each meeting and in minutes of the proceedings, which he shall transcribe into a book to be authenticated by the signature of the Chairman of the meeting. He shall receive applications for admission to the Society. He shall at the close of every meeting, or in the case of receipts, at any other time, forthwith hand over all monies received by him to the Treasurer.

He shall summon and give notice of all meetings of the Committee or of members of the Society, and keep accounts, documents, and papers of the Society in such manner and for such purposes as the Committee may appoint.

He shall prepare and send all returns and other documents required by the Friendly Societies Acts or the Statutory Regulations, to be sent to the Registrar of Friendly Societies.

All correspondence in relation to the business of the Society shall be addressed to the Secretary at the registered office.

### **RULE 38 TREASURER**

The Treasurer shall hold office during the will and pleasure of the Committee for the time being and may be removed at any time in accordance with the provisions of these Rules.

The Treasurer shall take charge of the funds of the Society which are not invested and pay all demands when ordered to do so by the Committee. He shall balance his accounts at the end of each financial year and shall produce all books, documents, property and money of the Society in his possession and render a full and clear account of each Audit, and whenever required to do so by the Committee. He shall also give up all books, documents, monies and property of the Society in his possession when required to do so by the Trustees. The Treasurer shall give receipts for monies received by him on a form to be prescribed by the Committee for that purpose. He shall attend every meeting of the Committee and of the members of the Society. (In the absence from any Committee meeting of the Treasurer, the members present shall choose one of their number to act as Treasurer for the purposes of such meeting.)

The Treasurer shall perform the above duties and receive such remuneration as the Committee may decide.

**RULE 39 MANAGER**

The Committee shall arrange to have the post of Manager advertised both inside and outside the Service. The Manager may also perform the duties of Claims Assessor.

**RULE 40 ASSESSORS**

The Committee shall arrange to have the post of Claims Assessor advertised both inside and outside the Service. A shortlist of suitable candidates shall be selected by the Committee and the Committee shall select a Claims Assessor from this shortlist. All appointments shall be based on merit.

The Interview Panel shall consist of not less than three persons appointed by the Committee plus any nominee(s) as hereinafter provided.

The Minister for Justice and the Prison Officers Association shall be entitled, but not obliged, to nominate one person each to sit on any Interview Panel for Assessors.

An Assessor may not be a member of the Committee.

The Committee may also appoint from within the Service a relief Claims Assessor.

Assessors shall perform such duties and may receive such remuneration as the Committee may direct. They shall hold office for the time being and may be removed at any time in accordance with the provisions contained in these rules including for reasons of misconduct, lack of capability or by reason of retirement. They shall produce all books, documents, property and money of the Society in their possession and render a full and clear account at each Audit and whenever required by resolution of the Committee or by the Trustees. They shall also pay over all monies and give up all books, documents and property belonging to the Society when ordered to do so by the Committee or by the Trustees. They shall on all occasions in the execution of their office, act under the superintendence, control and direction of the Committee.

#### **RULE 41 TRUSTEES**

The number of Trustees shall be two who shall be members. A Trustee may be appointed by resolution of a majority of those present and entitled to vote at an Annual General Meeting or at an Extraordinary General Meeting convened for the purpose. A Trustee may be removed from office by resolution passed at an Annual General Meeting or at an Extraordinary General Meeting convened for the purpose.

A Trustee shall retire from office at the third Annual General Meeting following the General Meeting at which he was appointed. A Trustee so retiring shall be eligible for reappointment with effect from A.G.M. 1999.

The Secretary shall send to the Registrar a copy of every resolution appointing a Trustee or Trustees within fourteen days after the date of the meeting whereat such resolution was passed, in the form prescribed by the Statutory Regulation in that behalf and such resolution shall be signed by the Trustee or Trustees appointed and by the Secretary.

A Trustee may relinquish his office by giving twenty one days' notice in writing to the Secretary.

In the event of the number of Trustees falling below two a new Trustee or Trustees shall be appointed in the manner provided in this rule to bring the number of Trustees up again to two.

All property and assets belonging to the Society, shall be vested in the Trustees for the use and benefit of the members and of all persons claiming through such members according to these Rules.

The Trustees shall be admitted to all meetings of the Society and of the Committee and shall be at liberty to take part in the proceedings thereof but shall not be entitled to vote on any question under discussion at Committee meetings.

#### **RULE 42 INVESTMENTS**

So much of the Society's monies as may not be required for immediate use or to meet its normal accruing liabilities shall, with the consent of the Committee, be invested by the Trustees in any of the following ways:

- (a) In public funds, or
- (b) In any security authorised by law for the investment of trust funds.

Investment(s) in (a) and (b) above may, from time to time with the sanction of the Committee, be varied in the interest of the Society and for the purpose of such variation may be realised from time to time.

#### **RULE 43 CUSTODY OF SECURITIES**

The Trustees shall be the persons to sue or be sued on behalf of the Society. They shall not be liable to make good any deficiency in the funds of the Society, but shall be liable only for such sums of money as shall be actually received by them on account of the Society.

All deeds, documents of title and securities for money shall be held by the Trustees and they shall take such measures for the safe custody and preservation thereof, at the expense of the Society, as they shall think fit. They shall be responsible for the safe custody of all such deeds, documents and securities as are placed in their hands or under their control and shall produce them for inspection by the Auditors when required by them and whenever else required by resolution of a meeting of the Committee.

Any movement of the above mentioned deeds, documents of title and securities for monies can only be carried out with the prior knowledge and written consent of the Chairman, Treasurer and both Trustees whose signatures shall be authenticated by an Official, not lower than Principal Officer, in the Department of Justice.

#### **RULE 44 KEEPING OF ACCOUNTS**

The Treasurer shall cause to be kept, proper books of account, of or relating to:-

- (a) All monies received and expended by the Society.
- (b) The matters in respect of which such receipt and expenditure takes place.
- (c) The assets and liabilities of the Society. Such accounts shall give a true and fair view of the affairs of the Society and shall be kept in relation to each year in the period of six years preceding the current financial year of the Society.

The financial year shall commence on the first day of January and end on the thirty first day of December following.

#### **RULE 45 AUDIT**

Before every Annual General Meeting, the Accounts and Balance Sheet of the Society for the preceding year shall be examined and their correctness ascertained and certified by an Auditor who is qualified for appointment in accordance with the provisions of the Acts.

The Auditors shall have access to the books and accounts of the Society, shall examine the Balance Sheet and verify it with the accounts, vouchers, deeds, documents and securities and shall sign it, if found by them to be correct, duly vouched and in accordance with law, or specially report to the Society in what respect they find it incorrect, unvouched or not in accordance with law.

The Auditors shall be appointed by the Committee.

#### **RULE 46 ANNUAL RETURN**

The Committee shall cause the Secretary to send to the Registrar each year, before the 31st day of May, the Annual return in the form prescribed by him. Such return shall be made by a person who is qualified under the Acts to be appointed as Auditor.

The Committee shall cause a copy of the Annual Return to be sent to the Minister for Justice.

It shall be the duty of the Committee to provide the Secretary with a sufficient number of copies of the Annual Return for supplying, gratuitously upon application, to every member or person interested in the funds of the Society.

#### **RULE 47 INSPECTION OF BOOKS AND DOCUMENTS**

The Committee shall cause the books of the Society to be available for inspection by any member, or by any person having an interest in the funds of the Society, at reasonable hours at the registered office, or at any place where the books are kept and it shall be the duty of the Secretary to produce the said books accordingly. The Comptroller and Auditor General shall, upon request, be given full access to the books, accounts and documents of the Society.

#### **RULE 48 DISPUTES**

If any dispute shall arise between the Society and any member or person claiming through a member, or any person aggrieved who has ceased to be a member, or any person claiming through such person aggrieved or any officer of the Society, or under the rules of the Society, it shall be decided by reference to the Committee. A decision of the Committee in relation to termination of membership may be appealed by either party to the dispute to the Appeal Board. All other decisions of the Committee shall be final and binding on all parties.

#### **RULE 49 APPEAL BOARD**

The Appeal Board shall consist of three members who shall not be voting members of the Committee. They shall be appointed each year by the Committee at the first Committee Meeting following the Annual General Meeting. All procedures relating to hearings by the Appeal Board shall be decided from time to time by the Appeal Board or by a majority of the members thereof.

#### **RULE 50 SEPARATE ACCOUNTS**

Separate accounts of any particular fund or benefit for which a special contribution is payable, shall be kept distinct from accounts of any other fund or benefit.

A separate account shall also be kept of the expenses of Management.

#### **RULE 51 BANK ACCOUNTS**

The Committee shall cause the bank accounts to be kept in the name of the Society. All cheques shall bear two authorised signatures approved by the Committee.

#### **RULE 52 EXPENSES**

The first application of the monies of the Society shall be in discharging all expenditure that the Committee shall deem requisite for the proper carrying out of the objects and purposes of the Society. No expense shall be incurred on behalf of the Society by any person on any account whatsoever unless such expense shall have been previously authorised by the Committee.

Authorised expenditure allowed by the Committee shall be defrayed by the Treasurer out of the income of the Society and all accounts of such expenditure shall be sent to the Secretary.

#### **RULE 53 QUINQUENNIAL VALUATION**

Once at least in every five years the assets and liabilities of the Society, including the estimated risks and contributions, shall be valued in the manner provided by the Acts, by a Valuer to be appointed by the Society.

It shall be the duty of the Valuer, at the expense of the Society, to make a report to be signed by him and also an abstract result of his valuation, in the form prescribed by the Registrar. On receiving such report it shall be the duty of the Secretary, as soon as it is convenient, to call a meeting of the Committee and to lay such report and the abstract of the result of the valuation before such meeting.

It shall also be the duty of the Secretary to forward such report and abstract to the Registrar and to prepare and forward therewith a statement containing such other information as the Registrar may require.

#### **RULE 54 VOLUNTARY DISSOLUTION**

The Society may at any time be dissolved by the consent of five sixths in value of the members, testified by their signatures to an instrument of dissolution and also by the written consent of every person for the time being receiving or entitled to receive any benefit from the funds, unless his claim is first duly satisfied, or adequate provision is made for satisfying such claim.

The value of members shall be ascertained by giving one vote to every member and then an additional vote for every five years that he has been a member, but no member shall have more than five votes.

**RULE 55 INVESTIGATION OF AFFAIRS OR WINDING UP OF THE SOCIETY**

Upon application, one hundred members (or, if the number of members shall number one thousand or less, one fifth of the whole number of members) may apply in writing to the Registrar for the calling of a special meeting of the Society for an investigation of the affairs of the Society or the winding up of same.

**RULE 56 BALANCE SHEET, SPECIAL REPORT OF AUDITORS AND QUINQUENNIAL VALUATION TO BE AVAILABLE IN THE SECRETARY'S OFFICE.**

It shall be the duty of the Committee to keep a copy of the balance sheet of the last financial year, together with any special report of the auditors, always available for inspection by any member and it shall be the duty of the Secretary to produce such balance sheet or report at his office on demand by a member.

The Committee shall cause a copy of the balance sheet of the last financial year together with a copy of any special report of the auditors thereon and a copy of the last quinquennial valuation to be kept always hung up in a conspicuous place at the registered office.