

IRISH GROCERS BENEVOLENT FUND CONSTITUTION AND RULES

1. **Name**

This organisation shall be called the "Irish Grocers Benevolent Fund".

2. **Registered Office**

The Registered Office shall be at 24/26 City Quay, Dublin 2. In the event of a change of address the Registrar of Friendly Societies shall be notified accordingly.

3. **Objects**

The objects of the Fund shall be the relief of necessitous persons who are or have been engaged in the trade and shall include widows, widowers and immediate dependents of such persons. The term "trade" shall relate to members of the food and drink industry. Members of the Fund shall not be entitled to benefit from the Fund.

4. **Membership**

Any person in the trade who subscribes the annual sum of €7.00 to the Fund or such amount to be fixed from time to time by the Executive Committee shall be deemed to be a member for the current year.

Any firm in the trade which subscribes the sum of €1,270 or more shall be entitled to nominate a person as a member for the current year. The name of the person so nominated should be notified to an officer of the Executive Committee within one month of receipt of such subscription.

5. **Government**

The Fund shall be governed by an Executive Committee which shall meet not less than five times a year and shall consist of not more than eighteen members. The Executive Committee shall have the power to co-opt one or two persons in any period between consecutive Annual General Meetings provided the total number of members does not exceed eighteen. In the inaugural year the Executive Committee shall consist of the current members of the Committee of the Irish Branch of the National Grocers Benevolent Fund. Thereafter, three members of the Executive Committee shall retire annually and elections shall be held to fill the vacancies.

6. **Officers of the Fund**

The Officers of the Fund shall be the Chairman, Senior Vice Chairman, Junior Vice Chairman, Honorary Secretary, Honorary Treasurer and President of Appeal. The Office of President of Appeal will be filled by invitation of the Executive Committee to the individual concerned. Persons nominated to the other Offices must be members of the Executive Committee and will be elected annually by the Committee Members. The President of Appeal will be officio a member of the Executive Committee during his term of Office. In addition there shall be three Trustees who shall be Officers of the Fund and who shall be elected in accordance with Rule 13. The Chairman, or in his absence the Vice-Chairman, shall preside as Chairman at every meeting of the Executive Committee and at every General or Special General Meeting of the members of the Fund. In the absence of both the Chairman and the Vice-Chairman the Members present shall select one of their number to act as Chairman of a meeting.

The Treasurer shall be responsible for all monies received by him on behalf of the Fund and shall furnish suitable Financial Statements to the Executive Committee as required.

The Secretary shall attend all meetings of Executive and Welfare Committees and all Annual and Special General Meetings. He shall record the names of persons present and the Minutes of the proceedings. Under the direction of the Executive Committee he shall maintain all records of the affairs of the Fund and be responsible for the custody of documents and records. He shall furnish to the Registrar of Friendly Societies all returns and documents required by the Friendly Societies Acts or the Statutory Regulations.

7.

Quorum

Four members of the Committee shall form a Quorum at all meetings of the Executive Committee. The members who constitute a Quorum shall include the Officers with the exception of the Trustees.

8.

Annual General Meetings

A General Meeting of the members of the Fund shall be held annually in Dublin or such place as may be determined from time to time, when the Report of the Executive Committee and the Statement of Accounts shall be presented. The Annual General Meeting will deal with the Minutes of the previous Annual General Meeting and any Special General Meetings held during the previous twelve months.

The Annual General Meeting will elect three members to the Executive Committee to fill vacancies created by the retirement by rotation of Executive Committee Members. In the initial year the three retiring members will be decided by the drawing of lots. Thereafter the order of retirement will be decided alphabetically in rotation. Retiring Executive Committee members are eligible for re-election.

Persons seeking election to the Executive Committee shall be nominated by at least three members of the Fund or by approval of the Executive Committee. The Notice of Nominations shall be sent to the Secretary of the Fund at least fourteen days before the Annual General Meeting.

Notice of the Annual General Meeting shall be sent to all members of the Fund in the current financial year not less than twenty-one days in advance. In addition, notice of the meetings shall be sent to the Secretaries of Regional Committees. All other persons shall be deemed to have received Notice by publication of a Notice convening the meeting in such Trade Papers as the Executive Committee may consider appropriate.

Failure to receive written Notice by any member or members for any reason whatsoever shall not invalidate the holding of the Annual General Meeting or the conduct of business by the Annual General Meeting.

Copies of all draft Resolutions for consideration at an Annual General Meeting shall be furnished by the Secretary to each Member in conjunction with the Notice of the Meeting.

Notices of Motions being prepared by members for inclusion in the Agenda of an Annual General Meeting must be furnished to the Secretary of the Fund not later than two months before the Annual General Meeting in each year.

Six members shall constitute a Quorum at an Annual General Meeting.

9.

Special General Meetings

The Executive Committee shall call a Special General Meeting of members, to be held in Dublin or such other place as may be decided, within thirty days of receiving a Requisition signed by twenty-five members of the Fund declaring the objects of such a meeting. Notice of the Special General Meeting shall be in accordance with the procedure for the Annual General Meeting.

Sixteen members shall constitute a Quorum at a Special General Meeting.

10.

Voting

Members who have paid the Membership Subscription in the current or previous financial year shall be entitled to a single vote at meetings.

With the exception of matters arising under Rules 11, 22 and 23 all matters shall be decided by a simple majority of votes of the members present and voting. If the votes are equal the Chairman shall have a second or casting vote.

11.

Retirement from the Executive Committee

A Member of the Executive Committee may be removed by a Resolution supported by not less than two-thirds of the members present and voting at an Annual or Special General Meeting. Any vacancy occurring in such circumstances shall be filled by co-option at the discretion of the Executive Committee.

If a member of the Executive Committee is absent from three out of five or four out of six or more meetings held between to consecutive Annual General Meetings it will be necessary for him to retire in conjunction with those who are retiring by rotation. Such a member will be eligible to seek re-election.

12.

Welfare Committee

The Welfare work of the Benevolent Fund shall be conducted by the Welfare Committee which shall be a sub-committee of the Executive Committee consisting of the Chairman, Senior Vice-Chairman, Junior Vice-Chairman, Vice-Chairman, Honorary Secretary, Honorary Treasurer and Executive Secretary. The Welfare Committee members shall have full authority to co-opt additional members if, in their complete discretion, they consider it desirable.

The Welfare Committee shall have discretion to consider all applications for assistance and to make or refuse the payment of Grants. The ultimate decision regarding the payment of Grants shall rest with the Executive Committee.

13.

Trustees

The Benevolent Fund shall have three Trustees and all real and personal property of the fund shall vest in the Trustees who shall deal with such property in the manner that the Executive Committee may determine from time to time.

The appointment and removal of Trustees shall be made by Resolution of a majority of those present at an Annual General Meeting or Special General Meeting and the Registrar of Friendly Societies shall be notified appropriately within fourteen days.

14.

Grants of Assistance by the Fund

An Applicant shall be eligible as a Beneficiary of the Fund if he has been engaged in the trade as defined in Rule 3. Benefits will be payable to persons who in the opinion of the Welfare Committee are in need and will include widows, widowers, orphans, unemployed persons, elderly persons, persons suffering from physical or mental illness, dependents caring full time for sick or elderly persons. Benefits may also be payable to assist in discharging the cost of home care or institutional care and to assist in discharging the cost of funeral expenses. In addition it is contemplated that assistance shall be provided for educational purposes for dependent children of beneficiaries of the Fund.

Benefits will normally be payable as cash grants of assistance in periodical instalments but grants in the form of benefit in kind may be given in certain circumstances, including provision of rent-free accommodation, provision of food, clothing and other reasonable necessities.

An Application for Assistance Form shall be completed by or on behalf of the Applicant who shall furnish the necessary information as required by the Welfare Committee. The

circumstances of each Applicant shall be investigated by the Executive Secretary who shall make an appropriate recommendation to the Welfare Committee in regard to the payment of a Grant.

The Executive Committee shall determine from time to time the type and level of grant to be paid to Beneficiaries. They shall lay down guide lines or basis of assessment for implementation by the Welfare Committee who shall decide on the payment of Grants. The Welfare Committee shall report progress to the Executive Committee at intervals each year.

15. **Regional Committees**

The Executive Committee may establish regional committees and shall determine the territory, powers and duties of such committee.

The functions of a Regional Committee shall be to collect monies for the fund and to ascertain and submit to the Welfare Committee the names of local applicants for assistance. All monies collected shall be remitted without delay for credit of the Bank Account of the Irish Grocers Benevolent Fund in Dublin.

16. **Staff**

The Executive Committee shall appoint an Executive Secretary and such other staff as may be considered necessary. The Executive Secretary shall not be a member of the Benevolent Fund nor a member of the Executive Committee. He shall however be entitled to attend and speak but not vote at all meetings of the Executive Committee and also at Annual and Special General Meetings.

The functions of the Executive Secretary shall include assisting generally in the work of the Executive Committee and in particular assisting the Secretary and Treasurer in their duties. He shall interview applicants for benefit, process applications for submission to the Welfare Committee and visit beneficiaries periodically for the purpose of re-assessment of grants.

17. **Accounts**

All monies received by the Fund by way of contributions, subscriptions, donations or otherwise shall be applied towards carrying out the objects of the Fund.

Separate records shall be kept of all monies received or paid in respect of every particular Fund or Schedule of Grants, Benefits, Contributions which might be adopted from time to time by the Benevolent Fund. In addition a separate record must be maintained of all Management Expenses and Transactions.

The Executive Committee shall be empowered to conduct Banking Accounts and it shall ensure that appropriate records of the financial affairs of the Fund are kept. An Income and Expenditure Account and Balance Sheet of the Fund shall be prepared annually and submitted for consideration by members at the Annual General Meeting. The financial year shall be 1st January to 31st December.

18. **Auditors**

The Accounts of the Fund shall be examined and certified annually by Auditors who shall be appointed at the Annual General Meeting.

19. **Investments**

Any surplus money not required for immediate use by the Benevolent Fund shall be invested by the Trustees on the direction of the Executive Committee in any Investments in which Trustees are for the time being by Law authorised to invest Trust Funds.

20. **Contributions**

In order to promote the objects of the Fund contributions may be made to any charitable organisation at the discretion of the Executive Committee.

21. **Annual Return**

The Executive Committee shall furnish an Annual Return in the prescribed form to the Registrar of Friendly Societies before 1st June in every year. A copy of the Return or of the Audited Accounts shall be supplied on demand free of charge to every member or person interested in the finances of the Fund.

22. **Dissolution of the Fund**

The Voluntary Dissolution of the Fund can only be effected with the consent of five-sixths in value of the members. Upon dissolution of the Fund any surplus assets remaining after the discharge of all debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the objects of the Fund as the Executive Committee shall decide with the approval of the members.

23. **Amendment of the Rules**

New rules may be made and the existing rules may be altered, varied or revoked by a resolution of the members entitled to vote at any General Meeting provided that at least two-thirds of the votes are in favour of the resolution and provided that the rules are not altered in such a way that it would enable the assets of the Fund to be applied other than for charitable purposes. Any amendment of the rules will not be valid until notified to the Registrar of Friendly Societies.

24. **Gender**

In these rules the masculine gender is used throughout solely for simplicity and it must be understood that the feminine applies equally.

25. **Inspection of Books**

Provided reasonable notice has been furnished, the Secretary shall make available for inspection the Books and Accounts of the Fund to any member or person having an interest in the affairs of the Fund at the Registered Office of the Fund in Dublin.

A copy of the last Annual Balance Sheet incorporating the Auditors Report shall always be kept exhibited at the Registered Office of the Fund.

26. **Settlement of Disputes**

In the event of disputes or claims arising between members or past members and the Executive Committee or its Officers or Employees the matter shall if necessary be referred to an Arbitrator who shall be appointed by the President for the time being of the Incorporated Law Society of Ireland. The Benevolent Fund shall normally bear the costs involved but the Arbitrator may apportion a percentage of the costs against a person or persons whose claims may be considered by him to be frivolous, vexatious or unjustified. The decision of the Arbitrator shall be binding on the parties involved.

27. **Investigation of Affairs**

One-fifth of the members of the Fund may apply to the Registrar of Friendly Societies to appoint an inspector or inspectors to examine into and report on the affairs of the Society or to call a special meeting of the society.