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**PUBLIC SERVICE FRIENDLY SOCIETY (“Society”)**

**R U L E S**

# **PUBLIC SERVICE FRIENDLY SOCIETY (“Society”)**

## **R U L E S**

### **Name of Society**

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1. The Society shall be called the Public Service Friendly Society.

### **Registered Office**

2. The registered office of the Society shall be First Floor West, The Plaza Centre, Belgard Road, Tallaght, Dublin 24 or such other place as the Committee shall from time to time determine. The Registrar shall be notified within 14 days of any change in the registered office of the Society.

### **Objects and Purposes of the Society**

- 3.1. The Society is established for the purpose of providing, by voluntary subscriptions of the members thereof and with or without the aid of donations, for the following main objects:
  - (a) relief or maintenance of the members of the Society, their husbands, wives, children and any other Dependant Relatives, during sickness or other infirmity, whether bodily or mental, in old age (as defined by the Act) or in widowhood or for the relief or maintenance of the orphan children of members during minority and/or

- (b) insuring money to be paid on the birth of a member's child, or on the death of a member or for the funeral expenses of the husband, wife or child of a member or of the widow of a deceased member in cases of economic hardship.

3.2. In furtherance exclusively of the above main objects the Society shall have the following subsidiary objects:

- (a) to subscribe to the funds of any hospital or other institution with the object of procuring the admission, or assisting in the election to the benefits of such institutions of Members and/or their dependents;
- (b) to purchase or lease property for the purposes of providing residential accommodation for retired Members and their spouses and incur any expenses incidental to the provision of such accommodation;
- (c) to provide or arrange for the provision of any service or services which may be for the benefit of members and which is in accordance with these Rules and the Act;
- (d) to give guarantees in accordance with the main objects of the Society; or
- (e) to do such other acts or things as appropriate in furtherance of these main objects and generally to engage in any transaction which may seem to the Society directly or indirectly conducive to the interests or convenience of its members.

**4.**

**Membership of the Society**

- 4.1. Any person who is permanently employed in the Service or who retires from the Service shall be qualified for admission to membership of the Society.
- 4.2. A person who has retired from a position in the Service and who was a member of the Civil Service Benevolent Fund at the date of his retirement shall be deemed to be a member of the Society.
- 4.3. A person who is qualified for membership of the Society shall be deemed to become a member of the Society as soon as he has signed and delivered to the Secretary of the Society a completed form of admission in the form set out in Appendix I.
- 4.4. The Society shall ensure that an up-to-date register of members of the Society shall be kept in which shall be recorded the name and address of each member of the Society and the date when such person became a member of the Society.
- 4.5. Every member of the Society, other than a person deemed to be a member under Rule 4.2 above (who shall not be obliged to make any contribution), shall contribute by way of subscription to the Society a sum as determined by the Committee from time to time and ratified by general meeting which subscription may be paid by way of deduction from salary or pension.
- 4.6. A member of the Society shall cease to be such:
  - (a) if he ceases to be eligible for membership pursuant to Rule 4.1 above;
  - (b) if any contribution due hereunder for any calendar year is unpaid at the expiration of such year;

(c) on tendering to the Secretary his resignation from the Society;  
or

(d) if expelled because in the opinion of the Committee he has misapplied the funds of the Society or fraudulently claimed or obtained any monies from the Society provided that he shall have received, in writing, not less than 28 days previously, complete particulars of the charge(s) made against him and that he has been given the opportunity to respond in writing to those charges.

4.7. Upon expulsion or other cessation of membership of the member, an entry of the cancellation of his membership shall be made in the register of members of the Society.

## **5. Conditions under which Members may become entitled to benefit**

5.1. Every application to the Society for assistance shall be made in writing to the Society. Every applicant shall furnish the Committee with such information, in such form, as the Committee may require. All such information shall be treated in strictest confidence by the Committee. The Committee shall investigate or cause to be investigated the circumstances of each case and the Committee shall, if satisfied that the case is eligible for, and deserving of, assistance, grant assistance to such extent and in such form as, in the opinion of the Committee, the circumstances warrant.

5.2. Except in exceptional circumstances an application for a grant of assistance will only be considered where the member on foot of whose membership the application is made has been in membership for a continuous period of three months.

- 5.3. Any additional information that the Committee may at any time require in regard to any case shall be duly furnished by, or on behalf of, the applicant concerned.

## **6. The Trustees**

- 6.1. There shall be at least one and up to three Trustees of the Society who shall be members of the Society and who shall be appointed by a resolution of a majority of the members present and entitled to vote at a meeting of the Society. The removal of a Trustee shall be made by a resolution of a majority of members present at any meeting of the Society called for that purpose. Every vacancy among the Trustees whether caused by death, resignation or removal from office or otherwise shall from time to time be filled up by election at the next meeting of members after the occurrence of such vacancy provided however that from the time of such vacancy occurring up to the appointment of a new Trustee or Trustees in the manner set out above, the remaining Trustee or Trustees may continue to carry out the functions of the Trustees pursuant to the Act and to these Rules.
- 6.2. All property and assets belonging to the Society whether acquired before or after the registration of the Society, shall vest in the Trustees for the time being of the Society for the use and benefit of the members thereof and of all persons claiming through such members according to the rules of the Society. The Trustees 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 actually be received by them on account of the Society. The Registrar will be notified within 14 days of a resolution to appoint a new Trustee.

## **7. Trustee Liability Provisions**

- 7.1. In the professed execution of the trusts hereof, no Trustee shall be liable for any loss to the Society or to the funds of the Society as a result of any acts or omission of any Trustee done or omitted in good faith and the Trustee shall only be liable if the act or omission was as a result of fraud, wilful wrongdoing or wrongful omission on the part of the Trustee who is sought to be made liable.
- 7.2. The Society may take out such insurance as may be appropriate and as may be permitted by law in respect of the Trustees' liability provided that such insurance will not indemnify any Trustee in respect of any liability arising as a result of any dishonest, fraudulent or criminal act or omission by that Trustee.

## **8. Patron of the Society**

The Society by general meeting may elect a patron of the Society whom it considers best reflects its ethos, outlook and objectives.

## **9. The Committee**

- 9.1. There shall be a committee of management of the Society ("Committee") which shall manage the affairs of the Society and shall exercise all the powers of the Society as are not by these Rules, the Act or otherwise required to be exercised by the members in general meeting or by the Trustees. The Committee shall have power to determine the payment to be made for work or services done on behalf of the Society and the appointment and removal of employees necessary for conducting the business of the Society. The Committee shall be made up of members of the Society and the number of members of the Committee shall not be less than 10 nor more than 20.
- 9.2. The Committee shall consist of officers being a Chairperson of the Society, a Vice Chairperson, a Treasurer and a Secretary (in these Rules hereinafter referred to as the "Officers") and not less than 6 or

more than 16 other Committee members. The Committee may continue to act notwithstanding any vacancies therein.

- 9.3. Subject to 9.4 and 9.6 below, every candidate for appointment as an Officer of the Society or otherwise seeking appointment as a member of the Committee shall be proposed and seconded by a member of the Society and shall be duly elected by a majority of the members of the Society present in person or (save as provided in 15.5 hereof) by proxy at a general meeting of the Society.
- 9.4. Each of the Trustees may appoint a representative to the Committee which representative(s) shall form part of the number of members of the Committee referred to in 9.2 above.
- 9.5. At the first annual general meeting after the adoption of these rules all the Officers and the Committee members (including the Trustees nominees if any) shall retire from office. Thereafter, Officers of the Society and the Committee members (including the Trustees nominees if any) shall retire after a period of three years in office.
- 9.6. In the event of any vacancies occurring during their term of office among the Committee members or Officers, the Committee may at any time and from time to time appoint any person to be a Committee member or Officer by resolution of a majority of the Committee members but so that the total number of Officers and Committee members shall not exceed the number fixed in accordance with these rules. Any such Officer or Committee member so appointed shall hold office only until the next following annual general meeting whereupon he shall retire.
- 9.7. A retiring Officer or Committee member shall be eligible for re-election.

- 9.8. The Committee may meet together for the despatch of business, adjourn and otherwise regulate their meetings as they think fit. Questions arising at any meeting shall be decided by a majority of votes. Where there is an equality of votes the Chairperson shall have a second or casting vote. The Secretary shall upon receipt of a requisition by not fewer than three Committee members convene a meeting of the Committee.
- 9.9. Subject to Section 9.11, the quorum necessary for the transaction of the business of the Committee shall be six members of the Committee present in person.
- 9.10. The Chairperson of the Society shall be the Chairperson of Committee meetings. If at any Committee meeting the Chairperson is not present within five minutes after the time appointed for holding the meeting then the Vice Chairperson shall chair the meeting and in his absence the Committee members present may choose one of their number to be Chairperson of the meeting.
- 9.11. If within a half an hour from the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same time and place or to such other day and at such other time and place as the Committee members present may determine and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the members present shall be a quorum. When a meeting is adjourned for more than 10 days, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.
- 9.12. The Committee may delegate any of their powers and functions to sub-committees consisting of such members of the Committee as they think fit. Any such sub-committee shall have such powers as are delegated

to it by the Committee. The rules and regulations set out herein in relation to the Committee shall apply also to any sub-committee in the exercise by it of its powers and functions **PROVIDED HOWEVER** that the quorum necessary for the transaction of the business of any sub-committee shall be two members of the sub-committee present in person. The chairperson of any sub-committee shall be elected by the sub-committee members.

- 9.13. All acts done by the Committee or any sub-committee or by any person acting as Officer or Committee or sub-committee member shall, notwithstanding that it is later discovered that there was some defect in the appointment of any such person as aforesaid or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be an Officer or Committee or sub-committee member.
- 9.14. The Committee may also appoint working groups consisting of people who may/may not be members of the Committee to assist and/or advise them in carrying out their duties.
- 9.15. The Committee may be removed by the Society on a resolution passed by a majority of the members of the Society at a general meeting of the Society called for that purpose.
- 9.16. Any Committee member (including any Officer) shall cease to be such Committee member or Officer when:
  - (a) the Committee member's or Officer's term of office expires in accordance with these Rules;
  - (b) the person concerned tenders his resignation in writing to the Society at its registered office;

- (c) the Committee member or Officer concerned is removed by the Committee by a resolution passed by a majority of those present at a meeting of the Committee called for that purpose; or
- (d) the Committee member or Officer ceases to be a member of the Society.

**10. The Secretary**

- 10.1. The Secretary or, if the Secretary is unable to attend any meeting, another Committee member acting as Secretary, shall record correctly the names of the persons present at all meetings of the Committee and of the Society and the minutes of the proceedings. The Secretary shall keep the accounts, documents, and papers of the Society and shall prepare and send all returns and other documents required by the Act to be sent to the Registrar. He shall on all occasions in the execution of his office act under the superintendence, control and directions of the Committee.
- 10.2. The Committee may reimburse to the Secretary his reasonable and proper out-of-pocket expenses and/or reasonable and proper remuneration in return for any services actually rendered to the Society to the extent permitted by Clauses 11.2 and 11.3 hereof.

**11. Accounts and Expenditure**

- 11.1 The Committee shall under the authority of the Trustees in accordance with the Trustees' instructions from time to time make arrangements for the operation and management of accounts to which shall be lodged such of the Society's funds as are not invested in accordance with Rule 18. No cheque, bill or similar instrument shall be valid unless it is signed or endorsed as the case may be in accordance with procedures decided by the Trustees and the Committee and in force from time to

time provided however that no cheque shall be issued unless signed by at least two people of a panel of five people duly appointed. A separate account shall be kept of the expenses of management of the Society.

11.2. All monies received by way of subscriptions, contributions, donations or otherwise and all property of the Society shall be applied solely towards the carrying out of the main objects of the Society in accordance with these rules and no portion thereof shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise howsoever by way of profit to the members of the Society.

11.3. Nothing herein shall prevent the payment as determined by the Society, of money to any Officer or servant of the Society, or to any member of the Society, in return for any services actually rendered to the Society, nor prevent the payment of interest at a rate not exceeding five per cent per annum on money lent or reasonable and proper rent for premises demised or let by any member to the Society; but so that no member of the Committee shall be appointed to any salaried office of the Society or any office of the Society paid by fees and that no remuneration or other benefit in money or money's worth shall be given by the Society to any member of such Committee, except repayment of out-of-pocket expenses and interest at the rate aforesaid on money lent or reasonable and proper rent for premises demised or let to the Society; provided that the provision last aforesaid shall not apply to any payment to any company of which a member of the Committee may be a member, and in which such member shall not hold more than one-hundredth part of the capital, and such member shall not be bound to account for any share of profit he may receive in respect of any such payment.

11.4. The Society shall discharge all properly incurred expenses of the Society out of the funds of the Society in priority to all other claims.

11.5. All valid claims for benefit under these rules shall be paid out of the funds of the Society in accordance with procedures decided by the Society and in force from time to time.

**12. Audit of Accounts**

12.1. The Committee will cause to be kept such books and records as shall be necessary to record the transactions of the Society in a proper manner.

12.2. The Committee after the year end in every year will cause to be drawn up a balance sheet as at the preceding 31<sup>st</sup> December and an income and expenditure account for the twelve months then ended and shall arrange for the same to be audited and reported on by an auditor qualified under the provisions for the time being in force for appointment as a public auditor or with such other qualifications as are from time to time required by law . Any such audit shall be carried out in accordance with legislation from time to time in force (including in particular but not limited to the Act) and the time limits set out in any such legislation.

12.3. Annual audited accounts shall be kept and made available to the Revenue Commissioners on request.

12.4. A copy of the last balance sheet of the Society and any special report of the auditors together with a copy of the last quinquennial valuation carried out in accordance with Rule 22 shall be hung up in a conspicuous place in the registered office of the Society.

**13. Supervisory Committee**

13.1. The Society shall have a supervisory committee (hereinafter called the “Supervisory Committee”) in accordance with the requirements of law.

- 13.2. The Society shall by its members present at a general meeting of the Society, elect by secret ballot three members to form the Supervisory Committee and the Supervisory Committee shall carry out such functions and exercise such powers as are assigned to such a supervisory committee by law.
- 13.3. The Supervisory Committee shall consist of two members of the Society who are not Officers of the Society, and a trustee of the Society.
- 13.4. The members of the Supervisory Committee shall hold office until the conclusion of the third annual general meeting of the Society following that at which they were elected.
- 13.5. A casual vacancy on the Supervisory Committee shall be filled by the remaining members of the Supervisory Committee by appointment from among the members of the Society (subject to the provisions in 13.3 hereof) and the person so appointed shall hold office until the conclusion of the next annual general meeting of the Society following his appointment.

#### **14.**

#### **Meetings of the Society**

- 14.1. An annual general meeting of the Society shall be held not later than 20<sup>th</sup> May every year to consider the following:
- the report of the Committee in relation to grants of assistance in such form as the Committee shall decide;
  - the annual report of the Society, if any;

- the audited statement of accounts for the preceding financial year;
- to elect new Officers and Committee members in place of those who have died or whose term of office has expired or who have resigned or have been removed in accordance with these rules or who have ceased to be members of the Society;
- to appoint trustee(s) of the Society if there has been any death, resignation or removal of the Trustees from office since the last annual general meeting or other meeting of the Society;
- to appoint the auditors;
- to ratify the subscription rate from time to time;
- to establish a Supervisory Committee in accordance with Rule 13 hereof or to elect persons to the Supervisory Committee from time to time in accordance with the provisions of Rule 13 and of law;
- any other business arising (including but not limited to any motions submitted to the Society pursuant to Rule 14.6 hereof) which may be deemed proper by the general meeting.

14.2. The Committee may from time to time as it thinks fit and shall also on receipt of a requisition by the Secretary from not less than one hundred members of the Society convene an extraordinary general meeting of the Society. In the case of an extraordinary general meeting convened by the Committee, the Society shall consider business which is in the opinion of the Committee proper to consider (including but not limited to the making altering or rescinding of the rules of the Society) or in the case of a requisition of members, the Society shall consider

business which is specified in the said requisition of members.

- 14.3. All annual general and extraordinary general meetings of the Society shall be held on such date, at such time and in such place as the Committee shall determine.
- 14.4. Four weeks prior to the date that a notice of any general meeting is to be advertised in accordance with Rule 14.5 hereof, the Society shall publish a preliminary notice of the general meeting and shall in that preliminary notice invite members to submit resolutions, motions or nominations for consideration at the general meeting. The preliminary notice shall be advertised in one or more newspapers at the Committee's discretion selected by the Committee as suitable for the purpose of such notice.
- 14.5. Every general meeting whether annual or extraordinary shall be convened by not less than 21 days' notice 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 advertised in one (or more) newspapers (at the Committee's discretion) selected by the Committee as suitable for the purpose of such notice and in addition may be advertised in such other way as the Committee may determine in its discretion. The 21 days' notice period prior to the meeting shall be exclusive of the day on which the meeting is advertised and exclusive of the day on which the meeting is to be held in accordance with the notice.
- 14.6. Save as is otherwise provided in Rule 15.5 hereof, any resolutions or motions or nominations for the post of Officer or Committee member which a member wishes to propose at an annual or extraordinary general meeting of the Society shall be proposed by that member in writing and seconded by another member of the Society and agreed to by the nominee and shall be submitted to the Society at its registered

office not later than 3 weeks after the preliminary notice referred to in section 14.4 hereof is published.

- 14.7. The Society in general meeting may make standing orders governing the conduct of general meetings. The making and amending of such standing orders shall be by resolution at any general meeting of the Society and in order to effect such resolution it shall have the support of at least two-thirds of those present at the meeting in person or by proxy.
- 14.8. No business shall be transacted at any general meeting of the Society unless a quorum of members is present at the time when the meeting proceeds to business; save as herein otherwise provided, ten members (excluding members of the Committee) present in person shall be a quorum.
- 14.9. The Chairperson of the Committee shall preside as Chairperson at every general meeting of the Society or if there is no such Chairperson or if he is not present in person within 15 minutes after the time appointed for the holding of the meeting or is unwilling to act, the Vice Chairperson shall preside as Chairperson. If neither the Chairperson nor the Vice Chairperson is present in person within 15 minutes after the time appointed for the holding of the meeting or is unwilling to act, the Committee members present in person shall elect one of their number to be Chairperson of the meeting.
- 14.10. If at any meeting no Committee member is willing to act as Chairperson or if no Committee member is present in person within 15 minutes after the time appointed for holding the meeting, the members present in person shall choose one of their number to be Chairperson of the meeting.
- 14.11. If within half an hour from the time appointed for the meeting a quorum is not present in person, the meeting, if convened upon the

requisition of members, shall be dissolved; in any other case it shall stand adjourned to the same day in the next week, at the same time and place or to such other day and at such other time and place as the Committee may determine, and if at the adjourned meeting a quorum is not present in person within half an hour from the time appointed for the meeting, the members present in person shall be a quorum.

14.12. The Chairperson may, with the consent of any meeting at which a quorum is present, and shall if so directed by a majority of the members present in person at the meeting at which a quorum is present, adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to publicly advertise any notice of an adjournment or of the business to be transacted at an adjourned meeting.

14.13. At any general meeting a resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded:

- (a) by the Chairperson; or
- (b) by at least three of the members present in person or by proxy.

Unless a poll is so demanded, a declaration by the Chairperson that a resolution has, on a show of hands, been carried or carried unanimously, or by a particular majority, or lost, and an entry to that effect in the book containing the minutes of the proceedings of the Society shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against such resolution.

- 14.14. If a poll is duly demanded it shall be taken in such manner as the Chairperson directs, and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.
- 14.15. Where there is an equality of votes, whether on a show of hands or on a poll, the Chairperson of the meeting at which the show of hands takes place or at which the poll is demanded and taken, shall be entitled to a second or casting vote.
- 14.16. Notice of the two meetings required to pass a special resolution under the Act may be covered by the one notice issued in accordance with these Rules.

## **15.**

### **Votes of Members**

- 15.1. Save in the case of 14.15 above, every member of the Society shall have one vote at any general meeting of the Society. Save as is provided in 15.5 herein votes may be given either personally or by proxy whether on a show of hands or on a poll.
- 15.2. No objection shall be raised to the qualification of any voter except at the meeting or adjourned meeting at which the vote objected to is given or tendered, and every vote not disallowed at such meeting shall be valid for all purposes. Any such objection made in due time shall be referred to the Chairperson of the meeting, whose decision shall be final and conclusive.
- 15.3. The instrument appointing a proxy shall be in writing under the hand of the person appointing the proxy. A proxy must be a member of the Society.
- 15.4. The instrument appointing a proxy shall be deposited at the registered office of the Society or at such other place as is specified for that

purpose in the notice convening the meeting, not less than 48 hours before the time for holding the meeting or adjourned meeting at which the person named in the instrument proposes to vote, and, in default, the instrument of proxy shall not be treated as valid.

15.5. To the extent that no nominations for Officer or Committee member post are made prior to or on the date specified in accordance with Rule 14.6, or to the extent that a majority of members at the general meeting agrees to accept nominations at the meeting, such nominations may be made at the general meeting but only persons present in person may cast their vote in respect of such nominations.

15.6. An instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances permit:

“  
Public Service Friendly Society  
I [ ] of  
.....  
In the County of .....  
being a member of the above-named Society hereby appoint  
.....  
of .....  
or failing him .....  
of .....  
as my proxy to vote for me on my behalf at the (annual or  
extraordinary , as the case may be) general meeting of the Society to be  
held on the .....day of .....200..  
and at any adjournment thereof.

Signed this ..... day of ..... 200..

This form to be used \*in favour of/against, the resolution

Unless otherwise instructed the proxy will vote as he thinks fit.

\*Strike out whichever is not desired.\*

- 15.7. The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a poll.
- 15.8. No person shall be entitled to exercise more than five proxy votes at any meeting of the Society.
- 15.9. A vote in accordance with the terms of an instrument of proxy shall be valid notwithstanding the previous death or insanity of the principal or revocation of the proxy or of the authority under which the proxy was executed if no intimation in writing of such death, insanity or revocation aforesaid is received by the Society at its registered office before the commencement of the meeting or adjourned meeting at which the proxy is used.

## **16. Amendment of Rules**

The Society may by resolution approved by two-thirds of the members present in person or by proxy at the meeting of the Society at which such resolution is considered repeal, alter or rescind any of the rules or make new rules in lieu thereof. No amendment of a rule is valid until registered under the Act. No addition alteration or amendment shall be made to or in the provisions of these rules unless the same shall have been previously approved in writing by the Revenue Commissioners.

## **17. Copies of Documents**

- 17.1. Every member shall be entitled on making application therefor to receive one copy of these Rules free of charge. The charge to a member for every copy after the first shall be in accordance with current legislation.

- 17.2. Every member or person interested shall on application to the Society be furnished with the last annual return of the Society or other authorised document.

**18. Loans**

- 18.1 Subject to the provisions of the Act and in particular section 46 thereof, the Society shall have the power to make loans to members out of a separate loan fund to be formed by receiving contributions or deposits from its members for the purposes of making loans to its members on their personal security with or without sureties as the Committee may decide. No member may have an interest in the loan fund exceeding any limit prescribed by law.
- 18.2 The Society shall not make any loan to a member on personal security which together with any money owing by the member to the Society exceeds the limit prescribed by law in respect of such a loan.
- 18.3 The Society may not hold at any one time on deposit from its members any more than two-thirds of the total sums owing to the Society by the members who have borrowed from the loan fund.

**19. Investment of Monies**

So much of the Society's monies as may not be wanted for immediate use or to meet its accruing liabilities shall, with the consent of the Committee, be invested by the Trustees in any of the ways in which such funds may by law be so invested provided however that prior permission shall be obtained from the Revenue Commissioners where it is intended to accumulate funds over a period in excess of two years for any purpose.

**20. Annual Returns**

- 20.1. The Society shall once every year not later than 31<sup>st</sup> May send to the Registrar an annual return of the receipts and expenditure, funds and effects of the Society and the number of members of the Society made up to the previous 31<sup>st</sup> day of December in the form prescribed by the Registrar. The annual return shall state that the audit has been conducted by an auditor qualified in accordance with the laws for the time being in force for qualification as auditor and by whom, and shall be signed by the auditor.
- 20.2. The Society shall together with the annual return send a copy of any special report of the auditors.

## **21. Inspection of Books**

- 21.1. The books of the Society shall, after reasonable notice has been given, be open to the inspection of any member or person having an interest in the funds of the Society at all reasonable hours, at the registered office of the Society, or at any place where the same are kept, and on application being made by any such person and it being duly verified that they are so entitled to inspect the books it shall be the duty of the Society to arrange to produce them accordingly provided however that nothing herein shall entitle any such member or person having an interest in the funds of the Society to information which the Committee deems is confidential information which is inappropriate to provide to the member or interested person for inspection.
- 21.2. A copy of the last Annual Balance Sheet of the Society for the time being, together with the report of the Auditors, if any, and a copy of the last Quinquennial Valuation shall always be kept exhibited in a conspicuous place at the registered office of the Society.

## **22. Settlement of Disputes**

Any dispute of the nature specified in Section 68(1) of the Act shall be decided either by mediation or by an arbitrator to be selected by agreement between the parties in

dispute or in default of such agreement to be appointed by the President for the time being of the Law Society of Ireland and the decision of such arbitrator shall be final and binding on the parties to such dispute. The costs of the arbitration shall be borne as the arbitrator directs.

## **23. Quinquennial Valuation**

23.1. 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 Act by a valuer to be appointed by the Society.

23.2. It shall be the duty of the valuer at the cost of the Society to make a report to be signed by him on the condition of the Society, and also an abstract of the results of his valuation in the form prescribed by the Registrar. On receiving such report it shall be the duty of the Committee as soon as convenient to call a meeting of the Committee and to lay such report and the abstract of the results of the valuation before such meeting.

23.3. It shall 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 information with respect to the benefits assured and the contributions receivable by the Society, and its funds and effects, debts and credits as the Registrar may require.

## **24. Voluntary Dissolution**

The Society may at any time be dissolved by the consent of five-sixths in value of the members and every person for the time being entitled to any benefit from the funds of the Society (unless this claim be first satisfied or adequately provided for) testified by their signatures to an instrument of dissolution in the prescribed form **PROVIDED HOWEVER** that no surplus funds or monies which may remain after the satisfaction of all claims on the Society shall be the property of the members of the Society and if

upon the winding up or dissolution of the Society there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Society but shall be given or transferred to some other charitable institution or institutions having main objects similar to the main objects of the Society and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Society under or by virtue of Rule 11.2 and 11.3 hereof, such institution or institutions to be determined by the members of the Society at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then to some charitable object.

**25. Investigation**

It shall be the right of one-fifth of the total number of members of the Society or of 100 members if the Society shall have 1,000 and not exceeding 10,000 members or 500 members if the Society shall have more than 10,000 members, to apply 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.

**26. Certificates of Death and Nominations**

26.1. No money shall be paid (except as provided by the Act) upon the death of a member or other person whose death is or ought to be entered in any register of deaths, except upon the production of a certificate of that death under the hand of the registrar of deaths or other person having care of the register of deaths in which that death is or ought to be entered.

26.2. A member not under the age of 16 years may nominate a person or persons to whom any sum of money, payable by the Society on his death, not exceeding any sum permitted by law shall be paid at his decease. All such nominations shall be made by writing, under the hand of the member, delivered at or sent to the registered office of the

Society, or in a book kept at such office.

**27.**

### **Definitions**

In these Rules the following words and expressions shall have the following meanings:-

The "Act" means the Friendly Societies Act, 1896 as same is from time to time amended, re-enacted or extended and any other legislation which is relevant to Friendly Societies and also shall refer to any statutory instruments made under the Act or in relation to friendly societies.

"Business Day" means a day when the banks in Dublin are open for business and does not include a Saturday, a Sunday or a bank holiday.

"Dependant Relative" means the father, mother, brother or sister, nephew or niece of a member or ward of a member being an orphan.

"general meeting" as used from time to time in these Rules shall mean an annual general meeting or an extraordinary general meeting as the case may be.

"Registrar" means the Registrar of Friendly Societies.

"Service" means the Civil Service or Public Service including commercial state bodies or any semi-state body the functions of which were discharged by a Government department prior to establishment of that body.

### **Further definitions :**

The masculine gender shall include the feminine and neuter and the singular number shall include the plural and vice versa;

For the purposes of the Rules, the word “child” shall include a child whose parents are not married to each other, a child whose parents are married to each other and an adopted child.

# APPENDIX I

## Application for admission to membership of the Public Service Friendly Society

Date: .....

I ..... of .....  
hereby apply for membership of the Society, and if my application is accepted,  
I agree to be bound by the Rules of the Society and to act in accordance with  
the Rules and any legislation by which the Society is governed.

Signed: .....