

Rules of the Co-operative Sanatoria Limited (Registered Office: New Lodge, Billericay, Essex (1914))

Publication/Creation

1914

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REG. No. 4754 ESSEX R.

RULES

— OF —

The Co-operative Sanatoria LIMITED.

*Registered under the Industrial and Provident
Societies Acts, 1893-5.*

REGISTERED OFFICE :

New Lodge, Billericay, Essex.

BRENTWOOD :

E. French & Son, Steam Printers, The Westbury Press.

1914.

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RULES

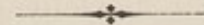
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CO-OPERATIVE SANATORIA Ltd.

Register No. 4754 Essex R.

Partial Amendment of Rules.

Rescind Rule 7, and substitute the following :—

“ 7. **Qualification for Membership.**—Each member shall hold at least one share and shall be entitled to a certificate of the share or shares held by him.”

Rule 39, line 6. Strike out “ five shares ” and substitute “ one share.”

C. C. UNDERWOOD, *President.*

J. BISHOP.

S. CARTER GILMOUR, *Treasurer.*

T. W. EDWARDS, *Secretary.*

Acknowledgment of Registry of Amendment of Rules.

The foregoing Amendment of the Rules of the CO-OPERATIVE SANATORIA LIMITED, is registered under the Industrial and Provident Societies Act, 1893, this 13th day of May, 1911.

T.N.N.

Copy kept.—T.N.N.

Registry of Friendly Societies
Central Office.

CO-OPERATIVE SANATORIA Ltd.

Register No. 4754 Essex R.

Partial Amendment of Rules.

Rescind Rule 46 and substitute the following :—

Mode of Application of Profits.

46. PROFITS.—(a) After payment of interest on any loans or deposits, and before any division of profits the Committee shall make such provision as they shall think fit for depreciation in the value of any stock, property or effects belonging to the Society, or for discharge or reduction of any expenditure incurred which the Committee shall consider not to be proper to charge entirely against the income of the year in which it is incurred, or for a reserve fund to meet any future extension, contingency, liability or expense the Committee may anticipate.

(b) Subject to the above the profits of the business shall be applied in the first instance in the payment of such dividend on shares at a rate not exceeding five per cent. per annum, as the Committee shall recommend and the Annual General Meeting shall approve, and any profits after payment of five per cent. on shares for any year shall be divided into two such parts as the Committee shall think fit—one part to be at the disposal of the Committee and to be expended by them or their representative as they shall think fit in gifts, bonuses or rewards to or for the benefit, amusement or entertainment of all or any of the inmates of any Sanatorium or Institution or otherwise under the care of the Society and the entertainment of patients' friends—the other part of such profits, not exceeding one half, to be divided between all the persons (whether members of the Society or not) paying fees for the

maintenance of themselves or others by the Society, during not less than one-fourth of the year in respect of which such profits are paid, in proportion to the total amount of maintenance fees so paid by each such person. Dividend or interest shall not be calculated in fractions of £1 or one month."

C. C. UNDERWOOD, *President.*

J. BISHOP.

S. CARTER GILMOUR, *Treasurer.*

T. W. EDWARDS, *Secretary.*

Acknowledgment of Registry of Amendment of Rules.

The foregoing Amendment of the Rules of the CO-OPERATIVE SANATORIA LIMITED, is registered under the Industrial and Provident Societies Act, 1893, this 31st day of March, 1914.

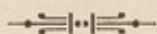
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Copy kept.

Registry of Friendly Societies
Central Office.

REG. No. 4754 ESSEX R.

RULES.



CHAPTER I.

NAME, OBJECTS, AND REGISTERED OFFICE.

1. **Name.**—The name of the Society shall be “THE CO-OPERATIVE SANATORIA, LIMITED.”

2. **Objects.**—The objects of the Society are as follows :

- (a) To carry on the business of Institutions or Homes wherein to maintain, care for and train and provide occupation for afflicted persons and others, and to carry on in connection therewith the industries, trades or businesses of farming, carpentry, gardening, laundry work and such other industries, trades or businesses as the Committee may direct or authorize, including the following dealings in land :—
- (b) To purchase or take on lease or otherwise acquire and hold any estate or interest in land and buildings of any tenure.
- (c) To sell, mortgage, charge, or let any such lands or buildings upon lease or otherwise whether in consideration of a premium or not, at such rents and upon such terms as may from time to time be found expedient.

(d) To demolish and erect buildings, and repair, add to and alter the same and any buildings taken on lease or otherwise as aforesaid, and generally to manage any land and buildings and to execute deeds and other documents and to expend money for any of the purposes aforesaid and in the insurance of buildings and in the cultivation of land.

(e) To do all such other things as are incidental or conducive to the above objects or any of them.

3. **Registered Office.**—The registered office of the Society is in England, and is Mill House, Purleigh, in the County of Essex; but the situation of the registered office may be from time to time changed by resolution of the Committee. In the event of any change in the situation of the registered office, notice of such change shall be sent within 14 days thereafter to the Registrar in manner and form provided by the Treasury Regulation in that behalf.

4. **Name to be conspicuously used.**—The registered name of the Society shall be kept painted or affixed on the outside of every office or place in which the business of the Society is carried on in a conspicuous position in letters easily legible, and shall be mentioned in legible characters on all notices, advertisements and other official publications of the Society, and in all bills of exchange, promissory notes, indorsements, cheques and orders for money or goods, purporting to be signed by or on behalf of the Society, and in all bills of parcels, invoices, receipts and letters of credit of the Society.

CHAPTER II.

MEMBERS AND SHARES.

5. **Members.**—The Society shall consist of the present members who sign these rules and such other persons, societies and companies as the Committee of Management shall from time to time admit as members.

6. **Share Capital.**—The capital of the Society shall consist of shares, transferable with the consent of the Committee as hereinafter provided, of the nominal value of £1, payable 5s. on application and the balance on allotment.

7. **Qualification for Membership.**—Each member shall hold at least five shares and shall be entitled to a certificate of the shares held by him.

8. **Joint Ownership of Shares.**—Shares of the Society may be held by two or more individuals jointly, and joint holders shall be registered together as a single member of the Society.

9. **Membership of Employees.**—The Secretary, Manager or any other paid employee appointed by the Committee may be or become a member of the Society.

10. **Allotment of Shares. Member's Interest limited to £200.**—Application for shares shall be in such form as the Committee shall determine and the Committee may in their discretion refuse any application or may accept the same and allot shares accordingly, provided the number of shares so allotted shall not raise the interest of any member (other than a registered society under the Industrial and Provident Societies Act, 1893) in the shares of the Society to more than £200.

CHAPTER III.

TRANSFER AND REPAYMENT OF SHARES.

11. **Transfer of Shares.**—Any member desiring to transfer all or any of his shares shall give notice in writing to the Society, stating the name and address of the proposed transferee, and the Committee may thereupon in their discretion give or withhold consent to such transfer. All transfers with the share certificates referred to therein shall be lodged with and retained by the Society and if consented to by the Committee the transferee shall be registered as a member of the Society.

12. **Forms of Transfer.**—The forms of transfer shall be as set out in the Appendix to these Rules. The fee on transfer of each share shall be 3d.

13. **Repayment of Shares.**—The Committee may, if they think fit, by a two-thirds majority at a meeting of which seven days notice specifying the business has been given, resolve to repay to any member, the amount paid upon his shares.

14. **Membership to cease on transfer or repayment of Shares.**—Any member all of whose shares have been transferred or repaid under these rules, shall cease to be a member of the Society.

CHAPTER IV.

NOMINATION AND SUCCESSION.

15. **Nominations.**—The Secretary shall keep a book in which he shall register or record all nominations made by members of the Society of any person or persons other than an officer or servant of the Society (except as allowed by the Industrial and Provident Societies Act, 1893), to whom his property in the Society, whether in shares, loans or deposits, or so much thereof as is specified in such nomination, if the nomination does not comprise the whole, shall be transferred at his decease, provided that the amount credited to him in the books of the Society does not then exceed £100. The Secretary shall in like manner record or register all revocations or variations of such nominations by the nominator.

The nominator shall pay 3d. to the management fund for the recording or registering of every such nomination, revocation or variation.

On receiving satisfactory proof of the death of a nominator, the Committee shall either transfer the property comprised in the nomination, in manner directed by it, or pay to every person entitled thereunder the full value of the property given to him, unless the shares comprised therein if transferred as directed by the nominator would raise the share capital of any nominee to an amount exceeding £200 in which case they shall pay him the full value of such shares. An entry of such payment shall be made in the proper book and thereupon the shares so paid for shall be extinguished.

If the total property of the nominator in the Society at his death exceeds £80, the Committee shall, before making any payment, require production of a duly stamped receipt for the succession or legacy duty payable thereon or a letter or certificate from the Commissioners of Inland Revenue, stating that no such duty is payable.

16. Intestacy of Member.—If any member entitled to property in the Society in respect of shares, loans, or deposits, not exceeding in the whole, at his death, £100, dies intestate, without having made any nomination thereof then subsisting, the Committee may, without letters of administration, distribute the same among such persons as appear to them, on such evidence as they deem satisfactory, to be entitled by law to receive the same, subject, if such property exceeds £80, to the obtaining from the Commissioners of Inland Revenue a receipt for the succession or legacy duty payable thereon, or a letter or certificate stating that no such duty is payable.

17. Member leaving a Will at Death.—If a member entitled to property in the Society not exceeding £100 dies leaving a will and without having made any nomination then subsisting or if any member entitled to property in the Society exceeding £100 dies, such property shall be transferable or payable only to his executors or administrators, subject as aforesaid.

18. Bankruptcy or Lunacy of Member.—If any member becomes bankrupt or lunatic his property in the Society shall be transferable or payable to the trustee of his property.

19. Death of Joint Holder.—On the death of a joint holder of any share it shall thenceforth stand in the name of the survivor or survivors.

CHAPTER V.

OFFICERS, COMMITTEE OF MANAGEMENT,
AND COUNCIL.

20. **Committee.**—The business of the Society shall be managed by a Committee who must be members of the Society. The first Committee shall be the persons signing these rules.

21. **President and Treasurer.**—The Committee shall at their first meeting appoint from their number a President and a Treasurer of the Society.

22. **Appointment of Officers at Annual Meeting.**—The President and Treasurer and other members of the Committee shall retire from office at each Annual General Meeting of the Society, but shall be eligible for re-election. At each annual general meeting, not more than nine members of the Society shall be elected as the Committee for the ensuing year. One of these shall be appointed President and one Treasurer. No paid officer or employee of the Society shall be eligible to serve on the Committee and any member of the Committee who is concerned financially in the supply of goods to or the doing of work for the Society shall retire from the meeting during the discussion and voting in respect of such goods or work. Any member of the Committee including the President and Treasurer may be removed from office and another elected in his place at any time by a two-thirds majority at a General Meeting of the Society.

23. **Casual Vacancies.**—Casual vacancies on the Committee or in the Offices of President or Treasurer shall be filled by the Committee.

24. **Presidency of Committee Meetings.** — The President, or failing him the Treasurer, or failing him some other member to be nominated by a majority of members present shall preside over each meeting of the Committee.

25. **Yoting & Quorum at Committee Meetings.** — At all meetings of the Committee matters shall be decided by the majority of votes of those present. Three members shall be a quorum and in case of equality of votes the Chairman of the meeting shall have a second or casting vote.

26. **Powers and Duties of the Committee.** — The Committee shall control the business of the Society, including all purchases, sales, tenancies, and mortgages of land and contracts relating thereto. It shall appoint and discharge all paid servants of the Society.

It shall make bye-laws for the management of the Sanatoria and other institutions of the Society, admit, classify, retain or refuse, dismiss and remove patients or inmates, and supervise their education, training, occupations and treatment and determine the terms and conditions on which they are received.

It shall hear any complaints which may be brought against Servants of the Society.

It shall convene all meetings of the Society according to the rules, and provide proper books for the accounts of the Society.

It shall provide religious worship and instruction for the patients or inmates according to the Christian faith.

It shall provide the Secretary with a sufficient number of copies of the rules to enable him to deliver to any person on demand a copy of such rules on payment of a sum not exceeding one shilling and it shall be the duty of the Secretary to deliver such copies accordingly.

It shall in all things act for and in the Society's name and all acts and orders under these and any other powers delegated to it by a General Meeting shall have like force and effect as if they were the acts and orders of a majority of the members of the Society at a general meeting thereof.

27. **Delegation of Powers of Committee.** — The Committee may delegate any of its powers to a sub-committee of its own members who shall be subject to the instructions given it by the Committee.

28. **Secretary and Manager.**—A Secretary shall and a Manager and Sub-Managers may be appointed by the Committee upon such terms and upon such salaries or remuneration as they shall think fit and the offices of Secretary and Manager may be held by one or two persons as the Committee shall from time to time determine. All Secretaries and Managers shall be subject to dismissal by the Committee.

29. **Bankers.**—The Bankers of the Society may be appointed by the Committee.

30. **The Council.**—There shall be a Council of Reference consisting of not less than three or more than fifteen members to be elected annually at the Annual General Meeting. The Council shall meet at least once annually to review the work of the Society. They shall have access at all times to the Sanatoria and other institutions of the Society and to the books of account and other books and the securities held by the Society and all vouchers and other documents and may require a report from any officer or servant of the Society, and offer suggestions to the Committee on any matter which in their opinion may affect the interests of the Society or the welfare and comfort of the patients or inmates of the Institutions, and they may issue an annual report which shall be submitted to the Annual General Meeting.

CHAPTER VI.

LOANS AND INVESTMENTS.

31. **Loans and Deposits.** — The Committee may obtain advances or deposits of money from time to time from any person for the purposes of the Society either without security or upon the security of bonds of the Society or by mortgage either legal or equitable of any property of the Society and generally on such terms as the Committee shall think fit, at any rate of interest not exceeding seven per cent. Such advances or deposits shall not exceed the issued share capital of the Society except with the special authorization of a general meeting unless the same shall be secured by mortgage or charge on freehold or leasehold property. Deposits shall not exceed 10/- in any one payment or more than £20 for any one depositor payable at less than two clear days' notice. The total amount received on loans and deposits shall not at any one time exceed £5,000.

32. **Investments.**—The Committee may invest any part of the capital of the Society in advances to members on the security of real or personal property or in any other manner permitted by the Industrial and Provident Societies Act or in purchase of any land or buildings of freehold or leasehold tenure or in the purchase of any goods, stock, furniture, machinery, tools, utensils, materials or consumable stores or other effects necessary or useful in the conduct of the business of the Society or in alterations, improvements and additions to such buildings or effects and generally by expending the same in any way which the Committee may consider conducive to the promotion, establishment, extension, conduct, management and benefit of the business of the Society or of any houses or institutions established or carried on or managed by the Society or of any persons maintained, employed, or residing therein.

CHAPTER VII.

GENERAL MEETINGS.

33. **Ordinary Meetings.**—An Annual General Meeting of the Society shall be held in the month of May of every year.

34. **Special Meetings.**—Special Meetings of the Society may be summoned, sufficient time being allowed for the despatch of the requisite notices, and notice of the matters to be considered or discussed being given to the Secretary as provided by Rule 35.

- (a) By a resolution of the Society adopted at an ordinary meeting.
- (b) By order of the Committee or Council.
- (c) By a requisition signed by not less than twelve members.

35. **Notices.**—Notices of all meetings of the Society, together with the agenda paper and all matters to be discussed or voted on shall be sent by the Secretary to each member at least seven days before the date of meeting.

36. **Quorum.**—An equivalent to five per cent. of the total members of the Society (omitting the fractions) or not less than six shall form a quorum at an Ordinary or Special Meeting.

37. **Annual General Meeting.**—The business of the Annual General Meeting shall be—

- (a) To receive the reports of the Council, Committee and Auditor or Auditors.
- (b) To elect the Officers and Members of the Council and Committee.

It may also appoint other Committees, temporary or permanent, and define their duties, and has power to transact any other general business of the Society.

38. **Specific Funds.**—Specific funds voted for training, research, pension, or any other social or provident purpose shall be placed under special committees appointed by the General Meeting, and separate accounts kept of all sums voted for such purposes.

39. **Voting.**—Except in those cases determined otherwise by the rules of the Society or by Act of Parliament a majority of votes shall decide. Voting shall be by show of hands, or if and when so demanded by five members, it shall be by ballot. Each member holding five shares or more shall be entitled to one vote only. Joint holders may by writing deposited with the Society nominate one of themselves and may by writing deposited with the Society nominate an Officer or Agent to exercise on their behalf their right of voting as members of the Society and such right shall not be exercised except by such nominee. Such appointment may be from time to time revoked by writing deposited with the Society. Proxies signed by members and deposited with the Society before any meeting may be used on any ballot.

CHAPTER VIII.

INSPECTION OF ACCOUNTS, ANNUAL AUDIT RETURN
AND BALANCE SHEET.

40. **Auditors.**—At each Annual General Meeting of the Society two honorary Auditors may be appointed to audit the accounts of the Society for the ensuing year, and in default such accounts for the year shall be audited by a public auditor.

41. **Inspection of Books.**—The Council, Committee, or any member or person having an interest in the funds may inspect all the books of account of the Society at all reasonable times, but no private member unless specially authorized by a resolution of the Society can inspect the loan or deposit account of any other member without his written consent.

42. **Annual Audit.** — The Committee shall once at least in every year submit the accounts of the Society together with a general statement of the same and all necessary vouchers up to the 31st December then last, for audit to the auditor or auditors of the Society, and shall lay before every annual meeting a balance sheet (which either may or may not be identical with the annual return, but must not be in contradiction to the same) showing the receipts and expenditure, funds and effects of the Society, together with a statement of the affairs of the Society since the last Annual General Meeting and of their then condition. Such auditors shall have access to all the books, deeds, documents, accounts and vouchers relating thereto, and shall either sign the same as found by them to be correct, duly vouched and in accordance with law, or shall specially report to the meeting of the Society before which the same is laid, in what respects they find it incorrect, unvouched, or not in accordance with law.

43. **Annual Return to Registrar.**—Every year not later than the 31st March the Committee shall cause the Secretary to send to the Registrar the Annual Return in the form prescribed by the Chief Registrar of Friendly Societies, required by the Industrial and Provident Societies Act, 1893, of the receipts and expenditure, funds and effects of the Society up to the date of the Society's last published balance Sheet, made up to the 31st December then last, as audited and laid before a General Meeting, showing separately the expenditure in respect of the several objects of the Society, together with a copy of the Auditors' report or reports. Such return shall state whether the audit has been conducted by a public auditor appointed under the Industrial and Provident Societies' Act 1893, and by whom; and if such audit has been conducted by any persons other than a public auditor, shall state the name, address, and calling or profession of every such person, and the manner in which, and the authority under which he is appointed.

44. **Members' Copies of Annual Return.**—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 every member or person interested in the funds of the Society on his application with a copy of the last annual return of the Society for the time being; and it shall be the duty of the Secretary to supply such gratuitous copies on application accordingly.

45. **Balance Sheet to be hung conspicuously.**—It shall be the duty of the Committee to keep a copy of the last balance sheet of the Society for the time being, together with the report of the auditors, always hung up in a conspicuous place at the registered office of the Society.

CHAPTER IX.

MODE OF APPLICATION OF PROFITS

(See Partial Amendment, pages 3 and 4).

46. **Profits.**—The profits of all business carried on by the Society, after payment of the interest upon any loans or deposits, shall be divided as follows :—

- (a) In payment of dividend on shares not exceeding five per cent. per annum as the General Meeting may determine.
- (b) In the reduction of the value of the fixed stock and plant of the Society, and of the preliminary expenses incurred in forming the Society at such annual rate as the Committee may fix acting with the approval of the Auditor or Auditors.
- (c) In forming a Reserve Fund applicable by resolution of the General Meeting to meet any contingency affecting the business of the Society, or any other purpose which the Annual Meeting may direct.
- (d) In promoting (1) the training of Nurses, Attendants and other Servants of the Society; (2) scientific research into problems of disease and poverty; (3) a system of pensions for Servants of the Society; (4) any other social or provident purpose provided that not more than $2\frac{1}{2}$ per cent. of the net profits available for purposes (a), (b), (c), and (d) as above, or such other sum or percentage as any Annual Meeting, may resolve be devoted to these last objects (d) 1, 2, 3 and 4 together. The balance remaining after providing for the foregoing charges shall be divided among members of the Society in proportion to the amount of maintenance fees paid by them on behalf of patients or inmates during the period to which the division relates. Dividend or interest shall not be calculated on any fraction of £1 or of a calendar month.

CHAPTER X.

MISCELLANEOUS RULES.

47. **Seal.**—The Society shall have its name inscribed in legible characters upon a seal, which shall be in the custody of the Secretary, or a person appointed by the Committee, and it shall be used only when directed by resolution of the Committee, a minute of which resolution shall be duly recorded by the Secretary. The affixing of the seal shall be attested by two members of the Committee.

48. **Application to Registrar.**—It shall be the right of one-tenth of the whole number of members, or if the number of members shall at any time exceed 1,000 it shall be the right of 100 members, by application in writing to the Chief Registrar, signed by them in the forms respectively provided by the Treasury Regulations in that behalf:—

- (a) To apply for the appointment of an Inspector or Inspectors to examine into the affairs of the Society and to report thereon ;
- (b) To apply for the calling of a special meeting of the Society, either such application to be made upon such notice to the Society, and to be supported by such evidence for the purpose of showing that the applicants have good reason for requiring such inspection to be made or meeting to be called and that they are not actuated by malicious motives in their application, as the Chief Registrar shall direct.

49. **Dissolution of the Society.**—The Society may at any time be dissolved by the consent of three-fourths of the members testified by their signatures to an instrument of dissolution in the form provided by the Treasury Regulations in that behalf.

50. **Alteration of Rules.**—It shall be within the power only of a General Meeting of Members, specially called, with notice of a proposal given at least a fortnight before, to alter the above rules in any particular, and only by a vote of three-fourths of the members present at the meeting. No amendment of rules is valid until registered.

51. **Arbitration.**—Every dispute shall be settled by reference to arbitration. Five arbitrators shall be elected by the Society, none of them being directly or indirectly interested in the funds of the Society, and in each case of dispute the names of the arbitrators shall be written on pieces of paper and placed in a box or glass and the three whose names are first drawn out by the complaining party or by someone appointed by him or her shall be the arbitrators to decide on the matter in difference. In case of a vacancy or vacancies, another arbitrator or other arbitrators shall be elected at a General Meeting.

JOHN BROWN PATON,
22, Forest Road, W., Nottingham.

THOS. J. EDWARDS,
21, Woodville Gardens, Ealing, W.

S. CARTER GILMOUR,
7, Shalimar Terrace, Acton, W.

J. BISHOP, JUNR.,
5, St. Leonards Road, West Ealing, W.

ELIZABETH A. M. CLARKE,
The Chestnuts, East Acton, W.

C. C. UNDERWOOD,
Goodrest, Somerset Road, Ealing, W.

C. J. SMITH,
Garland Road, East Grinstead.

T. W. EDWARDS, *Secretary*,
Mill House, Purleigh, Essex.

APPENDIX.

FORMS OF TRANSFER.

(a) *Transfer Between Individuals.*—This instrument, made the day of 19 , between A of , and B of , witnesses, and in consideration of the sum of £ , paid by the said B to me, I, the said A, hereby transfer to the said B, his executors, administrators, and assigns, the shares, numbered now standing in my name in the books of The Co-operative Sanatoria Limited, to hold the said shares upon the same conditions on which I now hold the same, and that I, the said B, hereby accept the said shares, subject to the said conditions. In witness whereof we have hereto set our hands.

.....Name of Transferor.

.....Name of Transferee.

(b) *Transfer Between Societies or Companies.*—This instrument, made the day of 19 , between the Society Limited, established at hereinafter called the vendor, of the one part, and the Society Limited, established at , hereinafter called the purchaser, of the other part, in consideration of £ paid by the purchaser to the vendor, witnesses that the vendor hereby transfers the shares, numbered now standing in the name of the vendor in the books of The Co-operative Sanatoria Limited, to the purchaser, to hold the same upon the same conditions on which they are held by the vendor; and that the purchaser accepts the said shares subject to the said conditions. In witness whereof the seals of the said societies are hereto attached, by the resolutions of the committees thereof, dated respectively the day of and the day of

REGISTRAR'S CERTIFICATE.

Register No. 4754 Essex R.

ACKNOWLEDGMENT
OF
REGISTRY OF SOCIETY.

The CO-OPERATIVE SANATORIA LIMITED, is registered under the Industrial and Provident Societies Act, 1893, this 13th day of August, 1908.

J.D.S.S.

Copy kept—J.D.S.S.

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