

RULES
of
THE LONDON ASSOCIATION OF FUNERAL DIRECTORS

An Area Federation of the National Association of Funeral Directors

2008 Revision

RULES OF THE LONDON ASSOCIATION OF FUNERAL DIRECTORS

1) NAME OF ASSOCIATION

- a) The name of the Association shall be "THE LONDON ASSOCIATION OF FUNERAL DIRECTORS", an Area Federation of the National Association of Funeral Directors
- b) Subject to Rule 3, the Association shall consist of Persons or firms carrying on business as Funeral Directors and other persons interested in the objects of the Association hereinafter set forth shall conform to the rules or to such other rules as the Association may from time to time hereafter adopt
- c) So long as the Association shall be an Area Federation of the National Association of Funeral Directors all the official documents of the Association shall contain a statement immediately following the name of the Association that the Association is an Area Federation of the National Association of Funeral Directors.

2) OBJECTS

- a)
 - i) To support and protect the status, character and interests of persons practicing as funeral directors and any other person interested in the objects of the Association admitted to Membership
 - ii) To negotiate on behalf of members wages and conditions for members' employees and to enter into agreements from time to time with their employees' representatives' associations regulating such wages and conditions.
- b) To promote the efficient tuition of persons seeking to study and be engaged in the Disposal of the Dead
- c) To secure and maintain high standards of qualification for all who seek to practice as Funeral Directors and the recognition of a code of professional conduct
- d) To provide opportunities for intercourse amongst the Members and to give facilities for the reading of papers, the delivery of lectures and the acquisition and dissemination by other means of useful information connected with the bereaved and the Disposal of the Dead
- e) To print and publish any periodicals, books or leaflets that the Association may think desirable for the promotion of its objects
- f) To consider all questions affecting the interests of persons engaged in the Disposal of the Dead
- g) To encourage the teaching and the practice of Embalming and Sanitation of the Dead
- h) To provide Members with legal information as to the law relating to the Disposal of the Dead and to procure for its Members Legal Assistance and Advice when in the opinion of the Executive Committee it is desirable so to do
- i) To establish and support and to aid in the establishment and support of any other association or organization formed for all or any of the objects of this Association
- j) To amalgamate with, to become affiliated to, to be federated to any other associations or organizations formed for all or any of the objects of the Association and to admit any such association or organization to federation or affiliation with the Association.

3) MEMBERSHIP

- a) Membership shall be of three kinds:
- i) Businesses engaged in (but not necessarily exclusively) the practice of funeral directing
 - ii) Businesses engaged in (but not necessarily exclusively) supplying goods or services to the funeral profession
 - iii) Honorary Membership

or as stated in the Rules of the National Association of Funeral Directors

Subject to any limitations expressed therein each and every rule of the Association (except where the context does not so require or admit) shall apply, equally, in all respects to all Members, but without prejudice to the generality of the foregoing:

- i) Honorary Members shall not pay any subscription but shall have all the rights, powers and privileges of ordinary members
 - ii) Membership is in accordance with the requirements of the National Association of Funeral Directors Rules and Guidelines
- b) Any person, firm or company wishing to become a Member shall complete a form of application to be obtained from the offices of the National Association and forward the same to the National Resource Centre, in accordance with the National Association of Funeral Directors Guidelines

Membership of LAFD is open to any member of the National Association of Funeral Directors which has its head office, or a branch office, situated within the following area: the District of Slough in the County of Berkshire, the District of Epping Forest in the County of Essex, the Districts of Dartford, Gravesham and Sevenoaks in the County of Kent, the District of Rushmoor in the County of Hampshire, the former Greater London Boroughs and the County of Surrey.

Any member of the National Association from outside of this area may apply for membership of the London Association. The application must be in writing and should be sent to the LAFD Secretary. All applications will be considered by the LAFD Executive Committee, who will decide whether or not to accept the application. Should an applicant wish to appeal against this decision, they must apply in writing to the LAFD Secretary. The appeal will then be considered at a General Meeting of the LAFD and the decision communicated to the applicant in writing

- i) Any person nominated or deemed to be a representative shall cease to be such representative on the happening of any of the following events:
 - I) If he / she shall be adjudicated bankrupt
 - II) In the event of the bankruptcy or winding up, as the case may be, of the firm or company he/she represents
 - III) If he / she shall leave the service of the firm or company he represents
 - IV) If he / she shall be convicted of any fraud or crime in any Court of Law
- ii) On the happening of any of the events mentioned in paragraph (i) of this sub- clause, the firm or company, as the case may be, shall forthwith notify the Association in writing thereof.

- iii) A list of nominated representatives shall be maintained by the National Resource Centre. Members shall advise the names of their nominated representatives at the time of paying their annual subscriptions. Only those whose names appear on this list shall be entitled to vote at general and local membership meetings.
- c)
- i) Any person, firm or company shall be deemed to be ineligible to become or remain a member unless the Executive Committee shall see cause to determine otherwise who shall:
 - I) be adjudicated bankrupt or go into liquidation or enters into a voluntary arrangement with creditors by a court order, or
 - II) be convicted of a fraud or crime in any Court of Law, or
 - III) infringe the rules or regulations of the Association, or
 - IV) improperly threaten any person with exposure through the medium of the Association
 - V) cease to be a member of the NAFD
 - ii) Any member wishing to withdraw from the Association may do so upon giving notice in writing to the Secretary, who shall remove the name of the member from the Register of Members
- d) **Register of Members.** A permanent Register of Members shall be kept at the office of the Association and shall be open for inspection during office hours.
- e)
- i) Any organization or association within the meaning of sub-rule j) of Rule 2 wishing to be federated to or affiliated to the Association may become federated or affiliated upon such terms, rules and conditions as may be agreed by the Executive Committee and confirmed by the Association at a General Meeting called for the purpose subject to such alteration as may then be determined. Unless and until after such terms have been confirmed at such meeting and the required subscription paid the organization or association shall not be entitled to exercise the privileges of Federation or Affiliation as the case may be.
 - ii) No federation or affiliation shall:
 - I) involve the surrender of:
 - the independent existence or
 - the funds and property either of the Association or of any other organization or association, or
 - II) make the Association responsible for the debts or liabilities of the other organization or association.

4) TIME AND PLACE OF MEETINGS

- a) General and Special Meetings of Members shall be held at such time and place as appointed by the Executive Committee or at any other time at the request of the President or on the requisition of seven Members of the Association. Ten Members to form a quorum.
- b) The Annual General Meeting shall be held in a convenient month as the Executive Committee may appoint. Not less than fourteen days beforehand, a Notice of the Meeting together with an Agenda of the business to be transacted shall be forwarded to each member.

5) GOVERNMENT

a) **The Officers** shall be:

- the President,
- the Past President,
- the Vice-President,
- the Treasurer and
- the Secretary (ex-officio)

each of whom (save the Secretary) shall be elected annually and shall be a Category (A) Member.

b) **The Association** shall be governed by an Executive Committee consisting of:

- i) The Officers
- ii) Not less than five and not more than ten members, who shall be elected at the Annual General Meeting, provided that where ten Members shall be elected at least eight shall be Category (A) Members

c) **Nominations**

- i) Nominations for the offices of President, Vice-President and Treasurer and/or Members of the Executive Committee shall be made in writing to the Secretary not less than fourteen days previous to the Annual General Meeting.
- ii) Each Member with the consent of his/her nominee is entitled to make a nomination for each of the offices of President, Vice-President and Treasurer and also with the consent of his nominee to make nominations of the Members to sit on the Executive Committee.
- iii) All retiring Members of the Executive Committee and Representatives of the Association are eligible for re-election but must be re-nominated.

d) **Election of Officers and Members of the Executive Committee**

- i) The President shall be elected and installed at the Annual General Meeting by a majority vote which shall be by ballot. Upon election of a new President the retiring President shall (unless he/she then signifies he/she is unwilling to act) by a majority vote on a show of hands be confirmed in the office of Past President.
- ii) Members of the Executive Committee shall be elected by secret ballot. Voting sheets shall be issued only to those whose name appears upon the list of nominated representatives notified to the National Resource Centre in accordance with Rule 3(b)(iii).
- iii) All other elections shall take place at the Annual General Meeting and shall be determined by a majority vote which shall be by ballot.
- iv) Casual vacancies occurring among the Officers or Members of the Executive Committee and Representatives of the Association may be filled by the decision of the Executive Committee.
- v) Any member of the Executive Committee being absent from three consecutive meetings without reasonable cause shall be deemed to have resigned his/her position and a casual vacancy shall be declared.
- vi) No deputies for Members of the Executive Committee shall be permitted.

e) The quorum of the Executive Committee shall be five.

- f) The Powers and Duties of the Executive Committee. The affairs and business of the Association shall be managed by the Executive Committee who in addition to the powers and authorities expressly conferred on them by these rules may do all such acts and things as may be exercised or done by the Association and are not expressly under the rules of the Association directed or required to be exercised or done by the Association in General Meeting subject nevertheless to the provisions of the rules and to any regulation or resolutions not being inconsistent with the rules as may from time to time be made by the Association in General Meeting but no regulation or resolution shall invalidate any prior act of the Executive Committee which would have been valid if such regulation had not been made.

Without restricting the foregoing powers the Executive Committee may do all or any of the following things:

- i) Grant to any member of the Association required to go abroad or to render any other extraordinary service to the Association such special remuneration for the services rendered as the Executive Committee may think proper.
- ii) Borrow or raise money and secure payment thereof by mortgage or charge on all or any of the property (both present and future) of the Association.
- iii) Appoint any person or persons to accept and hold in trust for the Association any property belonging to the Association or in which it is interested and execute and do all such deeds and things as may be requisite in relation to any such trust.
- iv) Receive and advise upon all applications for membership.
- v) Make such bye-laws as the Executive Committee shall deem proper and necessary for regulating the conduct of the general affairs of the Association and for dispatch of business and to vary, alter or revoke such bye-laws provided that none of such bye-laws, variations or alternations contravene any of the provisions herein contained or amount to such an alteration of or addition to the Rules as could only legally be made by the Association in General Meeting.
- vi)
 - I) Arrange, establish, partake in the establishment and partake in the conduct of examinations and of courses of tuition of any persons (whether members of the Association or not) in such subjects or subject to such conditions as in the opinion of the Executive Committee tend to promote the objects for which the Association is established.
 - II) Appoint, remunerate and govern teachers, examiners and the examinations board and fix such entrance or other fee (if any) to be payable by candidates for examination or persons attending courses of tuition as the Executive Committee may think fit.
 - III) Grant such certificates or diplomas of qualification and proficiency as they deem proper.
 - IV) Delegate all or any of the power and duties of the Executive Committee under the foregoing provisions of this paragraph to a committee of the Executive Committee constituted as the Executive Committee shall think fit.
- vii) Appoint a Secretary to the Association or Divisional Secretary to any Division thereof and remunerate and govern such Secretaries as the Executive Committee may think fit. In the absence of the Secretary, or Divisional Secretary or his/her inability to act, they may appoint a Secretary or Divisional Secretary to act in his/her stead and such person shall temporarily exercise the duties of Secretary.
- viii) Grant such certificates of membership as they shall deem proper.

- ix) Recall any certificate of membership of the Association, which the Executive Committee may deem necessary, and take such action against any person improperly using such certificate as the Executive Committee may consider desirable.
 - x) Take any action they deem necessary through the Association Secretary, Solicitor or other person for the protection or defence of the Association or any Member of the Association.
 - xi) To define Local Areas within which all Members of the Association shall compose Local Committees which shall not in any sense be or be deemed to be associations separate and independent of the Association and whose function shall be strictly local and advisory.
 - xii) Upon application by a duly appointed Officer of a Local Committee to make a grant in and for expenses of Administration of the Local Committee, who shall present to the Executive Committee a statement of receipts and expenditure at the close of each financial year.
 - xiii)
 - I) To pay each Member of the Executive Committee out-of-pocket expenses reasonably incurred in connection with his/her duties.
 - II) To pay the out-of-pocket expenses incurred by any Member of the Association in connection with any committee or delegation to which he/she may be appointed under the rules, or services performed on behalf of the Association at the request of the Executive Committee.
 - xiv) The continuing members of the Executive Committee may act notwithstanding any vacancy in their body and notwithstanding that their number may be less than the minimum number hereinbefore prescribed. Provided that if the number be less than such minimum number they shall forthwith appoint at least one additional member of the Executive Committee or convene a general meeting of the Association for the purpose of making such appointment and so long as there shall be less than such minimum number any three Members of the Association may convene a General Meeting for the purpose of increasing the number of Members of the Executive Committee to at least the prescribed minimum. The Executive Committee shall meet previous to each Annual General Meeting and arrange the business to be transacted thereat and shall annually prepare a report of all proceedings of the Executive Committee during the past year which together with a financial statement of the affairs of the Association certified by the Auditors to be correct and the report of the Auditors shall be submitted to the Annual General Meeting.
 - xv) The Executive Committee shall cause Minutes to be duly entered in books provided for that purpose as follows:
 - I) Of all appointments of Officers.
 - II) Of the names of the Members of the Executive Committee present at each Meeting of the Executive Committee and of any committee of the Executive Committee.
 - III) Of all orders made by the Executive Committee and committees of the Executive Committee.
 - IV) Of all resolutions and proceedings of General meetings and of the Executive Committee and other Committees. Any such Minutes of any meetings of the Executive Committee or of any other Committee or of the Association if purporting to be signed by the Chairman of such meeting or by the Chairman of the next succeeding meeting shall be received as *prima facie* evidence of the matter stated in such Minutes.
 - V) The result of all ballots.
- g) Each Member of the Executive Committee** and any other officer or servant or employee (other than the Auditor or Auditors) of the Association shall be indemnified by the Association against all costs, losses, damages and expenses which any such officer, servant or employee may incur or become liable to pay by reason of any contract entered into or act or deed done as such officer,

servant or employee in the proper and reasonable discharge of his/her duties unless the same shall be incurred through his/her dishonesty or wilful neglect or default, and the Executive Committee are hereby authorized and empowered to apply the property and funds of the Association for such purpose.

h) Trustees

- i) The property of the Association shall be conveyed, demised, assured to or vested in not less than three nor more than five trustees, each of whom shall be a Full Member.
- ii) The Trustees shall be appointed by the Executive Committee from Members of the Association.
- iii) Each trustee shall hold office at the pleasure of the Executive Committee, by whom he/she may be removed at any time by ordinary resolution.
- iv) All moneys of the Association not immediately required for any of its objects shall be invested by the Executive Committee in the names of the Trustees in any investment for the time being authorized by Law for the investment of Trust money with power for the Executive Committee to change such investments for others of a like nature or at any time and from time to time to sell the same or any part thereof and apply the proceeds for all or any of the objects of the Association.

6) CODE OF CONDUCT, DISCIPLINE & ARBITRATION

Every member shall abide by the Code of Practice, Disciplinary Procedure and Arbitration as set out in the Rules and Guidelines of the National Association of Funeral Directors.

7) COMPLAINTS

Complaints as to the conduct of members shall be in writing and shall be forwarded to the National Resource Centre.

8) ACCOUNTS

- a) Banking Account.** Banking Accounts shall be kept in the name of the Association. Cheques to be signed by any of the following:

President,
Past President,
Vice- President, or
Treasurer for the time being,
or the Secretary of the Association.

b) Auditors

- i) The accounts of the Association shall be audited each year by a registered Auditor or Auditors, who shall be elected by the Members at the Annual Meeting and hold office until the next Annual General Meeting.
- ii) The Auditors may be Members of the Association, but no Member of the Executive Committee or other Officer of the Association shall be eligible as Auditor during his continuance in office.
- iii) Any Auditor shall be eligible for re-election.
- iv) In the event of a vacancy, the Executive Committee may appoint a new Auditor, who shall hold office until the next Annual General Meeting.