

NORWICH
HEBREW CONGREGATION

LAWS
AND
CONSTITUTION

NORWICH HEBREW CONGREGATION CONSTITUTION
17th April 2016

This Constitution with amendments was approved at the AGM on 17th April 2016 at the Synagogue Earlham Road Norwich and supersedes the previous Constitution.

1 GENERAL

1.1 The Congregation shall be styled the Norwich Hebrew Congregation.

1.2 Every member of the Congregation shall conform to this constitution and any subsequent amendment thereof.

1.3 The governing body of the Congregation shall be a Committee which shall comprise the Trustees, the immediate past President who shall be Ex-Officio for the first year after holding office, and the Honorary Officers and five other members all elected by the Congregation in Annual General Meeting.

1.4 The Honorary Officers shall be:

- a The President
- b The Vice-President (optional)
- c The Treasurer
- d The Secretary
- e The Representative to the Board of Deputies of British Jews

More than one of these offices may be filled by a sole member if so elected.

2 ADMINISTRATION

2.1 The President shall preside and act as Chairman at meetings unless he/she shall relinquish the Chair or be absent, in which case he/she shall nominate the member who shall preside. Failing this, the meeting shall elect a chairperson.

2.2 The Treasurer shall receive all monies due to the Congregation and pay out only such sums as the Committee authorizes, save for payment of regular liabilities in the nature of wages, salaries and outgoings in respect of the Synagogue. All monies received by the Treasurer on behalf of the Congregation shall be paid into the Congregation's bank. The Treasurer shall keep all necessary records and accounts to the satisfaction of the Congregation's external examiners or auditors. Bank accounts shall be in the name of Norwich Hebrew Congregation. Notifications to the bank of a change of the Trustees for the time being and of Treasurer shall be signed by such committee members as the bank may require.

2.3 Nominations of new candidates for honorary office must be made in writing and be received by the Secretary at least four days prior to election.

- 2.4 If the conditions stated in article 2.3 cannot be met, then the President shall determine the procedure for nominations.
- 2.5 The Congregation's accounts shall be subject to either external examination or to audit by a registered auditor as required by law. The appointment, reappointment or replacement of the independent examiner or auditor will be determined by members at the Annual General Meeting.
- 2.6 The representative to the Board of Deputies of British Jews shall be selected according to the procedure laid down by that Board and elected by members at the Annual General Meeting.
- 2.7 All Honorary Officers shall automatically retire at each Annual General Meeting. Honorary Officers may offer themselves for reelection save that the President shall not be eligible for re-election after three years service in office, but shall be eligible again after an interval of twelve months.
- 2.8 No person or member of the Congregation (except the Treasurer and Secretary on current business matters) shall be authorized or permitted to communicate with any person or authority or act in the name of the Congregation without sanction from the President or Committee.

3 THE COMMITTEE

- 3.1 The Committee shall be responsible for the management of the business of the Congregation including Hebrew classes, use of the Synagogue premises, hall and land and for determining the charges or fees charged for use thereof for social gatherings, Committee meetings, weddings, Bar/Bat Mitzvahs and all other purposes. The Committee may, by majority decision delegate authority to individuals who are members of the Committee, or by unanimous decision, to non-members of the Committee.
- 3.2 The Committee shall meet whenever necessary for the conduct of its business and at least four times between AGMs. Five Committee members shall form a quorum. Draft minutes of meetings shall be notified in writing to each member of the Committee as soon as possible after the meeting.
- 3.3 Notice of Committee meeting, including the agenda, shall be given in writing seven days in advance whenever possible. Decisions taken at a Committee meeting convened without such notice will be invalid if protest over short notice is signed by three or more Committee members and delivered in person or sent by recorded delivery post to the Secretary within five days of the draft minutes of the meeting having been received.
- 3.4 An elected member of the Committee who is absent from four consecutive Committee meetings without giving a reason considered valid by the rest of the Committee thereupon ceases to be a member of the Committee.

4 **TRUSTEES**

- 4.1 The assets of the Congregation, other than such funds as are administered by the Treasurer, shall be held on behalf of the Norwich Hebrew Congregation by the Trustees, subject to the terms, provisions and conditions of the Trust Deed dated 8th May 1848.
- 4.2 The Trustees, who shall number not less than two, shall be elected by the Congregation in General Meeting held as and when vacancies occur, in accordance with the provisions of the said Trust Deed.
- 4.3 The Trustees shall hold office subject to the terms, provisions and conditions of the said Trust Deed, and to the Statutory provisions for the time being in force relating to the office and duties of Trustees.
- 4.4 Only active members of the Congregation shall be eligible for election as Trustees and they may be called upon by the Congregation in General Meeting to resign in the event of their ceasing to take a part in the affairs of the Congregation.

5 **CONDUCT OF SERVICES AND DUTIES OF THE MINISTER**

- 5.1 The form of prayers in the Norwich Synagogue shall be in accordance with the form and customs of the United Synagogue of London. No service other than Burial, Cremation, Yahrzeit, Shiva or Brit Milah shall be held otherwise than within the Synagogue precincts without the consent of the Committee.
- 5.2 The times of Services shall be determined by the Committee.
- 5.3 A candidate for ministerial office or for a vacancy as Reader shall be appointed to that office by the Committee. Termination of an appointment as Minister or Reader shall be by the Committee.
- 5.4 The duties of the Minister or Reader shall be outlined by written agreement concluded when the position is formally offered and formally accepted.
- 5.5 The engagement, termination of engagement and variation of duties of other staff or provider of services shall be determined by the Committee.
- 5.6 The President shall allocate all Mitzvot during Synagogue Services. In the case of a female President or in the absence of the male President, the male Committee member next in order as per Articles 1.3 and 1.4 above shall stand in their stead.
- 5.7 The Chatan Torah and the Chatan Bereshit shall be invited, subject to their willingness to accept these honours, by the Committee at least two weeks before Rosh Hashanah.
- 5.8 All Orthodox marriages shall take place in conformity with the directions of the Chief Rabbi of Great Britain complying with all legislation and statutes regulating marriage in England and Wales.

5.9 A marriage secretary shall be appointed by the Committee whenever a vacancy occurs. The Committee may also allow a visiting marriage secretary authorised under any other Jewish tradition recognized by membership of the Board of Deputies of British Jews to deal with the necessary formalities for any marriage conducted in the Synagogue under such tradition.

5.10 Notwithstanding clauses 5.1, 5.6, 5.8, and 7.2, services in the Synagogue may occasionally be held in accordance with a Jewish tradition recognised by membership of the Board of Deputies of British Jews.

5.11 All applications to use the Synagogue premises should be made to the Secretary.

5.12 Synagogue fees shall be determined by the Committee.

6 MEMBERSHIP, RIGHTS AND LIABILITIES, SUBSCRIPTION AND FINANCE

6.1 The Congregation consists of members who must be Jewish. Both men and women are eligible.

6.2 Members are those who subscribe at an annual rate not less than the minimum membership rate.

6.3 Minimum subscription rates shall from time to time be determined by the President, Treasurer and one other Honorary Officer. In any individual case, the Treasurer shall have discretion to reduce the minimum subscription payable to take account of special factors including, but not limited to, personal financial circumstances, ill health, or residence distant from the Synagogue.

6.4 Subscriptions are due annually, for prompt settlement when billed (unless by other arrangement agreed with the Treasurer). A member whose subscription is not met either by payment in full or by setting up and maintaining an agreed regular payment arrangement) within six months after billing shall forfeit membership.

6.5 Members as defined in 6.1 and 6.2 and a member's dependent children who are Jewish or are brought up as Jewish shall be entitled to membership of the Chevrah Kadishah Burial Society and its services. Burial charges are made. The Chevrah Kadishah is administered by its President, and officers chosen in General Meeting and responsible for Chevrah Kadishah funds, administration and an annual report to a General Meeting.

7 SEATING

7.1 Each member is entitled to a seat in the Synagogue.

7.2 Men and women are to be seated in separate areas of the Synagogue, unless clause 5.10 applies.

7.3 The Committee may, at its discretion allocate and /or reallocate reserved seats to members or delegate that responsibility as it sees fit.

8 FRIENDS

- 8.1. Friends of the congregation are those accepted by the Committee and who subscribe at an annual rate not less than the minimum friends rate.
- 8.2. Friends are invited to attend services and the Congregation's social events.

9 MEETINGS

- 9.1 At least one General Meeting shall be convened in each calendar year.
- 9.2 Notices of every General Meeting shall contain a full detailed agenda and be given in writing by the Hon. Secretary to members not less than twenty one clear days before the date of the meeting.
- 9.3 At the Annual General Meeting which shall be held within the first five months of each calendar year, the President and the Treasurer shall deliver a report. The Treasurer's report shall include a presentation of audited Accounts complying with all requirements under the Charities Act 1992 (and later legislation if any supplementing or replacing it and all amendments thereto as may be current at the time).
- 9.4 Members are entitled to attend, speak and vote at General Meetings.
- 9.5 The quorum at all General Meetings is ten members.
- 9.6 On a division at any General Meeting, voting may be on a show of hands or by ballot, but, if required by three members present, the voting shall be by ballot. The election of Honorary Officers and Committee members shall be by ballot if so required by any one member. The President or other acting Chairman of General Meetings or Committee Meetings shall have an additional vote whenever a casting vote is necessary.
- 9.7 A requisition signed by five members may be delivered to the Hon. Secretary setting out a resolution that they wish to propose to a General Meeting. In this event, a General Meeting shall be convened on a date not more than six weeks after the date on which the requisition was delivered and the resolution shall be included in the agenda of that Meeting. If the effect of the resolution would be to contravene or amend this Constitution, then a draft of the proposed amendment shall be attached to the draft resolution.
- 9.8 If, in the course of General or Committee Meeting, the President or other presiding member standing in his place is unable to decide a point by reference to the Constitution or to then-existing resolutions, the point in question shall be decided by the vote of members present. Reference should also be made to the Trust Deed executed on 8 May 1848 an abstract of which is appended to this Constitution.

President Marian Prinsley; *Treasurer* Nicholas Simons; *Hon. Secretary* Fay Cadywould
Legal Advisers Adrian Possener and John Cadywould
Trustees Simon Goodman, Alan Korn, Peter Prinsley, Barry Leveton, Adrian Possener and Nicholas Simons

17th April 2016

NORWICH HEBREW CONGREGATION IS A REGISTERED CHARITY

On the 18th August 1965 the Norwich Hebrew Congregation was registered as a charity with the Charity Commissioners registration number 205449.

Governing instrument Conveyance dated the 8th May 1848.

Objects – the conduct of religious services and education for children of persons of the Jewish Faith resident in the area before mentioned and visitors to the district Beneficial area Norwich.

Appendix to the Constitution

The following is an abstract of a Conveyance dated the 8th May 1818 relating to a piece of ground in the Parish of St Peter per Mountergate in the City of Norwich.

This being an indenture made between JOHN BRANFORD MORGAN of the one part and JOEL FOX (Furrier), MYER LEVINE (Pawn Broker), MOSES KISCH (Shoe Maker) and MAURICE JOSEPH (Pawn Broker) all of the City of Norwich.....

AND RECITING that all sums have been raised by voluntary subscriptions and donations for the purpose of purchasing the said piece of ground had been or had intended to be raised for erecting thereon a synagogue or place of religious worship of persons professing the Jewish Religion and the said J Fox, M Levine, M Joseph and M Kisch were desirous that the said piece of ground should be conveyed unto them their heirs and assigns upon and for the trusts intents and purposes thereafter mentioned.....

AND UPON TRUST when and as soon as the said Synagogue should have been built thenceforth to permit the same to be used as a Synagogue provided that in case that at any time or times thereafter the majority of the President, Honorary Secretary and Members of this Synagogue Society and Title to attend the Ministry of the said Synagogue for the time being at a meeting to be convened for that purpose by one month previous notice in writing to be affixed on some conspicuous part of the said Synagogue should be of opinion that a larger or more convenient Synagogue was required or in case the Trusts aforesaid should be declared contrary to Law or void by any Court of Law and in any of the said cases it should be lawful for the Trustees or Trustee for the time being they and he were required to sell and absolutely dispose of the said piece of ground with the Synagogue erected thereon to any person who should be willing to purchase the same.....

AND IT WAS THEREBY DECLARED that the Trustees or Trustee for the time being should stand and be possessed of any interest in the monies to arise from any such sale or sales of the aforesaid upon trust therewith in the first place to pay and discharge all expenses attending such sale or sales and also all other costs and charges which the said Trustees or Trustee might pay or sustain in or about the execution of the Trust thereby created or in relation thereto and in the next place to pay and satisfy all mortgage and other costs which

shall have been charged upon the said premises subject to the payments aforesaid to pay and apply all the surplus of the said Trust money in or towards the erection of and building of any other Synagogue or place for religious worship of the Jewish Religion in Norwich or the purchase of ground for that purpose and if the Society of the said Synagogue should be dissolved or become extinct or the aforesaid Trusts should be declared for it or illegal as aforesaid then to pay the same surplus Trust monies into the hands of the Treasurer for the time being of The Great Synagogue in London to be by him applied in or for or towards the purposes of the Jewish Religion.....

PROVIDED ALWAYS that if by reason of death retirement going to reside beyond seas incapacity or otherwise there shall happen to be a vacancy in the office of Trustees then and so often as it shall be lawful and if there shall be two or more vacancies in the office of Trustee in which case no option is intended to be given, then and so often it shall be imperative on the acting Trustee or Trustees for the time being as soon as conveniently may be to convene a meeting of the President, Honorary Secretary and members of the Society of the said Synagogue entitled to attend the vestry of the said Synagogue at the usual place of meeting in writing stating the time place and object of such meeting to be affixed on some conspicuous part of the said Synagogue fourteen days at least before the day of meeting and at such meeting the President, Honorary Secretary and Members then present or the major part of them shall choose one or more fit person or persons professing the Jewish Religion to fill up the vacancy or vacancies in the number of Trustees and as soon as conveniently may be after such new Trustee or Trustees shall have been chosen the said Trust estate and premises shall be conveyed and assigned to and in such manner as to vest the same jointly in the continuing acting Trustees or Trustee and such new Trustee or Trustees or solely in such new Trustees as the case may require upon and for the Trust's intents and purposes aforesaid and every such new Trustee from and immediately after he shall be so chosen shall have and may exercise the same powers and authorities in all respects and in the same manner as he might or could have done if he had been originally made a Trustee by this Deed.

EXECUTED by all parties and duly attested.

HISTORY OF THE CONSTITUTION

A Constitution was approved and passed at an extraordinary General Meeting held at the Synagogue, Earlham Road, Norwich on 20 February 1951. It was printed with subsequent amendments incorporated in January 1958 and reprinted in March 1978

An amendment to clause 5 was approved and passed at the AGM held on April 29 2012.

Further more substantial amendments were approved and passed at the AGM held on 17th April 2016

Copies of the Constitution are available from the Secretary.