



**THE FEDERATION OF BURIAL
AND CREMATION AUTHORITIES**

CONSTITUTION

THE FEDERATION, originally named the Federation of Cremation Authorities in Great Britain, was formed at a meeting held at the British Empire Exhibition, Wembley on 1st August 1924 and rules were adopted. These Rules as amended from time to time were entirely redrafted as the Constitution and adopted at the Fourteenth Annual Meeting held at Edinburgh on the 28th June 1938.

In 1949 a radical change in the membership of the Executive Committee occurred in consequence of the increasing influence of municipal authorities in the cremation movement. The Federation's quarterly journal "Resurgam" was first published in 1958 and continues to enjoy a wide circulation within the cremation movement both in the United Kingdom and overseas.

To improve the benefits of the Federation's members, a Technical Committee was established in the post war era. This Committee meets frequently to consider and advise on the design, construction and operation of crematoria and the development of crematorium equipment and apparatus. Standards of performance have been devised and informative publications produced, all of which are now published within 'A Guide to Cremation and Crematoria'. The work of the Technical Committee is extended on a personal basis by Technical Officers who assist operating and prospective Cremation Authorities with advice and guidance on local problems.

The first Joint Conference of Burial and Cremation Authorities was held in 1932 and, with the exception of the war years, it has been held annually attracting professionals and those concerned with the disposal of the dead and the many allied and sensitive matters associated with that service.

By 1968 it became necessary for an extensive revision of the Federation's Constitution to be considered so as to make it more suitable to the Federation's substantially increased membership and influence and the greater scope of its work in the Cremation Movement. The revised Constitution was adopted at the 44th Annual General Meeting held at Brighton on the 30th September of that year.

To reflect the progressively changing requirements of Member Authorities, the Constitution has been modified on a number of occasions to enable it to better respond to the needs of its membership. At the Annual General Meeting in Southport in 2003 it was agreed to introduce affiliate membership for organisations involved in the provision of services to Burial and Cremation Authorities leading, in 2006, to a further extensive review of the Federation's Constitution allowing, amongst other things, full membership of the Federation to Burial Authorities.

Nearly all crematoria in the United Kingdom are represented in the membership of the Federation whose authority on the subject of cremation has long been respected both nationally and internationally. Government Departments consult the Federation on matters affecting the law and practice of cremation which is now recognised as an essential part of public health services.

CONSTITUTION

Name	1. NAME OF THE FEDERATION The name of the Federation is THE FEDERATION OF BURIAL AND CREMATION AUTHORITIES
Definitions	2. DEFINITIONS In this Constitution the following words and phrases have the meaning ascribed to them in this Clause: (a) "burial authority" (and its plural form) means a local authority (including a parish, town or community council or meeting) which is a burial authority and includes a joint committee or board constituted from a number of local authorities and shall also include any organisation which carries out the same functions as such local authorities. (b) "cremation authority" (and its plural form) means a local authority as defined by Section 2 of the Cremation Act 1902 and any organisation which carries out the same functions as cremation authorities. (c) "the service" means all aspects of, and services related to, the disposal of human remains by lawful means. (d) "clause" means a numbered clause in the Constitution.
Objects	3. OBJECTS The objects for which the Federation is established are as follows: (a) To promote and foster a high sense of the importance of the practice of burial and cremation of human remains and to encourage a high degree of efficiency and integrity amongst those engaged therein and ensure their mutual co-operation in all matters affecting this aspect of public service. (b) To provide opportunities and facilities for the discussion of questions which may arise from time to time as to the establishment and functions of cemeteries and crematoria and matters related thereto. (c) To prepare and circulate or otherwise publish informative literature concerning the procedure and practice of burial and cremation and generally on the subject. (d) To provide training for those involved with the disposal of human remains in order to improve levels of competence and compliance with statutory requirements. (e) To represent its members at Government level and through consultation influence Regulatory Authorities on matters affecting the law and practice relating to the disposal of human remains. (f) To take such action as may be necessary or advisable to develop, promote and protect the common interests of the Members. (g) To do all such lawful things, whether in co-operation with any other Organisation-British or International-or otherwise as are incidental or conducive to the attainment of the above objects or any of them.

Membership**4. MEMBERSHIP**

Membership of the Federation shall consist of three classes as follows:

- (a) MEMBERS, who shall be operating Burial and or Cremation Authorities, admitted upon application to and elected by the Executive Committee on payment of the subscription defined in Clause 12.
- (b) ASSOCIATE MEMBERS, that is to say, prospective Burial and or Cremation Authorities admitted to Associate Membership upon application to and election by the Executive Committee on payment of the subscription defined in Clause 12. Local Authorities which are members of Joint Boards or Joint Committees shall be eligible for Associate Membership until the Joint Board or Joint Committee commences to operate a cemetery or crematorium.
- (c) AFFILIATE MEMBERS, that is to say organisations which are involved in the provision of services to Burial and or Cremation Authorities, admitted upon application to and election by the Executive Committee at its discretion and on payment of the subscription defined in Clause 12.

Upon admission of a Burial and or Cremation Authority, Joint Board or Joint Committee to membership, the Member shall be issued with a Certificate of Membership under the hand of the President of the Federation and the Secretary. This Certificate shall remain the property of the Federation and shall be surrendered to the Federation upon the Burial and or Cremation Authority, Joint Board or Joint Committee ceasing to be a member of the Federation.

The election to, acceptance of and continuation of Membership of the Federation shall be deemed to be conditional upon adherence by each Member to the appropriate Code of Practice of the Federation. Membership may be terminated for infraction of requirements set out in the Constitution.

For the representation of Members and Associate or Affiliate Members at General Meetings each Member shall be entitled to appoint two representatives, and each Associate Member one representative.

General Meetings**5. GENERAL MEETINGS**

A General Meeting of the Federation shall be comprised of the representatives appointed under Clause 4 hereof. A General Meeting shall be held once in each year to transact the ordinary business of the Federation and to elect the Executive Committee, and at such times as may be considered necessary by the Executive Committee, or on receipt of a requisition signed on behalf of at least one-third of the Members.

Notice of Meetings**6. NOTICE OF MEETINGS**

Not less than twenty-eight days' notice of General Meetings shall be given by the Secretary to all Members.

Executive Committee**7. THE EXECUTIVE COMMITTEE**

- (a) The Executive Committee shall conduct the business of the Federation and generally manage its affairs in accordance with this Constitution and subject to any directions that may be given by General Meetings. In conducting the business and management of the Federation, the functions of the Executive Committee shall include, but not be limited to, the following:
 - (i) to determine the policy of the Federation.
 - (ii) to set aims, objectives and parameters and approve a work programme for a forthcoming year.
 - (iii) to receive officer reports and monitor programmed achievements.
- (b) The Executive Committee shall at any time consist of not more than twenty persons made up as follows:
 - (i) Eighteen persons (hereinafter referred to as 'the appointed members of the Executive Committee') who shall be elected for a term of three years by and from the representatives appointed under Clause 4 hereof at the Annual General Meeting and of whom in normal course a majority shall be elected members of Municipal Burial and or Cremation Authorities or directors of Proprietary Companies;
 - (ii) One person being an elected member of a Municipal Burial and or Cremation Authority or director of a Proprietary Company (hereinafter referred to as 'the co-opted member of the Executive Committee') who may be co-opted at any time for a term of up to three years by the Executive Committee, who in doing so shall have regard to any need for representation from areas not otherwise adequately represented or in which special consideration is necessary;
 - (iii) One person being the representative of any Scottish Sub Committee appointed under Clause 14.
 - (iv) Not less than 70% of the Executive Committee shall be appointed to represent Cremation Authorities. The percentage amount shall represent the current trend in the choice of cremation over burial and shall be reviewed from time to time by the Executive Committee to take account of that trend.
- (c) A quorum shall consist of 5 members of the Executive Committee.
- (d) The appointed members of the Executive Committee shall assume office each year at the conclusion of the Annual General Meeting.
- (e) In normal circumstances the Executive Committee shall meet three times per annum to transact the business of the Federation and at such other times as may be necessary as determined by the President or in response to a request made from one third of the membership of the Committee.
- (f) Subject to the exceptions mentioned in Clause 10 (a) one-third or the number nearest one-third, of the appointed members of the Executive Committee shall retire annually. All members so retiring shall be eligible for re-election.

**Election of
Executive
Committee**

- (g) Any member of the Executive Committee who ceases to represent a Member of the Federation may retain office until the conclusion of the next Annual General Meeting when he will retire and will not be eligible for re-election or co-option.
- (h) The Executive Committee shall have the power to appoint such Sub-Committees as it considers necessary for the proper conduct of its business and may delegate to any Sub-Committee such of its powers and functions as it deems necessary for the proper conduct of business of the Sub-Committee.
- (i) Any member or representative of any member may attend meetings of the Executive Committee as an observer and, if so invited by the Chairman of the meeting, may speak on a matter under discussion but may not vote and if requested by The Chairman shall leave whilst the vote is taken. The Executive Committee may make a resolution during the course of any of its meetings that, due to the nature of the matter to be discussed, any part of the meeting shall be held in camera and any observers present shall be excluded from that part of the meeting.

8. MODE OF ELECTION OF EXECUTIVE COMMITTEE

- (a) Nomination for the re-election of a retiring member or the election of a representative as a member of the Executive Committee may be made in writing by any Member or Associate Member of the Federation, accompanied by the written consent of the nominee to serve if elected, and lodged with the Secretary not less than two calendar months before the date of the Annual General Meeting. Where the number of nominees and the retiring appointed members of the Executive Committee eligible for re-election exceeds the vacancies, then a list of the valid nominations shall be circulated with the agenda for the Annual General Meeting and the Secretary shall issue one numbered ballot paper for each full member. Ballot papers returned to the Secretary at least 7 days before the meeting shall be included in the count for the election. The count shall be conducted by the Chairperson and the Secretary, who shall report the result of the election to the Annual General Meeting. Where the number of nominees and the retiring appointed members of the Executive Committee eligible for re-election does not exceed the vacancies, they shall be declared duly elected by the Chairperson.
- (b) Only members of the Executive Committee, as defined in Clause 7 hereof, may attend meetings as voting members of the Committee, proxies or deputies not being permitted.
- (c) Casual vacancies among the appointed members of the Executive Committee may be filled by the Executive Committee and a person appointed to fill any such casual vacancy shall retire from the Committee at the same time as the person whose retirement, death or resignation has caused the vacancy would have been required to retire.
- (d) No Member of the Federation shall have more than one representative serving on the Executive Committee at any time whether as an appointed member or as a co-opted member of the Executive Committee except in respect of persons serving as Honorary Officers to the Federation.

Voting

9. VOTING

- (a) At General Meetings each representative of a Member and Associate Member appointed under Clause 4 hereof and present shall have one vote. At meetings of the Executive Committee each member present, as defined in Clause 7 hereof, shall have one vote.
- (b) At General meetings and at meetings of the Executive Committee the Chairperson of the meeting shall have the power to exercise a second or casting vote in the event of an equality in voting.
- (c) Where the Executive Committee deem it appropriate a postal ballot of the membership may be held. Each Member shall be entitled to two postal votes, and each Associate Member one postal vote.

Officers

10. OFFICERS OF THE FEDERATION

The principal Officers of the Federation shall be the President, the Deputy President, the Secretary, the Honorary Legal Adviser and the Honorary Editor.

The functions of these Officers and the conditions of their election or appointment shall be as follows:

- (a) The President, or in his absence the Deputy President, shall preside at all meetings of the Executive Committee and at General Meetings. In the absence of both of these Officers, the meeting shall elect a Chairman from amongst those present.
The President and the Deputy President shall be elected by, and from the Executive Committee, and such elections shall be respectively the first and second business of the Executive Committee at its usual meeting immediately prior to the meeting of the Committee normally held on the morning of the Annual General Meeting. Each shall hold office from the conclusion of the Annual General Meeting or within 7 days of that time when a formal induction ceremony of the newly elected President and Deputy President will be held. Each shall be eligible for re-election as President or Deputy President, as the case may be, for a further year, provided that no person shall hold either of the offices of President or Deputy President for a consecutive period of more than three years. At the end of the third year in the office of President or Deputy President the person holding such office shall not be eligible for re-election to such office until the corresponding meeting of the Executive Committee in the next following calendar year.

Neither the President nor the Deputy President shall be required while holding such offices to retire by rotation at Annual General Meetings.
- (b) The Secretary who shall be the Executive Officer of the Federation, shall keep the minutes, books, records and accounts of the Federation, shall conduct the affairs of the Federation under and in accordance with the instructions given to him from time to time by the Executive Committee. The Secretary shall be appointed by the Executive Committee on such terms and conditions as may be mutually agreed between them.
- (c) The Honorary Legal Adviser who shall be appointed by the Executive Committee shall advise the Federation on all legal matters.

- (d) The Honorary Editor who shall be appointed by the Executive Committee shall be responsible for editing the magazine of the Federation.
- (e) The Honorary Legal Adviser and the Honorary Editor shall both be ex officio members of the Executive Committee but shall not be permitted to vote.
- (f) The Executive Committee have the power to appoint such further Officers as may be deemed necessary or advisable.

Finance

11. FINANCE

The administration and control of the funds of the Federation shall be vested in the Executive Committee who may invest or otherwise deal with the same on behalf of the Federation as they, in their discretion, may think fit. An account shall be opened in the name of the Federation with a Bank approved by the Executive Committee.

Subscriptions

12. SUBSCRIPTIONS

The rates of annual subscription shall be as determined from time to time by the Executive Committee. Subscriptions shall be due on 1st January each year and, if any subscription is not paid within six months the membership may cease. The Executive Committee shall be empowered to determine rates for the re-admission of lapsed members

Accounts and Audit

13. ACCOUNTS AND AUDIT

The Executive Committee shall cause true accounts to be kept of all receipts and payments, sales and purchases, and of the assets and liabilities of the Federation. At the Annual General Meeting the Executive Committee shall submit an Income and Expenditure Account and Balance Sheet, duly audited, showing the income and expenditure and the position of the assets and liabilities of the Federation for the preceding financial year ended on 31st December.

An Auditor or Auditors who shall be duly qualified as such shall be elected annually at the Annual General Meeting, and shall once in each financial year examine the Accounts and Balance Sheet of the Federation and certify as to the correctness or otherwise thereof.

The Auditor or Auditors shall not be Officers of the Federation, nor in the employ of any Member of the Federation.

Scottish Sub-Committee

14. SCOTTISH SUB-COMMITTEE

The Executive Committee may appoint annually representatives of Scottish Members of the Federation (whether Members or Associate Members) to act as a Scottish Sub-Committee, each of such representatives having been nominated by a Scottish Member of the Federation. The Scottish Sub-Committee shall appoint annually one of its members who shall be in all respects a full member of the Executive Committee.

The Scottish Sub-Committee shall primarily concern themselves with the development of and problems connected with the disposal of the dead in Scotland, raise such funds from among its own members as may be necessary to carry out its functions and control its finances and keep proper books of accounts.

The Scottish Sub-Committee shall have power to make and amend Rules governing its constitution, powers, functions and operations generally, but such Rules or any amendments thereto shall not be binding or operative until they shall have been approved by the Executive Committee.

Dissolution of the Federation

15. DISSOLUTION OF THE FEDERATION

A proposed resolution to dissolve the Federation must be considered by an Annual General Meeting or a Special General Meeting called for the purpose. Any such resolution must be passed by a majority of not less than three-fourths of those representatives appointed under Clause 4 hereof present and voting at the meeting called for the purpose.

Any requisition for a Special General Meeting for the above purpose, or any notice of intention to propose a resolution to dissolve, must be made in writing by not less than one-tenth of the Members of the Federation who shall be carrying out, either separately or in the aggregate not less than ten per cent of the total cremations carried out by the Members of the Federation in the preceding year. Six months' notice in writing shall be given of any such requisition or notice of the proposed resolution, and shall be lodged with the Secretary, who shall send intimation thereof to the Members, Associate and Affiliate Members not less than three months prior to the proposed date of holding the meeting.

In the event of the dissolution of the Federation, such funds or other assets as remain after discharge of the liabilities of the Federation, shall be returned to the Members, Associate and Affiliate Members who are on the register and whose subscriptions are not in arrear at the time of the confirmation of resolution to dissolve, in the proportions of the subscriptions paid by them in the financial year immediately preceding.

Alteration of the Constitution

16. ALTERATION OF THE CONSTITUTION

The Constitution, by which Members, Associate and Affiliate Members shall be bound, shall not be repealed, altered, or added to, without the proposed repeal, alteration, or addition having been submitted to and considered by the Executive Committee who shall report their recommendations thereon to the next annual General Meeting, or a General Meeting specially convened for the purpose. The nature of the proposed repeal, alteration or addition must be indicated in the notice convening the meetings of the Executive Committee and the General Meeting respectively. Any repeal, alteration or addition to the Constitution to take effect must be passed by a majority of three-fourths of the representatives appointed under Clause 4 hereof present and voting at the General Meeting at which the proposal is considered.

Circumstances not provided for

17. CIRCUMSTANCES NOT PROVIDED FOR

The Executive Committee or a General Meeting shall have power to deal with circumstances not provided for in this Constitution.