

**FRIENDLY SOCIETIES ACT 1974**  
**RULES FOR A SPECIALLY AUTHORISED SOCIETY**

**RULES**  
**of the**  
**LOCAL AREA RESEARCH AND**  
**INTELLIGENCE ASSOCIATION**

Registered under the Friendly Societies Act 1974

Register No. 220 SA

May 2013

Registered Office:

York Eco Business Centre, Amy Johnson Way, Clifton Moor, York, YO30 4AG

## **NAME AND CONSTITUTION**

1. The Association is a Specially Authorised Society established pursuant to the Friendly Societies Act 1974. It shall be called the LOCAL AREA RESEARCH AND INTELLIGENCE ASSOCIATION and is hereinafter referred to as "LARIA".

## **REGISTERED OFFICE**

2. (1) The registered office of LARIA shall be York Eco Business Centre, Amy Johnson Way, Clifton Moor, York, YO30 4AG
- (2) If the LARIA registered office changes, this will be agreed by the LARIA Council and the Financial Services Authority will be informed.
- (3) In the event of any change in the situation of the registered office, notice of such change shall be sent by the LARIA Secretary to the Registrar at Financial Services Authority by completing a change of registered office form.

## **OBJECTS**

3. LARIA is established for the purpose of promoting education pursuant to the Special Authority of 10th June 1976 given under 7 (1) (f) of the Friendly Societies Act 1974 in particular for the following purposes:
  - (1) To encourage communication between those involved in Research and Intelligence in Local Government and other local public services and, in particular, to aid the sharing of technical knowledge and research methods.
  - (2) To promote a wider understanding in Local Government and other local public services of the Research and Intelligence function and its application and to foster its further development.
  - (3) To improve research and intelligence practice in Local Government and other local public services.
  - (4) To provide a Research, Intelligence and information management viewpoint to national and international fora.
  - (5) To represent the interests of Research and Intelligence practitioners with the local authority organisations, other local public services, government departments and other research agencies on issues of mutual concern and interest.
  - (6) To promote activities which further the aims and enlarge the membership of LARIA including without limitation conferences, seminars and events, publications, the LARIA website, social media and all forms of publicity either independently or in conjunction with others, and in particular the circulation of

a regular news sheet reporting on and promoting the activities of LARIA to members, potential members and all interested persons and organisations.

- (7) To undertake or commission research and set up working groups to investigate areas of interest.
- (8) To promote information and knowledge sharing among local research and intelligence professionals through the website, social media, events and LARIA News.
- (9) To encourage the continual professional development of members, which may include the LARIA Council agreeing a set of criteria to issue post-nominal letters
- (10) Any such other activities as are from time to time deemed to be appropriate to further the purposes of LARIA.

#### **APPLICATION OF FUNDS**

- 4 (1) All moneys received on account of entrance fees, membership subscriptions, donations, sales of publications, or otherwise, and interest on investments shall be applied in carrying out the objects of LARIA in accordance with the rules.
- (2) Any officer misapplying the funds shall repay the amount misapplied and be excluded without prejudice to his liability to prosecution for such misapplication.

#### **INVESTMENT OF FUNDS**

5. (1) So much of the funds as may not be wanted for immediate use, or to meet the usual accruing liabilities, shall, with the consent of LARIA Council, or of a majority of the members present and entitled to vote in general meeting, be invested by the Trustees in any of the following ways, namely, in the National Savings and Investments or in the public funds, or in the purchase of land, or in the erection or alteration of offices or other buildings thereon, or in any investment in which Trustees are for the time being by law authorised to invest trust funds.
- (2) The Trustees, with the consent of a special general meeting, may hold, purchase or take on lease any land and may sell, exchange, mortgage or lease any such land and erect, alter or pull down buildings on it; and a purchaser, assignee, mortgagee, or tenant shall not be bound to enquire as to the authority for any sale, exchange, mortgage, or lease by the Trustees, and the receipt of the Trustees shall be a discharge for all moneys arising from or in connection with such sale, exchange, mortgage or lease.
- (3) Mortgages or other assurances for securing money to LARIA may be vacated by a receipt endorsed or annexed, signed by the Trustees and

countersigned by the Secretary, in the form contained in the Fourth Schedule to the Friendly Societies Act 1974, or in the form contained in the Schedule to these rules.

### **MEMBERSHIP AND SUBSCRIPTIONS**

- 6 All persons working in Research and Intelligence activities for Local Authorities or working in other local public services, the voluntary and community sector and other allied fields are eligible for membership of LARIA. LARIA Council may at its option appoint honorary members and an honorary president.
- 7 The LARIA Council will review and agree the subscription fees for Associate Members, Full Members, and Corporate Members each year. Members will be informed of the new membership fees ahead of the next calendar year. New subscription rates are introduced on 1 January each year.

### **ARREARS and DISQUALIFICATIONS**

- 8 Any member who shall fall into arrears with his subscription by a period of three months or more shall automatically cease to be a member of LARIA upon LARIA serving him notice of such arrears and of his having ceased to be a member.

### **MEETINGS**

9. (1) The annual general meeting shall be held no later than fourteen months from the last annual general meeting.
- (2) A special general meeting shall be held whenever LARIA Council think expedient, or whenever seven members so request in writing delivered to the Secretary.
- (3) Twenty eight days notice of any general meeting stating the business to be transacted at such meeting, shall be given to every member in writing, left at or posted to his last known address, or by e-mail and publicized to members on the members part of the LARIA website. For very urgent business a minimum of fourteen days shall be given.
- (4) The LARIA Council will find a venue for the annual general meeting and inform members.
- (5) At all general meetings the Chairman, or if he be not present, the Vice-Chairman, shall preside. The number required to form a quorum shall be half of the officers for the time being, provided that if at any time the membership of LARIA includes any person or persons who is or are not an officer or officers, the quorum for a general meeting shall be half of the officers for the time being plus one full member of LARIA who is not an officer.
- (6) Every full member present physically or virtually, such as via teleconferencing, (and not disqualified by arrears or otherwise as mentioned

in these rules) shall have one vote, and when the votes are equal the then presiding officer shall have an additional or casting vote.

- (7) The LARIA Council will meet twice a year, and the Policy and Strategy Group will meet three times a year.

## OFFICERS

- 10 (1) LARIA will appoint up to eighteen officers to the LARIA Council chosen from amongst the full members. The LARIA Council will be comprised of; no less than two Trustees, a Chairman, a Vice-Chairman, a Treasurer, a Secretary and up to eleven Council members.
- (2) No person who is a minor (under 18) shall be elected to any office. A member shall not be nominated for office who is three months in arrears with his subscriptions. The same person shall not be Secretary or Treasurer and a Trustee of LARIA.
- (3) The LARIA Council shall be composed primarily of members of LARIA active in Research and Intelligence in a variety of types of Local Authority and other local public service bodies, and with, if possible, at least one representative from each of the following type of authority:
- Unitary Authorities in England and Wales
  - County Councils in England
  - District/Borough Councils in England
  - Metropolitan Councils
  - London Local Authorities
  - Public Health and NHS
  - Police and Crime Commissioners and police forces
  - Fire and rescue authorities and forces
  - Scottish Local Authorities
  - Government departments and other national representative bodies
  - Voluntary and community sector organisations
  - Private research companies
  - Any other body active in local research and intelligence which may be created from time to time
- (4) Notwithstanding the provisions of Rule 10(3) above up to a maximum of nine of the officers comprising the LARIA Council may consist of members of LARIA from relevant organisations in the public, voluntary and community sectors, and private research companies.
- (5) The Trustees shall hold office for up to four years on the LARIA Council. The Chair and Vice-Chair shall be elected for a two year term in odd-dated years and the Treasurer and Secretary likewise but in even-dated years. At least four further officers shall be elected for a two year term. All such officers shall be elected by a majority of the members present and entitled to vote at an annual or special general meeting.

- (6) Any officer may be removed by resolution of a special general meeting which may proceed to fill the vacancy.
- (7) In case any officer (other than a Trustee) shall die, resign, be removed, or become unfit or incapable to act, the LARIA Council may at any time appoint a person to fill the vacancy until the next annual general meeting, unless the vacancy is previously filled at a special general meeting.
- (8) In the event of any Trustee dying, resigning, or being removed from office, another shall be appointed by a resolution of a majority of the members present and entitled to vote at the annual general meeting or at a special general meeting. Every resolution appointing a Trustee shall be entered on the minutes of the meeting at which he is appointed.
- (9) A copy of such resolution, signed by such Trustee, shall be forwarded by the Secretary, to the Registrar in the form prescribed by the Financial Services Authority.
- (10) Every officer or servant having the receipt or charge of money shall, before taking upon himself the execution of his office or service, give security to the Trustees through a Guarantee Society or by a bond in pursuance of the Act, in such sum as the LARIA Council may direct, being not less than a sum sufficient to cover the maximum amount of cash which the officer or servant is likely at any time to hold.

## **TRUSTEES**

11. (1) All deeds, documents of title and securities for money shall be held by the Trustees, who shall take such measures for the safe custody and preservation thereof at the expense of LARIA as they may think fit, and they shall be responsible for the safe custody of all such deeds, documents and securities as are placed in their hands or under their control, and shall produce them for inspection by the auditors when required by them, and whenever else required by a resolution of a general meeting or of the LARIA Council.
- (2) Trustees will be appointed at the Annual General Meeting and serve for up to 4 years, and will be full members.
- (3) The Trustees shall be the persons to sue and be sued on behalf of LARIA.
- (4) If any Trustee, being removed from his office, refuse or neglect to assign or transfer any property of LARIA as a general meeting may direct, such Trustee shall (if he be a member) be expelled, and cease to have any claim on LARIA without prejudice to any liability to prosecution.

## **TREASURER**

12. The Treasurer shall take charge of the funds of LARIA which are not invested and pay all demands when ordered to do so by LARIA or by LARIA Council or by the Chairman and Secretary or Trustees for the time being. He shall not pay by electronic transfer or sign a cheque for any sum in excess of **£1,000** without the approval or countersignature of the Chairman or the Secretary or such other officer as shall be nominated by LARIA Council. He shall produce all books, documents, property and money of LARIA in his possession and render a full and clear account at each audit, and whenever required by resolution of the LARIA Council or by the Trustees. He shall also give up all books, documents, moneys and property of LARIA in his possession when required so to do by a resolution of LARIA, or of LARIA Council or by the Trustees. For his services he shall receive such sum as LARIA Council may determine.

## **SECRETARY**

13. The Secretary shall attend all meetings of the LARIA Council and of the Policy and Strategy Group; he shall record correctly the names of the officers there present, and the minutes of the proceedings, which he shall transcribe into a book to be authenticated by the signature of the Chairman as the proceedings of the meeting; he shall receive proposals for admission to LARIA; he shall forthwith hand over all moneys received by him to the Treasurer. He shall produce all books, documents, property and money of LARIA in his possession, and render a full and clear account at each audit and whenever required by resolution of LARIA or of LARIA Council or by the Trustees. He shall also pay over all moneys and give up all books, documents and property belonging to LARIA when ordered to do so by a resolution thereof or of LARIA Council or by the Trustees. He shall summon and give due notice of all meetings of LARIA and of LARIA Council and keep the accounts, documents and papers of LARIA in such manner and for such purposes as LARIA Council may appoint, and shall prepare all returns and other documents required by the Act or the Treasury Regulations and duly forward them to the Financial Services Authority. The Secretary shall on all occasions, in the execution of his Office, act under the superintendence, control, and direction of LARIA Council. For his services he shall receive such sum as LARIA Council may determine.

## **LARIA Council**

14. LARIA Council shall meet at least twice a year, one of which meetings shall be within seven days of the Annual General Meetings and on such other days and hours as may be agreed from time to time. The Chairman, or if he be not present, the Vice-Chairman, shall preside. One half of the officers comprising LARIA Council (of which one must be the Chairman, Treasurer or Secretary) shall form a quorum. LARIA Council shall have full power to superintend and conduct the business of LARIA according to the rules thereof, and shall in all things act for and in the name of LARIA. Every question shall be decided by a majority of votes, and if the votes are equal the Chairman or in his absence the Vice-Chairman shall have a casting vote in addition to his vote as a member. Any three of LARIA Council may call a special meeting thereof, by giving seven clear days' notice in writing to the

Secretary, but at such special meeting no other business than that specified in the notice shall be taken into consideration. The LARIA Council will oversee and receive reports from the activity groups and working groups.

### **ACCOUNTS**

- 15 (1) LARIA Council shall cause proper accounts of LARIA to be kept by the Secretary and Treasurer in accordance with the requirements of section 29 of the Friendly Societies Act 1974.
- (2) It shall be the duty of the each member of the LARIA Council to keep a copy of the last annual balance sheet and hold a copy at the registered office of LARIA

### **INSPECTION OF BOOKS**

16. LARIA Council shall cause the books to be available for the inspection of any member or person having an interest in the funds of LARIA at all reasonable hours, at the registered office or at any place where the books are kept, and it shall be the duty of the Secretary to produce them accordingly.

### **AUDIT**

- 17 (1) Subject to the following paragraphs of this Rule, the LARIA Council shall in each year of account appoint a qualified auditor or qualified auditors to audit its accounts and balance sheet for that year. For the purposes of this Rule “qualified auditor” means a person who is a qualified auditor under section 36 of the Act.
- (2) Paragraph (1) of this Rule shall not apply to LARIA if:
- (a) the receipt and payments of LARIA in respect of the previous year of account did not in the aggregate exceed £5,000 and
  - (b) the number of its members at the end of that year did not exceed 500 and
  - (c) the value of its assets at the end of that year did not in the aggregate exceed £5,000
- (or, in each case, such other sum or number as may be prescribed by regulations then in force).
- (3) If, by reason of paragraph (2) of this Rule, paragraph (1) does not apply, LARIA may in respect of the current year of account appoint in that year a qualified auditor or auditors or two or more persons who are not qualified auditors to audit its accounts and balance sheet for that year unless the Registrar directs it to appoint a qualified auditor.
- (4) Paragraph (1) of this Rule shall not apply to LARIA if the LARIA has power to

disapply it under section 32A of the Act and that power is exercised in accordance with the provisions of that section.

- (5) Save as provided in paragraph (6) of this Rule every appointment of an auditor shall be made by resolution of a general meeting of LARIA.
- (6) LARIA Council may appoint an auditor to fill any casual vacancy occurring between general meetings of LARIA. Any auditor appointed by LARIA Council who is not a qualified auditor shall hold the appointment until the conclusion of the first or next Annual General Meeting as the case may be.
- (7) A qualified auditor appointed to audit the accounts and balance sheet of LARIA for the preceding year of account (whether by a general meeting or by LARIA Council) shall be re-appointed as auditor of LARIA for the current year of account (whether or not any resolution expressly re-appointing him has been passed) unless:
  - (a) a resolution has been passed at a general meeting of LARIA appointing somebody instead of him or providing expressly that he shall not be re-appointed, or
  - (b) he has given to LARIA notice in writing of his unwillingness to be re-appointed, or
  - (c) he is ineligible for appointment as auditor of LARIA for the current year of account, or
  - (d) he has ceased to act as auditor of LARIA by reason of incapacity, or
  - (e) a resolution has been passed at a general meeting of LARIA appointing him as an "appropriate person" in accordance with section 39A of the Act.

Provided that a retiring auditor shall not be automatically re-appointed by virtue of this Rule if notice of an intended resolution to appoint another person in his place has been given in accordance with paragraph (8) of this Rule and the resolution cannot be proceeded with because of the death, incapacity or ineligibility of that other person.

- (8) A resolution at a general meeting of LARIA
  - (a) appointing another person as auditor in place of a retiring qualified auditor, or
  - (b) providing expressly that a retiring auditor shall not be re-appointed

shall not be effective unless notice of the intention to move it has been given to LARIA not less than twenty-eight days before the meeting at which it is moved. On receipt by LARIA of notice of the intention to move any such resolution LARIA shall give notice of the resolution to the members in

accordance with Section 34 of the Act. LARIA shall also give such notice to the retiring auditor in accordance with section 35 of the Act and shall give notice to the members in accordance with that section of any representations made or intended to be made by the retiring auditor.

- (9) None of the following persons shall be appointed as auditor of LARIA
- (a) an officer or servant of LARIA or
  - (b) a person who is a partner of or in the employment of or who employs an officer or servant of LARIA.
- (10) The auditor shall in accordance with section 38 of the Act make a report to LARIA on the accounts examined by him and on the revenue account or accounts and the balance sheet of LARIA for the year of account in respect of which he is appointed.
- (11) Whenever, at the end of LARIA's year of account, a disapplication\* under section 32A (1) of the Act is in force in relation to the year because:
- (a) the value of its assets at the end of the proceeding year of account did not in the aggregate exceed £1,400,000 (or such amount as may for the time being be in force) and
  - (b) its turnover for that year did not exceed £350,000\*\* (or such amount as may for the time being be in force) and
  - (c) the other conditions specified in section 32A of the Act are satisfied\*
- LARIA shall, unless its turnover is less than £90,000 (or such amount as may for the time being be in force) obtain such reports, if any, as are required by section 39A of the Act

\* This section relates to circumstances in which members of LARIA have, by the statutory majority, voted in favour of receiving an accountants report, being a report less stringent in nature than would be obtained had auditors been appointed under section (1) of this rule.

\*\* Where LARIA has exempt charity status within the meaning of s32A (6) of the Act this amount is reduced to £250,000.

## **ANNUAL RETURN**

18. (1) Every year before the 1st August the Secretary of LARIA shall send to the Registrar of the Financial Services Authority an annual return relating to its affairs for the period required to be included in the return. The return shall be made up for the period beginning with the date of registration of LARIA or with the 1st January of the year preceding the year in which the return is required to be sent, whichever is the later, and ending with the 31st

December then last inclusively. The return must be made in the form prescribed by the Registrar of the Financial Services Authority and contain such particulars as may from time to time be required by the form. A copy of the report of the auditor on the accounts and balance sheet contained in the return must be sent with the annual return.

- (2) The Secretary shall supply gratuitously to every member or person interested in the funds of LARIA on his application either a copy of the last annual return or a balance sheet or other document duly audited containing the same particulars relating to the affairs of LARIA as are contained in the annual return together with a copy of the report of the auditor on the annual return or his report on the balance sheet or other document supplied in lieu of the annual return.
- (3) The annual accounts for the last financial year will be adopted and agreed at the following LARIA AGM.

### **DISPUTES**

19. (1) If any dispute shall arise between a member or person claiming through a member or under the rules, or any person aggrieved who has ceased to be a member, or any person claiming through such person aggrieved, and LARIA, or any officer of the LARIA Council, it shall be decided by reference to arbitration.
- (2) Five arbitrators shall be elected at a general meeting, none of them being directly or indirectly interested in the funds of LARIA and any vacancy or vacancies shall be filled at a general meeting. The complaining party to a dispute, or someone appointed by him, shall draw three names out of the five by lot in the usual way and the three arbitrators whose names are first drawn shall decide the dispute.
- (3) In this rule the expression "dispute" includes any dispute arising on the question whether a member or person aggrieved is entitled to be or continue to be a member or to be reinstated as a member but, save as aforesaid, in the case of a person who has ceased to be a member, does not include any dispute other than a dispute on a question between him and the LARIA Council or an officer thereof, which arose whilst he was a member or arises out of his previous relation as a member of LARIA.

### **APPLICATIONS TO THE REGISTRAR OF THE FINANCIAL SERVICES AUTHORITY**

20. One-fifth of the total number of members, or if the number of members is 1000 or more, then such number of members as is prescribed by the Act, by an application in writing to the Registrar of the Financial Services Authority, signed by them in the forms respectively provided by the Treasury Regulations in that behalf, may apply -
  - a) For the appointment of one or more inspectors to examine into and report on the affairs of LARIA.

- b) For the calling of a special meeting of LARIA
- c) For an investigation into the affairs of LARIA with a view to the dissolution thereof where the funds are insufficient to meet the existing claims thereon, or the rates of subscription fixed in the rules are insufficient to cover the benefits assured.

### **VOLUNTARY DISSOLUTION**

- 21. (1) LARIA 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 prescribed by the Treasury Regulations.
- (2) Upon such dissolution any monies remaining in the accounts of LARIA and any monies which may accrue from the sale of LARIA's assets are to be donated to a registered Charity of LARIA Councils' choice.

### **NOTICES**

- 22. All summonses and notices shall be deemed to have been duly served if addressed to the member or person for whom they are intended, at his last known address, and delivered at or sent by post to that address.

### **COPIES OF RULES**

- 23. A copy of the LARIA Rules are available free on the LARIA website.

### **AMENDMENT OF RULES**

- 24. (1) No new rules shall be made, nor shall any of the rules herein contained or hereafter to be made be amended or rescinded unless with the consent of a majority of those members present at a general meeting or special general meeting of which notice has been given specifying the intention to propose such new rule or amendment.
- (2) No new rule or amendment of rule is valid until registered with the Financial Services Authority on completion of a change of rules form.

### **INTERPRETATION**

- 25. In these rules, unless the contrary intention appears:
  - (1) Words denoting the masculine gender shall be deemed to include the feminine.
  - (2) Words in the singular shall include the plural and words in the plural shall include the singular.
  - (3) "The Act" means the Friendly Societies Act 1974 (as amended by the

Friendly Societies Act 1992), and any other Acts or subordinate legislation (including Deregulation (Industrial and Provident Societies) Order 1996) amending or substituted for it and for the time being in force and unless the context otherwise requires expressions used in these Rules which are in the Act shall have the same meaning as they have for the purposes of the Act.

- (4) “The Rules” means these Rules of the Association.
- (5) Any reference to the Chief Registrar, Central Office, Assistant Registrar [for Scotland] or the Registry of Friendly Societies includes reference to the statutory successor carrying out the relevant functions of any of them.

**SCHEDULE**

**Form of Receipt to be endorsed on or annexed to Mortgage**

The trustees of the Local Area Research and Intelligence Association hereby acknowledge to have received all moneys intended to be secured by the within (or above) written deed, the payment having been made by

..... of.....  
and..... of.....

Signed .....  
.....  
.....  
(Trustees)

Countersigned.....  
(Secretary)

NOTE: If the persons paying are not entitled to the equity of redemption but are paying the money out of a fund applicable to the discharge of the mortgage, insert a statement to that effect.

A statement may also be inserted as to whether the receipt is or is not to operate as a transfer of the benefit of the mortgage.

## FORM C

### FRIENDLY SOCIETIES ACT 1974

Acknowledgement of Registration of Specially Authorised Society

Register No. 220 SA

Local Area Research and Intelligence Association is this day registered as a Specially Authorised Society under the Friendly Societies Act 1974

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Provisions of the Act which are extended to the Society

Date 4 June 1992

Provisions of the Act which are not extended to the Society

Sections

Sections

1-22

24-40

43-44

45 except in so far as it relates to valuation

46-47

50

52(2)

53-54

56-60

62

66-70

76-81

82(1)(2)(3)(5)(7)

84

86(1)-(3)

90-92

93(1)(2)

94(1)(2)(3)(4)(6)(7)

95-97

98(1)(a)-(e)(2)(3)(5)-(8)

99-104

108-117

23

41-42

45 so far as it relates to valuation

48-49

51

52(1)(3)

55

61

63-65

71-75

82(4)(6)

83

85

86(4)

87-89

93(3)(4)

94(5)

98(1)(f)-(g)(4)

105-107

Schedules

Schedules

1

2 Part 1

3-4

8-11

2 Part 2

5-7