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MINUTES of an EXTRAORDINARY GENERAL MEETING of the MEMBERS of the Musicians Benevolent Fund held on 27th July 1994 at the Royal Society of Musicians, 10 Stratford Place, London W1.

Present: Sir Ian Hunter (Chairman of the Fund)
Mr Philip Jones (Deputy Chairman)
Mr Patrick Benner
Lady Garland
Mr Robert Lush
Dr Jane Manning
Mr Steve Race
Mr Daryl Runswick

In attendance: Mr M B M Williams (Secretary to the Fund)

Apologies: Sir David Lumsden, Lord Menuhin, Mr Scard,
Father Whitmore, Sir David Willcocks

NOTICE OF THE MEETING

The Secretary read the Notice convening the meeting.

SPECIAL RESOLUTIONS

The papers circulated to members with the Notice were: (a) a letter detailing the proposed amendment of the Fund's constitution; (b) a copy of the current Memorandum & Articles; and (c) a parallel text showing the changes proposed as compared with the existing.

The Chairman said that at the 280th meeting of the Executive held on 8th June 1994 [items 5.2 & 7.3], it was felt desirable to:

- (a) empower the MBF to take out insurance on behalf of its members who were 'managing trustees' of the Fund (ie, the members of the Executive) so that they were indemnified against any personal liability arising from their actions.
- (b) introduce an age limit of 75 for election or re-election to the Executive. Members felt the presence of members over that age (however valuable their contribution to the work of the MBF) gave a misleading impression of the way in which it was managed and its outlook. The limit would not apply to membership of the sub-committees, eg, Homes & Cases, Promotion, &c.

The Secretary said there were three resolutions before the meeting: the first two were intended to enable the MBF to take out trustee indemnity insurance and amend the Memorandum; and the third would give effect to the age limit by amending the Articles.

Amendments to the Memorandum required the prior approval in writing of the Charity Commission. Although the wording of the amendments proposed was very similar to the Commission's 'suggested' wording and more than five weeks' notice had been given of the MBF's intention, the Commission had

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refused to consent to any variation of their 'suggested' wording, even though this meant that it would have been very difficult to construe the wording of the amendments with that of the existing clauses. In short, the necessary consent had not been forthcoming, and the first two resolutions could not be put.

The Chairman summarised the discussion about the desirability of setting an upper age limit for members of the Executive which had taken place at a recent meeting. Letters of support for the proposal had been received from Sir David Lumsden, Sir David Willcocks and Mr Scard of the Musicians' Union. Lord Menuhin had disagreed with any age limit; he felt strongly that 'every age had something to give'.

The Chairman felt it was preferable to have an agreed retirement age for committees rather than leaving it to the Chairman to suggest to members that they should retire. For instance, it was embarrassing and hurtful to have to point out to a distinguished member of the profession that their attendance had been poor and they were not contributing fully.

Members felt that members who retired at 75 had probably given 10 years' service to the MBF; their presence on the Executive blocked invitations to younger members. Mr Race said good members could be invited to join the Council or serve on an appropriate sub-committee. He supported the proposal as 'id Mr Jones.

The meeting unanimously RESOLVED that

The Articles of Association be amended by the deletion of the existing Article 31 and the substitution therefore of the following:-

31. Section 293(3) of the Act shall apply to the Association as if it were a public company within the meaning of the Act provided that the age of 75 is substituted for the age of 70. At each General Meeting, one third of the members of the Executive Committee other than honorary officers (or as near thereto as practicable) shall retire in rotation but shall be eligible for re-election. The members to retire shall be those who have held office the longest, and in every case of equality of length of service they should be selected alphabetically.

There being no further business, the Meeting was concluded.

Martin Williams
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