

**CONSTITUTION  
OF THE  
MENNONITE  
BURIAL  
SOCIETY**

| **Includes Amendments approved at the January 12<sup>9</sup>, 2019<sup>6</sup> Annual General Meeting**

## ARTICLE 1 PURPOSE OF THE SOCIETY

- 1.1 The purpose of the Mennonite Burial Society, (“the Society”) is to grant a mutual aid benefit payment (the "Benefit") in support of the funeral expenses of its members who have passed away. The amount of the full Benefit shall be set by the membership at the annual meeting to reflect the average costs of a modest funeral.
- 1.2 The Society operates for the benefit of residents of the Country of Canada who otherwise meet the requirements of membership.
- 1.3 The intent of the Society is to foster community within and among an existing, self-identifying group by providing mutual aid within that group. To this extent, Society membership is open to attendees and members of Mennonite churches in Canada or those that agree with the Society’s Statement of Faith document (see web site), their spouses and their children under their parental control, who otherwise meet the membership requirements.

## ARTICLE 2 MEMBERSHIP

- 2.1 Duties of Members
  - 2.1.1 All members agree to abide by the Constitution and rules of the Society, as may be in existence from time to time.
  - 2.1.2 All members shall report, in writing, the following changes to the Society:
    - 2.1.2.1 Change of address; and
    - 2.1.2.2 Children born or adopted into the family.
  - 2.1.3 Members shall pay all annual dues levied and other charges assessed as they fall due.
- 2.2 All dependant children of a member are encouraged to be members.
- 2.3 Children born to or adopted by members are entitled to receive the Benefit otherwise payable for the first 30 days after their birth or adoption. If a birth or adoption is not reported within 30 days, and the initial annual dues and any other charges assessed are not paid, the new family member shall not be eligible for the Benefit in the event of his or her death.
- 2.4 Should a member of the Society marry a non-member of the Society, such non-member spouse, upon application and payment of applicable dues and charges, shall be permitted to join the Society and become entitled to the Benefit as noted herein.
- 2.5 Members in good standing at the end of a calendar year shall have their membership automatically renewed until the due date of the following year’s invoice~~last day of February of the new year.~~
- 2.6 Members in good standing at the end of a calendar year shall continue to be entitled to receive the Benefit should their death occur on or before the due date of the following year’s invoice~~last day of February in the new year.~~ If payment of the annual dues levied in the new year are not made to the Society, and in hand by the Society, by the due date of the following year’s invoice~~last day of February~~, the Society shall be relieved of any obligation to pay the Benefit on account of such individual's funeral expenses.

- 2.7 If payment is not received by ~~September~~~~early March~~, the Society may resend the annual dues levy requests again for payment. If payment of the dues is not received in full by December 31st~~May 15th~~, the individual's enrollment as a member is not renewed.
- 2.8 The Society is not required to report such non-renewal to the former member.
- 2.9 Former members can reapply for Membership, however such application shall be considered as a new member application and shall be assessed an enrollment fee, the annual levy and shall be placed in a reduced Benefit percentage category, as applicable.
- 2.10 Members moving out of Canada, or ceasing to maintain their membership in a Mennonite church, are entitled to maintain their membership.
- 2.11 The Society reserves the right to refuse applicants for membership on the grounds of their medical history, except for newborns or newly adopted of existing members.
- 2.12 Individuals whose membership has not been renewed have no rights to any Society assets, or to payment of the Benefit.

### **ARTICLE 3 ANNUAL DUES AND OTHER CHARGES**

- 3.1 Each member shall be assessed an initial enrollment fee on joining the Society. The amount shall be approved at Membership meetings.
- 3.2 Annual dues shall be levied on all members of the Society, according to the needs of the Society. The annual dues, effective from January 1 to December 31 of each year, shall be as approved at the Membership Meetings.
- 3.3 The payment of the enrollment fee and annual dues entitles a new member, upon their death, to the Benefit, or such reduced Benefit as defined herein, provided that the member did not misrepresent any material facts on his or her application.
- 3.4 The Board may from time to time set such other fees and charges as it deems appropriate for the Society.

### **ARTICLE 4 SOCIETY RESOURCES**

- 4.1 The resources of the Society are made up of the following:
- 4.1.1 initial enrollment fees;
  - 4.1.2 annual due levies;
  - 4.1.3 interest and dividends as may be earned by the funds of the Society; and
  - 4.1.4 such other contributions and income as the Board may from time to time accept.

**ARTICLE 5 THE BENEFIT**

- 5.1 The full mutual aid Benefit shall be as set at the annual Membership meeting.
- 5.2 The Benefit payable on the death of a member who is less than 11 years of age, or who first became a member after their 30<sup>th</sup> birthday shall be the following percentage of the full Benefit:

0-2 years inclusive	25%
3-10 years inclusive	50%
11-29 years inclusive	100%
30-34 years inclusive	90%
35-39 years inclusive	80%
40-44 years inclusive	70%
45-49 years inclusive	60%
50-54 years inclusive	50%
55-59 years inclusive	40%
60-64 years inclusive	30%
65-69 years inclusive	20%
70 years and over	10%

- 5.3 If the death of a member occurs between January 1 and ~~the due date of the invoice (normally March 15<sup>th</sup>)~~ last day of February in any year, the annual dues and all other fees and charges payable, or to become payable, for that calendar year shall be deducted from the Benefit otherwise payable.
- 5.4 The Benefit may be claimed on behalf of a deceased member by forwarding a Death Certificate, and such other information and documents as the Society may from time to time require. The Society shall then pay out the Benefit, or such reduced Benefit, as may be applicable.
- 5.5 No Benefit shall be payable where there is a material misrepresentation by an applicant on the membership application form.
- 5.6 Where, as a condition of entering into the Society, a member accepted a reduction in the Benefit otherwise payable, such reduced Benefit shall continue to be applicable.

**ARTICLE 6 SOCIETY GOVERNANCE**

- 6.1 The affairs of the Society are governed by the membership.

- 6.2 Between Membership Meetings the affairs of the Society are managed by the Board.
- 6.3 Constitutional amendments may be made at any Membership Meeting, providing that notice of the proposed constitutional amendment is given at the same time, and in the same manner, as a Membership Meeting, and the amendment is supported by 2/3 of the members present and voting at the meeting.

## **ARTICLE 7 MEMBERSHIP MEETINGS**

- 7.1 There shall be an annual Membership Meeting of the Society held within 60 days of the fiscal year end.
- 7.2 Special Membership Meetings may be called by the Chair or Vice-Chair of the Board, or upon the written petition of at least one hundred ~~and fifty~~ (100~~50~~) voting members in good standing.
- 7.3 The Chair or other designated Board member or officer shall chair all Membership Meetings.
- 7.4 All decisions made at a Membership Meeting shall be recorded by the secretary of the meeting and signed by the chair of the meeting.
- 7.5 All items of business at Membership Meeting, except constitutional amendments, are decided by majority vote of the attending voting members.
- 7.6 Proxies are not permitted. In case of a tie, the chair of the meeting may cast the deciding vote.
- 7.7 Voting may be by show of hands or by secret ballot, at the discretion of the chair of the meeting.
- 7.8 The decisions at the Membership Meeting are binding.
- 7.9 Members 18 years of age and older shall be voting members of the Society. Only voting members of the Society are permitted to vote at Membership Meetings.
- 7.10 The following business shall be conducted at every annual Membership Meeting:
- 7.10.1 The financial report for the past year shall be presented by the Board;
  - 7.10.2 The Audit Committee's statements on the financial reports shall be reviewed;
  - 7.10.3 The new budget shall be approved;
  - 7.10.4 Board vacancies shall be filled;
  - 7.10.5 Audit committee vacancies shall be filled;
  - 7.10.6 Full Benefit rates for the ensuing year shall be set; and
  - 7.10.7 Any other business relevant to the purposes of the Society.
- 7.11 Notice of a members meeting shall be given at least three weeks before the date of the meeting, and may be advertised in such other manner as the Board may decide. Such notice may be given to the Church Representatives who are members of the Administrative Council, or by insertion into the bulletins of local churches, or both.

## **ARTICLE 8 ADMINISTRATIVE COUNCIL**

The Administrative Council consists of the Board, the Audit Committee, and all the representatives appointed by the members' churches.

## 8.1 **BOARD**

- 8.1.1 The Board shall consist of a maximum of seven (7) members, each of whom shall be a voting member in good standing of the Society elected by the Membership.
- 8.1.2 Each Board member shall serve a three (3) year term, and is eligible for re-election.
- 8.1.3 Board member terms shall be staggered.
- 8.1.4 The Board may elect, from its members, a Chair, Vice-Chair, Treasurer, Secretary and such other officers as they may deem appropriate.
- 8.1.5 Board meetings shall be chaired by the Chair, or in his or her absence, another Board member.
- 8.1.6 Board quorum requirements shall be 2/3 of existing Board members.
- 8.1.7 Decisions of the Board shall be made by majority vote of all Board members present.
- 8.1.8 Board vacancies shall be filled by the Membership at the AGM, or at a subsequent meeting of the Administrative Council.
- 8.1.9 The responsibilities of the Board include:
  - 8.1.9.1 general oversight of the Society between Membership meetings;
  - 8.1.9.2 mailing of annual dues levy notices to the address of record of the members;
  - 8.1.9.3 payment of the Benefit;
  - 8.1.9.4 maintenance of the Membership list;
  - 8.1.9.5 keeping the financial accounts and Membership records of the Society;
  - 8.1.9.6 investments of the Society's funds and reserves;
  - 8.1.9.7 preparation of annual reports and a proposed budget;
  - 8.1.9.8 calling of and preparation for Membership meetings;
  - 8.1.9.8 hiring and overseeing of such staff positions as it may deem appropriate, and the compensation of such staff.
- 8.1.10 The Board may from time to time elect and empower such committee or committees, and determine the Membership of such committee or committee as it deems appropriate for the affairs of the Society.

## 8.2 **AUDIT COMMITTEE**

- 8.2.1 The Audit Committee shall consist of three members, each of whom shall be a voting member of the Society elected by the Membership.
- 8.2.2 Each Audit Committee member shall serve a three (3) year term, and is eligible for re-election.
- 8.2.3 Committee member's terms shall be staggered.
- 8.2.4 The Audit Committee shall conduct an audit of the annual financial report and the books of the Society, and report its findings to the Membership of the Society.

- 8.2.5 The Board shall make available to the audit committee all financial records and documents of the Society for review, and shall place at the disposal of the committee all resources needed for the completion of its assigned task.

### 8.3 CHURCH REPRESENTATIVES

- 8.3.1 Church representatives shall be voting members in good standing who have accepted the responsibility to represent the interests of the Society in their local congregation or congregations, and to represent the interests of those congregations in the Society.

## ARTICLE 9 FISCAL YEAR

- 9.1 The fiscal year of the Society shall be the calendar year. All business of the Society shall be conducted in English.

## ARTICLE 10 BOARD DISSOLUTION

- 10.1 The Board can be dissolved and held to account for its actions by the Membership at a duly called Membership meeting. The Board shall not be required to inject any financial amounts into the Society if such dissolution occurs.

## ARTICLE 11 DISSOLUTION

- 11.1 Dissolution of the Society may be considered at any Membership meeting, provided that notice of the consideration of dissolution and the date of the proposed Membership meeting is given in the same manner as any Membership meeting.
- 11.2 In the event of dissolution, and to the extent the Society has the means necessary to make such ~~refunds, each member shall be refunded all annual dues payments made to the Society, starting with the most recent annual dues payment, and going back each year in succession. Where there are insufficient means to make full refunds, the amount refunded shall be proportionate to the amount of annual dues paid by the members.~~ payments, the Society will no longer send invoices to current members, but will continue to operate in similar fashion, paying out all the Society's expenses, including funeral benefits (based on rate at dissolution), staff allowance, office and other operating costs, until there are no additional funds on the balance sheet. The members that are in good standing at time of dissolution are the only members eligible for the funeral benefit in the event of death, until funds are no longer available. Funeral benefits may only be paid out to members in good standing, who have submitted all the proper documentation, as long as funds are available. If no funds are available, the Society does not owe them any funeral benefit.
- 11.3 Notice of the dissolution shall be published on the website for at least 3 months after the date of the dissolution vote by the Membership, and in such other manner as the Society Membership may determine.

