

STATES OF JERSEY



JERSEY MUTUAL INSURANCE SOCIETY INCORPORATED: ALTERATION OF FUNDAMENTAL RULES – PETITION

Lodged au Greffe on 19th May 2009
by the Connétable of St. Saviour

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to grant the prayer of the petition presented on behalf of the Jersey Mutual Insurance Society Incorporated (the “**Society**”) that legal effect be given to the amendments of the Fundamental Rules of the Society as set out in the petition.

CONNÉTABLE OF ST. SAVIOUR

REPORT

The Society – then known as the Jersey Mutual Fire Insurance Society – was incorporated by Act of the States passed on the 13th day of February 1908. At this time, legal effect was given to the Fundamental Rules of the Society (the “**Rules**”), which continue to be embodied by statute. The Society is Jersey’s only insurance society, operates solely in Jersey and is Jersey’s main provider of household insurance.

At the Annual General Meeting of the Society held on 5th December 2008, it was resolved by special resolution of the members of the Society that the Rules be amended. To give legal effect to the amendments to the Rules, the Society has prepared a Humble Petition to the States requesting them to do so.

In essence, there are 3 changes being sought, all of which are aimed at updating and modernising the Rules.

The first amendment is to grant the Society the power to carry on social or benevolent activities, including the making of donations, the raising of funds, the giving of sponsorship, and any other activities carried on for a charitable or benevolent purpose.

The second amendment is to change the title of the Secretary of the Society to General Manager. The Society has determined that the title “General Manager” better describes the nature of the role, and the duties undertaken and functions performed by the bearer of this position.

The final amendment will enable the Society to communicate with its members by way of electronic communication. This amendment will result in an increase in the administrative efficiencies of the Society and also result in significant cost savings for the Society with respect to printing, publishing and postage.

There are no financial or manpower implications for the States arising from this proposition other than the costs involved in the drafting of the necessary amendments to the legislation relating to the Society.

Petition

TO Sir Philip Bailhache, Bailiff, President

TO The Members of the States of Jersey

THE HUMBLE PETITION of the Jersey Mutual Insurance Society (formerly known as the Jersey Mutual Fire Insurance Society and whose name was altered in virtue of the Jersey Mutual Fire Insurance Society, Incorporated, (Alteration of Name and Rules) Law 1952 (hereinafter called “**the Society**”) shows –

1. THAT the Society – then known as the Jersey Mutual Fire Insurance Society – was incorporated by Act of the States passed on the 13th day of February 1908, and sanctioned by Order of the 9th day of April 1908, of their Lordships the Chancellor and the Lord President of Council, acting for and on behalf of His Majesty and being authorised thereto by writing under His Majesty’s Sign Manual.
2. THAT by the said Act of 1908 legal effect was given to the Fundamental Rules of the Society.
3. THAT the said Fundamental Rules have from time to time been altered and amended.
4. THAT at the Annual General Meeting of the Society held on the 5th day of December 2008, it was resolved that the Fundamental Rules of the Society, as set out in the Schedule to the Jersey Mutual Insurance Society, Incorporated (Alteration of Rules) (Jersey) Law 1976, as amended, be further amended, as follows –
 - (a) THAT the following shall be inserted at the end of Rule 1 of the Rules –

“The Society may carry on any social or benevolent activity, including the making of donations, the raising of funds, the giving of sponsorship or any other activity carried on for a charitable or benevolent purpose.”.
 - (b) THAT where the word “Secretary” appears in each of the following Rules, there shall be substituted the words “General Manager” –

Rules 5, 6, 7, 12, 14, 18, 22, 23 and 28.
 - (c) THAT the following paragraphs be inserted into the Rules as Rule 30 and Rule 31 respectively –

“Service of notices and other documents on members

- 30 A notice to be given to or by a person pursuant to these Rules shall be in writing or in an electronic communication and sent or delivered in accordance with the Electronic Communications (Jersey) Law 2000 to an address for the time being notified for that purpose to the person giving the notice.

- 31 A notice or other document may be given to a member by the Society –
- 31.1 by publishing such notice or document on a web site; or
 - 31.2 personally;
 - 31.3 by sending it by post in a pre-paid envelope addressed to the member at his registered address; or
 - 31.4 by leaving it at that address (or at another address notified for the purpose) in an envelope addressed to the member; or
 - 31.5 by giving it by electronic communication to an address for the time being notified to the Society for that purpose; or
 - 31.6 by the member collecting such notice or document from the registered office of the Society; or
 - 31.7 by any other means authorised by the member concerned.

For the purposes of these Rules the expression “communication” includes a communication comprising sounds or images or both, and a communication effecting a payment and the expression “electronic communication” shall have the meaning given to it in the Electronic Communications (Jersey) Law 2000, the latter including, without limitation, e-mail, facsimile, CD-Rom, audio tape and telephone transmission and publication on a website; and the expression “address” shall include, in relation to electronic communication, any number or addresses used for the purposes of such communication.”

AND accordingly your Petitioner prays that legal effect be given to the amendment of the Fundamental Rules as herein set out and your Petitioner as in duty will ever pray.

Number of signatures: 2