

16.3.16 for EGM 12.4.16

Spanish & Portuguese Jews' Congregation

Founded 1657

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**ASCAMOT
OF
THE CONGREGATION**

*Adopted by the Board 16.3.16, subject to ratification by the Yehidim in
General Meeting on 12.4.16*

March 2016

Ve-adar 5776

ASCAMOT OF THE CONGREGATION

NB (1) Those Ascama whose amendment is subject to ratification by the Yehidim, under Ascama 1.2, are shown below and in the text with an asterisk (*) against their number.

(2) After the Contents, the Preamble mentions the Charities holding the Congregation's assets. Numerous other charitable funds are associated with the Congregation.

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Preamble

These Ascama are the governing document of the Congregation (as defined below), in relation to its membership, religious services, election to offices and how those elected administer the Congregation. Governance is by elected "Elders", known as the "Board of Elders" or the "Board" (as defined below).

Funds, income, chattels and property are held on trust for the Congregation's charitable purposes as the 'General Funds of the Spanish & Portuguese Jews' Synagogue' (the "General Funds") and 'Trust properties held in connection with the Spanish & Portuguese Jews' Synagogue' (the "Property Charity"), which are registered (no. 212517) with the Charity Commission as Charities ICW (as defined below).

A Charity Commission Scheme dated 29 May 1958 appointed the "members for the time being of the Board of Elders of the Spanish & Portuguese Jews' Synagogue acting in accordance with their usual procedure" as the managing trustees of the General Funds and the Property Charity. These Ascama are intended to record the usual procedure of the "Board of Elders", and all references to procedures relating to financial matters refer to the members of the Board of Elders acting in their capacity as managing trustees of the General Funds and the Property Charity.

The London Sephardi Trust (company number 00515526) is the custodian trustee of the assets held in the General Funds and the Property Charity.

1 General

1.1 Interpretation of Ascama

In these Ascama and in any Regulations made by the Board, headings do not affect interpretation. Save where from the context it appears otherwise:

- (a) the singular shall be deemed to include the plural and the masculine gender the feminine gender, and in particular Yahid/Yehidim includes Yehida/Yehidot.
- (b) the word "year" shall have the following meanings:
 - (i) "Year" from an English date shall mean a year according to the English (civil) calendar.
 - (ii) "Year" from a Hebrew date or from Shabbat Hagadol shall mean a year to the corresponding Hebrew date or to Shabbat Hagadol in the next following year.
 - (iii) "Year" from an Annual General Meeting shall mean to the corresponding meeting in the next following year.

Periods of more than one year shall be interpreted accordingly.

- (c) "Board" means the Board of Elders as described in Ascama 10, with the composition specified in Ascama 10.2;

"Charities ICW" refers to the 'General Funds of the Spanish & Portuguese Jews' Synagogue' and 'Trust properties held in connection with the Spanish & Portuguese Jews' Synagogue' which are registered with the Charity Commission

as 'Charities **In Connection With** The Spanish & Portuguese Jews' Synagogue', under registration number 212517;

"Congregation" means The Spanish & Portuguese Jews' Congregation, an unincorporated association of members whose constitution is these Ascama. The Congregation was founded in 1657 in the City of London and its first recorded Ascama were adopted in 1663;

"Council" means the Advisory Council constituted by Ascama 14;

"Council chair" means the chair of the Council, appointed under Ascama 14.2(b).

"Elder" means a person elected under Ascama 11, including the Gabay and the person elected by the Board as Parnas Presidente.

"Ecclesiastical Authority" means the Haham or Senior Rabbi, in either case acting with the Beth Din where appropriate (see Ascama 19 and 20).

"Executive Director" means the most senior official of the Congregation, answerable to the Board.

"Gabay" means the person described in Ascama 13.1.

"Local Parnas" means a Yahid with ceremonial and other duties in relation to just one of the synagogues of the Congregation as described in Ascama 16.3;

"Minister" (whether or not a Rabbi) includes Hazan;

"Parnas Presidente" means only the individual elected to be chair of the Board under Ascama 10.2.

"Senior Rabbi" means a Rabbi appointed under Ascama 20.1(d).

"Wider family" means any of the following together:

- (i) husband and wife, their siblings, children and grandchildren (whether by blood or adoption), step-children and children-in-law;
- (ii) spouses, civil partners, brothers-in-law and sisters-in-law of any of the foregoing;

save that where the relationship within 'wider family' is only by or through a marriage or civil partnership, debarment from election or appointment (as applied by the relevant ascama) shall lapse with the dissolution of the marriage or partnership or the decease of the married person or partner through whom the relationship existed.

1.2 * Enactment, Amendment or Revocation of Ascama

(a) Any enactment amendment or revocation of Ascama shall be made by resolution of the Board. If such resolution enacts amends or revokes an Ascama which relates or would as a consequence of the resolution relate to any of the subjects contained in Schedule 1 to this Ascama the resolution shall not come into force until ratified by a resolution of the Yehidim passed at a meeting of which at least twenty-one days' notice shall have been given.

(b) A resolution under this Ascama shall be passed by a simple majority of votes cast at the relevant meeting except that a resolution under this Ascama

concerning Ascama 17.6, Ascama 19.1 or Ascama 30.1 shall require a 60% (sixty per cent) majority of the votes cast at the relevant meeting of the Board and in the cases of Ascama 19.1 and Ascama 30.1 also at the relevant meeting of Yehidim.

(c) The notice convening a meeting of the Board or the Yehidim for the purpose of considering a resolution under this Ascama shall set out the proposed resolution.

(d) The Ascamot listed in Schedule 2 to this Ascama and only those Ascamot shall be deemed conclusively to relate to one or more of the subjects contained in Schedule 1 and each Ascama shall be so indicated in copies of the Ascamot issued by the Congregation.

Schedule 1 to Ascama 1.2

Enactment, amendment or revocation of Ascamot relating to subjects contained in this Schedule

Any variation of this Schedule or of Schedule 2

Alteration to Synagogue Prayers and Ceremonies

Finta and other Revenue to be raised from the Yehidim

Life Members

The Gabay's Finta Committee

Meetings of Yehidim

The responsibility of the Board to the Yehidim

Election of Elders and eligibility of Yehidim therefor

Election of Parnas Presidente by Board (other than timing)

Advisory Council – role and composition

Election of Haham and Ministers

Erection or closure of Synagogues Admission of Synagogues to the Congregation

Schedule 2 to Ascama 1.2

Ascamot 1.2 to 5.2 inclusive (other than 1.4); 7.1 to 7.4 inclusive; 10.1 to 11.9 inclusive (other than 10.4 and 10.5); 14; 19.1; 20.1; 30.1.

1.3* Alteration to Synagogue Prayers and Ceremonies

(a) Alteration to Synagogue prayers and ceremonies (except Ascamot 17.1 to 17.4 which do not come within the scope of this Ascama 1.3) shall require:

- (i) confirmation from the Ecclesiastical Authority of the Congregation that the proposed alteration is not contrary to *halacha*; and
- (ii) the approval of a meeting of *Yehidim* convened in accordance with *Ascama* 7.1 or 7.2.

The occasional service conforming with another established orthodox minhag shall not be deemed to be the above alteration.

- (b) Where the alteration is intended to be put to:
 - (i) an Annual Meeting of *Yehidim*, at least 25 *Yehidim* signing as proposers of the alteration shall, prior to *Rosh Hashanah* preceding the intended Annual Meeting, give notice of the proposal;
 - (ii) a meeting of *Yehidim* convened under *Ascama* 7.2, at least 40 *Yehidim* signing as proposers of the alteration shall give notice of the proposal.
- (c) The notice shall include a statement of the proposers' reasons for the alteration.
- (d) The Parnas Presidente shall convene or notify a meeting of the Board to discuss the proposal and shall convey the proposal to the Ecclesiastical Authority, with a request that confirmation that it is not contrary to (if that is the case) *halacha* be provided within 28 days.
- (e) At the meeting of the Board it shall be agreed to recommend to the *Yehidim* either that the proposal should be approved or that it should be approved subject to amendment or that it should be rejected.
- (f) Provided that confirmation has been received from the Ecclesiastical Authority of the Congregation that the proposed alteration is not contrary to *halacha*, a meeting of *Yehidim* will then be called to consider the proposal. The notice of the meeting shall be issued to the *Yehidim* at least 28 days prior to the meeting and shall be accompanied by an explanatory paper, which shall comprise the proposers' statement of reasons (or the Board's summary of it, which shall have been submitted to the proposers for comment); the recommendation of the Board, together with the Board's reasons for making the recommendation; and, if appropriate, any dissenting views of Elders.
- (g) Where the alteration is intended by the proposers to be put to a special meeting of *Yehidim* under *Ascama* 7.2, the Board shall endeavour to hold the meeting within six months of receipt of the proposal. The normal requirement of *Ascama* 7.2 to hold such a meeting within 28 days of the request for the meeting does not apply in this case because of the time required to comply with clauses (d), (e) and (f) above.
- (h) The approval at the meeting of *Yehidim* shall require a resolution passed, at a time when at least 70 *Yehidim* are present, by a 60% (sixty per cent) majority of the votes cast, and having at least 42 votes in favour.

1.4 Use of email

Notices and other communications required to be made in writing may be despatched by email where a Yahid/Yehida has registered an email address with the Congregation, save where an ascama requires a ballot paper or the like to be sent.

2 *Number not used*

3 *Number not used*

4 Fintas of Individual Yehidim

Fintas will be paid (by reference to the Membership categories in 4.1 below) according to a standard tariff authorized by the Board and periodically updated as necessary by the Board. Any such change to the tariff will be available to the Yehidim on application to the office.

If they can afford to do so Yehidim are encouraged to pay more than the standard tariff.

Wherever Gabay is mentioned in the paragraphs below the Gabay may either act in his own capacity with the approval of two members of the Gabay's Committee nominated by that Committee or refer the matter to the Gabay's Committee as he sees fit, in which latter event the discretion given to the Gabay is to be regarded as given to the Committee.

4.1 * Assessment and Categories

The membership categories as follows:

Category A - Standard Household Membership

This category covers husband and wife, both of whom shall be entitled to the full privileges of membership, including voting rights. This category will apply to all households unless the husband and wife have been specially assessed by the Gabay in one of the alternative categories as set out below.

Category B - Higher Household Membership

This category covers husband and wife but where the Gabay considers that, in view of the professional, business or financial circumstances of one or both of them, it is appropriate to place them in a higher Finta category. Both husband and wife shall be entitled to the full privileges of membership, including voting rights.

Category C - Standard Single Membership

This category applies to all single persons unless the Gabay has specifically assessed the person concerned in Category D below, and shall include married persons who, under the provisions of these Ascamos, are to be assessed as single persons.

Category D - Special Membership

This category applies in all cases where the Gabay considers in his discretion, that none of the above categories is appropriate to a household or to an individual. Examples include (but are not limited to):-

Those who have paid or are considered able to pay more than the amount appropriate to the category which would otherwise be applicable to them;

Those who live over 100 miles from London (Bevis Marks);

Those who are members of another synagogue which is their principal place of worship and do not desire the right to be buried in any of the burial grounds of the Congregation;

Those whom the Gabay considers are unable to pay or could have difficulty in paying a standard household or single person's Finta;

Young people who have recently left school or are currently attending a place of further or higher education and whose financial circumstances would make it difficult for them to pay a standard Finta.

The Finta payable by single Yehidim or Yehidot who subsequently marry under the auspices of the Congregation shall be re-assessed by the Gabay's Committee, for the Finta year following that in which they were married. Where a marriage takes place other than under the auspices of the Congregation, the Yahid or Yehida concerned shall so notify the Executive Director in writing, giving full particulars of date and place of marriage. The Finta or Fintas previously payable will then be re-assessed as above.

Following the death of the wife of a Yahid, his Finta for the next year shall be reassessed as above in the category then appropriate.

4.2 * Payment

The Board may enter into an arrangement with any Yahid for the payment of Finta in two half-yearly instalments or in such other manner as might be considered reasonable by the Board.

If the whole or part of the Finta assessed for any year ending 31st March remains unpaid by Shabbat Hagadol of the following year, (or when this falls in April by the previous 31st March), the Yahid concerned (Finta debtor) shall be deemed to be indebted to the Congregation for Finta for one year or upwards until such time as the whole of that Finta has been paid. If the whole or part of the Finta remains unpaid by Shabbat Hagadol (or when this falls in April by the previous 31st March) of the second year after it became due, the Yahid concerned shall be deemed to be indebted to the Congregation for two years' Finta and will then be subject to the provisions of Ascama 6.2.

4.3 * Spouses of Yehidim

The spouse of a Yahid shall be deemed to be a Yahid or Yehida from the date of their marriage (or the date of the Yahid's election if later). However, this will not apply if the spouse does not so wish and notifies the Executive Director accordingly or if, for religious reasons, is ineligible to be a Yahid. The Finta payable by a Yahid whose spouse does not wish to be a Yahid shall not be assessed as a single person for that reason. A Yahid whose spouse is ineligible to be a Yahid shall be assessed for Finta as a single person.

If a married Yahid notifies the Executive Director in writing that he or she is no longer living with his or her spouse and this fact is confirmed by the spouse, they shall both be re-assessed by the Gabay's Committee for Finta as single persons from the following year. The spouse of a deceased Yahid shall continue to be a Yahid after the death without further payment until the next following Shabbat Hagadol. Thereafter Finta shall be re-assessed as above, as appropriate to the new circumstances.

4.4 * Older Yehidim

Any person who has been a Yahid for not less than twenty years continuously and who has reached the age of 75 years shall on application to the Executive Director in writing and without stating any other grounds be exempt from any subsequent general increase in individual Fintas as may be imposed by the Board from time to time. For a yehida not married to a Yahid on 1 March 2016 (when age 65 potentially applied to her) the change to age 75 shall be phased in over 5 years, becoming 67 on 1 March 2017, 69 on 1 March 2018 and so on. The phasing shall be notified on relevant (or all) invoices for Finta.

Any surviving spouse of a deceased Yahid whose Finta was exempt from a general increase by reason of the deceased's circumstances shall on application to the Executive Director in writing and without stating any other grounds be exempt from any general increase in individual Fintas as may be imposed by the Board from time to time.

The Finta of a Yahid as described in the preceding two paragraphs is to be subject to review by the Gabay either every three years or whenever the standard tariff is updated and approved in accordance with the first sentence of Ascama 4 above, whichever is the later, and provided that the Finta payable under this paragraph 4.4 shall never be of a greater amount than that which would have been payable had no application been made to the Executive Director.

4.5 * Life Members

A Yahid or a candidate approved for election as a Yahid who has attained the age of 60 years may elect to become a Life Member and upon making a donation of such sum as the Board shall have previously fixed and published, he and his wife also shall (subject to the provisions of Ascama 6.3) be Yehidim for the remainder of their lives. Such donations may be wholly or in part in the form of property or securities of a value agreed with the Investment Committee.

4.6 Gift Aid:

Yehidim are encouraged to pay their Finta by Gift Aid. The synagogue's charity will reclaim the standard rate tax and retain this. The higher rate tax will normally be reclaimed by the individual who is encouraged to increase his Finta payment correspondingly.

4.7 * Appeals against Assessment

Any Yahid within twenty-one days of receipt of notification of the Finta he must pay can appeal therefrom by notice in writing given to the Executive Director. The Board may extend the time for appeal. The appeal shall be heard by the Gabay's Committee either orally or in writing. The Gabay's Committee shall thereafter assess the Finta payable and shall notify the Executive Director of the amount thereof. The Executive Director shall notify the Yahid concerned. The Yahid then has a further right of appeal to two members of the Advisory Council nominated by the Parnas Presidente, working together whose decision shall be final.

If any person shall represent to the Board that in consequence of a change in his circumstances or of the fact that he is a member of another Synagogue and desires neither the right to be buried in one of the burial grounds of this Congregation nor the use of a seat in one of its Synagogues he cannot or should not pay the whole Finta assessed on him, the Gabay's Committee may reduce it to such an amount as they shall consider just.

5 The Gabay's Finta Committee¹

5.1 * Composition, Tenure and Appointment

The Gabay's Finta Committee shall consist-of the Gabay for the time being, who shall be Chair of the Committee, the outgoing Gabay, provided he is willing to serve, until the end of his successor's term of office (and, in the case of a casual vacancy, until the end of the term of office of the person who succeeds him) and two other Yehidim appointed by the Board to serve on the Committee for a term of six years. The appointed members of the Committee shall at the time of their appointment be former Elders of not less than five years standing. If an appointed member of the Gabay's Finta Committee be elected to serve on the Board he or she shall thereupon cease to be an appointed member of the Committee.

At its first meeting following Shabbat Hagadol 5775 (2015) and at a corresponding time every three years thereafter the Board shall appoint a qualified Yahid or Yehida to fill a vacancy which will then occur, subject to the provision below for the filling of casual vacancies. Retiring members of the Committee shall not be eligible for re-appointment until three years shall have elapsed since their retirement except as provided below.

The Board shall as soon as possible fill any vacancy on the Gabay's Finta Committee arising from whatever cause but the appointment of a new member to fill such vacancy shall be for the remainder of the term of appointment of the former member. If such shortened term be less than three years the newly appointed member shall be eligible for re-election on its expiry for one further term of six years.

¹ This is not the Finance committee (see ascama 13).

The Committee may from time to time delegate to one or more of their number such of their duties as they may consider appropriate in relation to any particular matter.

5.2 * Duties and Powers

The Gabay's Finta Committee shall: (i) Assess the Finta of each applicant who has been approved for election as a Yahid; (ii) Assess marriage fees; (iii) Hear and determine appeals regarding finta; (iv) Deal with applications under Ascama 4.7 and elections under Ascama 6.5; (v) Assess Finta Beth Haim of Yehidim aged 40 years or over; (vi) Reassess Fintas where such reassessment is required under the provisions of Ascama 4.1 and 4.3; (vii) Create and keep under review (with such assistance as it thinks fit from members of the respective Synagogues of the Congregation) a process for encouraging voluntary payment of additional finta from individuals who agree that they have the means to do so.

6 Membership of the Congregation

6.1 Admission of Yehidim

Any person desirous of being elected a Yahid shall apply in writing to the Executive Director, using an application form prescribed by the Board. When supplying an applicant with such a form, the Executive Director shall attach an extract of the Ascama, including in full those Ascama relating to the financial obligations of Yehidim, together with a note setting out the current rates of Finta applicable to the various categories of membership.

The applicant shall sign the form thereby undertaking, if elected, to abide by all the Ascama then in force or thereafter enacted. Where the applicant is married, the application will be deemed to be for household membership for both spouses and particulars and signatures of both will be required.

The power of electing Yehidim shall be vested in the Board (unless an applicant is, for religious reasons, ineligible) but be subject to the right of any applicant to appeal to the Board for review if not elected. If one partner of a married couple is, for religious reasons, ineligible to be a Yahid or Yehida, the Board may elect the other partner, but in such a case, the Finta payable shall be assessed as for a single person.

The Gabay's Committee shall assess the Finta to be paid by an applicant or a pair of applicants for election. The Executive Director shall, when notifying applicants of their election, also inform them that such election is contingent upon payment of the said Finta within one month of such notification. On payment of the said Finta within one month, the applicant or applicants shall be deemed elected.

On election or at any subsequent time, a Yahid or Yehida shall be furnished with a copy of the Ascama, on request to the Executive Director.

6.2 Removal from List - Finta Debtors

If any Yahid is indebted for two years' Finta, as defined in Ascama 4.2, notice of the same shall be sent to him, and if at the end of three months from the date of such notice he has failed to pay the amount of such debt the Board may by resolution remove his name and that of his wife, if any, from the List of Yehidim and declare that he has ceased to be a Yahid and, if applicable, that his wife has ceased to be a Yehida. The wife of a Yahid whose membership has been terminated for such reason may apply for election as a Yehida in her own right.

6.3 Removal from List - Religious Reasons

Should the Board declare that any Yahid has departed from the tenets of our holy religion by publicly professing another faith, he shall forthwith cease to be a Yahid. The wife of a Yahid or the husband of a Yehida who has been removed from the list of Yehidim for such reason, may continue in membership and her (or his) Finta will be reassessed as a single person.

6.4 Ex-officio Yehidim

The Haham, Ab Beth Din, Ministers, Executive Director, Superintendents of the Synagogues of the Congregation and former holders of these offices may be elected ex-officio Yehidim of the Congregation and shall be exempt from the payment of Finta.

6.5 Congregante Members

The Gabay's Committee shall have the power of electing as Congregante members those who or either of whose parents shall have been Yehidim (or Yehidot) or Congregantes of this Congregation or of any other recognised Congregation of Spanish & Portuguese Jews, or who have contracted to marry Spanish & Portuguese Jews and who are unable for financial reasons to become Yehidim. Congregante members shall belong to the Synagogue and shall be entitled to apply to have their marriages solemnised under its auspices, but shall not be entitled to any other of the rights or privileges of Yehidim. The minimum charge payable by a Congregante member shall be that fixed from time to time by the Board.

7 Meetings of Yehidim

7.1* Annual Meetings

The Yehidim shall be summoned to their annual meeting in the month of Adar or in the month of Veadar in a leap year or at the discretion of the Board on any day thereafter prior to Shabbat Hagadol. The Yehidim shall be given twenty-eight days' previous notice in writing of such meetings and not less than fourteen days notice stating the business specified by the Board to be transacted at the meeting.

At least 14 days prior to the date fixed for such meeting the Board's Speech and statement of accounts of the Congregation for the last completed financial year will be:

- Sent by e-mail to all Yehidim who are on the Congregation's e-mail distribution list
- Available to Yehidim to download electronically
- Available to Yehidim on request in paper format.

Copies will also be available at the meeting. Apart from business specified by the Board, no resolution or motion may be proposed at an Annual Meeting unless notice thereof supported by at least 10 Yehidim has been received by the office of the Executive Director at least 21 days prior to the date fixed for such meeting. No support of a Yahid to such notice shall be effective if, at the date of the notice, he is indebted to the Congregation for Finta for one year or upwards as defined in Ascama 4.2.

7.2 * Other Meetings

- (a) Meetings of Yehidim other than the Annual Meetings shall be convened:
- (i) pursuant to a resolution of the Board; or
 - (ii) if at any time within two calendar months after the expiry of the mediation process set out in Ascama 14.4, a valid requisition from not less than forty Yehidim is addressed to the Parnas Presidente at the offices of the Congregation and copied as stated in (b) below to the Executive Director. A Meeting convened in pursuance of a requisition shall be held within twenty-eight days from receipt of the requisition.
- (b) (i) Any requisition for a meeting shall state the object of the meeting. The requisition will only be valid if the object is the same as raised under Ascama 14.4 under the expired process mentioned in (a)(ii) above.
- (ii) Signatures may be on copies of the same document, but all shall be actual signatures, accompanied by the name in block capitals and all signed copies shall be delivered at the same time with a list naming the signatories and numbering them to show their agreed first three-named signatories as well as a number (for reference purposes only) against the other signatories. The copy to the Executive Director shall be a single copy accompanied by the list of signatories numbered as above, and shall be both a paper copy delivered to the offices of the Congregation and an emailed copy with in each case a copy of the numbered list of signatories.
- (iii) No signature of a Yahid to a requisition shall be effective if he is indebted to the Congregation for Finta for one year or upwards as defined in Ascama 4.2.
- (c) A requisition shall be deemed withdrawn if a withdrawal is addressed and copied as in (ii) above by either more than half the requisitioners or such number that those not withdrawing number less than forty.
- (d) Not less than fourteen days' notice shall be given of all meetings of the Yehidim other than the Annual Meeting or a meeting held under Ascama 1.2.

7.3 * Quorum; Chair of Meeting

At every meeting of Yehidim twenty-five shall form a quorum and the Yehidim shall have the right to elect one of those present as chair of the meeting who, in the event of an equality of votes on any matter except an election, shall have a second or casting vote.

7.4 * Eligibility to Receive Summons

- (a) All Yehidim, except those specified in Ascama 7.4(c) and (d) and in Ascama 7.5, shall be summoned to all meetings of Yehidim and shall be entitled to vote. Proxies shall not be permitted.
- (b) The accidental failure to give notice to any Yahid or the accidental failure to send any

requisite information or documents to any or all Yehidim or the non-receipt of any such notice, information or documents shall not invalidate a meeting, provided that, in the case of failure to send information or documents to all Yehidim, the failure shall, immediately upon discovery, be brought to the attention of the Board who shall decide whether and, if so, on what terms, it is appropriate to proceed with the matters or any of them contained within the notice. Yehidim shall promptly be informed of any such decision of the Board.

(c) No person indebted to the Congregation for Finta for one year or upwards, as defined in Ascama 4.2, shall be entitled to vote unless he has discharged such debt at least seven days before the date of the meeting nor shall such a person be entitled to receive a ballot paper or means to electronic or other voting unless and until he has discharged such debt by a date to be specified for each election. A list of Yehidim so disqualified shall be available at each meeting.

(d) No person who has become a Yahid within 7 days prior to the date of a Notice summoning a meeting shall be entitled to receive such Notice or to attend such meeting or to vote or to receive a ballot paper or means to electronic or other voting in relation to any matter on the agenda for such meeting.

7.5 Attendance of Officials

No salaried Officer, save in the course of his duty, and no Yahid in receipt of a pension from the Congregation, shall be entitled to receive notice for or attend at any meeting of the Yehidim. No such person shall vote at any meeting or attempt to influence any election to an office, (honorary or otherwise), in the Congregation.

7.6 Meetings by video and other link

(a) Any meeting of Yehidim under this Ascama may be held in more than one venue at the discretion of the Board by electronic visual and sound link enabling participation at each site if in their opinion this is practical and the cost is reasonable, provided that all participants in the meeting can be heard by all other participants (but a meeting shall not be invalid if inadvertently this is not the case). The Board shall make arrangements to count and aggregate the numbers if necessary to establish whether a quorum is present.

(b) The notice of meeting (or a subsequent notice if the Board considers it sufficiently ahead of the meeting) shall indicate the arrangements for participation.

(c) Individuals may participate by telephone or other link at the discretion of the chair and will count towards the quorum provided that all participants in the meeting can be heard by all other participants (but a meeting shall not be invalid if inadvertently this is not the case).

8 Finta Beth Haim and Burial Charges

8.1 Payment of Finta Beth Haim

Every Yahid and every Yehida not being the wife or widow of a Yahid shall at the time of his or her election pay in addition to his or her Finta a non-recurrent sum termed 'Finta Beth Haim'. Any person joining the Congregation aged 70 or over and any existing member of the Congregation aged 70 or over will not be entitled to pay Finta Beth Haim. The payment of

Finta Beth Haim serves as a contribution towards the cost of acquiring and maintaining the burial grounds of the Congregation and as payment in advance for the eventual provision of graves for the Yahid or Yehida and for the Yahid's wife and unmarried children under the age of 19.

8.2 Exemptions from Finta Beth Haim

The Board may forgo Finta Beth Haim in the case of anyone who does not desire to acquire the right to be buried in the burial grounds of the Congregation.

The Board may waive the payment of Finta Beth Haim on the election of a Yahid engaged to be married to a Yehida who has already paid it. It may in special cases at the discretion of the Board be paid by instalments and in the case in particular of a fulltime student under 23 years of age on election may be paid by an initial instalment of such sum as the Board from time to time may determine and by further instalments at the discretion of the Board.

8.3 Burial Charge

In addition to the foregoing, a Burial Charge shall be levied on the family or representative or estate of a deceased Yahid or Yehida who is to be buried by the Congregation. The Burial Charge shall comprise a Basic Charge which shall be applicable to all burials together with any additional charges which may be made in respect of expenses incurred for the particular funeral. Any person joining the Congregation aged 70 or over will not be entitled to those reduced burial fees, including the single grave supplement and the Hoop Lane levy, normally available to members.

8.4 Fixing of Finta Beth Haim

The Hebra shall each year in the month of Shebat or Adar make recommendations to the Board concerning Finta Beth Haim and concerning the maximum charge to be made for the burial of any person in respect of whom Finta Beth Haim has not been paid during his or her lifetime. In determining this maximum charge, the Hebra shall take into account the Basic Burial Charge applicable to Yehidim and other factors considered relevant by them, including current rates of Finta and Finta Beth Haim.

After receiving the recommendations of the Hebra, the Board shall each year specify the Finta Beth Haim payable by persons who at the time of their election fall into one of the following categories:- (a) under 23 years of age; (b) aged 23 years or over but less than 30 years; (c) aged 30 years or over but less than 40 years. The Finta Beth Haim payable by those aged 40 or over at the time of their election shall be determined by the Gabay's Committee.

8.5 Late Payments

A Yahid who has failed to pay his Finta Beth Haim within the prescribed or permitted time and who thereafter wishes to secure the facilities referred to in this Ascama may, if he is under 40 years of age, secure such facilities upon payment of such sum as he would be liable to pay as Finta Beth Haim if, on the date he requests such facilities, he were elected a Yahid or, if aged 40 years or over, upon payment of such sum as the Gabay's Committee may at their discretion determine. An allowance shall be made in respect of any sum previously paid by him on account of Finta Beth Haim.

If a deceased Yahid had during his lifetime failed to pay the full amount of Finta Beth Haim for which he was liable, the Parnasim of Hebra shall determine the sum to be paid in respect of this default, such sum to be in addition to the Burial Charge payable for the burial of the

Yahid concerned, provided that the total charge shall not exceed the maximum charge determined by the Board for the burial of a non-member.

8.6 Cessation of Membership

A Yahid who resigns or forfeits his membership shall not be entitled to a refund of Finta Beth Haim. However, if at the date of his resignation he is not indebted for Finta, the Finta Beth Haim paid by him shall be deducted from his funeral account, if he is buried by the Congregation.

8.7 Members of Participant Congregations

Where burial rights in the burial grounds of the Congregation have been secured by another Sephardi congregation (hereinafter termed a 'participant congregation') for the benefit of its members, the provisions of these Ascamos relating to the acquisition of burial rights, the charges made for burial and the reservation of graves shall apply to the members of such a participant congregation as they apply to Yehidim. The Hebra shall as a condition of granting or providing burial facilities require the congregation concerned to make such arrangements or to enter into such agreements as will ensure compliance with the said provisions. The matters to be determined by the Gabay's Committee under Ascamos 8.4 or 8.5 shall in the case of members of a participant congregation be determined by the Hebra at their discretion.

9 Elections - General

9.1 Ineligibility of Officers for Election

No full-time salaried Officer of the Congregation or person employed by any of its ancillary organisations (including any organisation in which the Congregation is one of the parent bodies) shall be eligible for election as an Elder or Deputy of the Congregation or as Chair of any of the congregational societies, committees, or boards other than the Society of Lavadores. This ineligibility shall not debar any gentleman thus employed from being invited to accept appointment as Hatan Torah or Hatan Bereshit in that synagogue where he regularly worships, as provided for by Ascama 17.4.

9.2 Other Disqualifications

(a) No person shall be eligible for election as an Elder or as a Deputy of the Congregation if he is an undischarged bankrupt or if he has been convicted of a criminal offence and thereon sentenced to imprisonment without the option of a fine (whether or not that sentence is suspended) and has not been pardoned or had his sentence remitted or his conviction quashed. If any person elected to such office or position becomes or is found to be an undischarged bankrupt or to have been convicted and sentenced as aforesaid without having been subsequently pardoned or having his sentence remitted or conviction quashed the office or position held by him shall forthwith be vacated.

(b) No person shall be eligible for election as an Elder or as a Deputy of the Congregation if incapable by reason of mental disorder, illness or injury of managing his own affairs. If any person elected to such office or position becomes or is found to be so incapable the office or position held by him shall forthwith be vacated.

(c) Finta debtors, as defined in Ascama 4.2, are not eligible to:

- (i) serve on any of the following Congregational committees in any capacity: Board, Finance committee or any other committee named in the ascamos or established

by the Board or any committee or named part of an organisation included at the time on a list maintained by the Board for the purpose of this Ascama. The Board shall review the list at least once each calendar year, between the months of April and December. The list shall be available from the Congregation's office and its website;

- (ii) represent the Congregation on any of the following committees and organisations:

Cemetery Management Committee London Board for Shechita

Board of Deputies Investment Committee

At the discretion of the Board, any other committees or organisations to which the Congregation may be invited to send a representative;

- (iii) serve as:

A Parnas Hatan Torah or Hatan Bereshit

Parnas of Cautivos or Parnas of Terra Santa

9.3 Qualifications of Women for Office

- (a) A woman may not serve as Parnas Presidente or Local Parnas.
- (b) The proportion of women serving as Elders may not exceed one half.
- (c) No woman shall be entitled to any precedence in any Synagogue of the Congregation or to participate in the ceremonial ritual of the Congregation.

9.4 Publication of Names of Candidates

Prior to the holding of any election by the Yehidim or by the Board of any person for any office or post there shall be displayed at each of the Synagogues of the Kahal and for such periods as the Board shall determine and at such places as they shall designate the names of all candidates together with information (if any) required by Ascamot and such other information (if any) as the Board shall determine.

10 Board – General

10.1* Duties of the Board

(a) *Overall responsibility*

The Board shall be responsible to the Congregation for the direction and overall control of all the affairs of the Congregation and may delegate powers in relation thereto.

(b) *Role of the Elders*

The Elders, being members of the Board, are those responsible for the general control and management of the administration of the Congregation, with power to delegate as provided

in these Ascama. The Elders are also the charity trustees of the Charities ICW, pursuant to the Charity Commission's Scheme dated 29 May 1958.

(c) Long-term Planning

The Board will establish and keep under review a formal statement of the Congregation's aims and goals, and (when in agreed form) publish it in the printed annual speech to Yehidim.

(d) Business Plan

The Board's role includes formulating strategy and designing, keeping under review and implementing the Congregation's business plan. The Business Plan shall be presented annually to Yehidim in General Meeting.

(e) Legal compliance

The Board is responsible for ensuring that the affairs of the Congregation are administered in accordance with the law (and these Ascama and resolutions passed at meetings of the Yehidim) and shall take advice from time to time as to the procedures in place for keeping up to date in this respect. The Board is also responsible for the Congregation's proper governance and the Elders for their fiduciary duties in carrying out their role.

(f) Participation on committees

Participation on at least one committee (constituted under Ascama 11) will normally be obligatory for all Elders except the Parnas Presidente (who may nonetheless participate at his option if invited to do so by the Board). In exceptional circumstances the obligation may be suspended by a majority vote of the Board (in which the relevant Elder does not participate). See also 10.5 below.

(g) Performance reviews

The Board shall put in place (and keep under review) a process to:

- (i) review at least annually the performance of each individual Elder, including their commitment to committees; and
- (ii) obtain advice from time to time on the efficacy of the governance structure of the Congregation and the performance within it of the Board as a whole.

(h) Committees

There shall be a Finance committee (see Ascama 13.2) and such other committees as the Board may establish under Ascama 22.

10.2* Composition of the Board

(a) The Board shall comprise 9 persons, being Elders elected under Ascama 11, including a Gabay.

(b) The Board shall (subject to Ascama 9.3) as soon as may be elect one of its number as its chair who will be titled Parnas Presidente and will normally serve for the duration of his current term of office under Ascama 11.

(c) The Board shall elect from time to time one of its number as its vice-chair who will chair meetings in the absence of the Parnas Presidente, but will not automatically succeed him on death or retirement.

(d) The Honorary officers (Parnas Presidente, vice-chair, Gabay) may be collectively referred to as the Mahamad.

10.3* Induction process for new Board members

Any newly elected Elder shall, unless previously an Elder or member of the previously constituted Mahamad, undertake an induction process organized by the executive director. Where possible, this will be completed within one month of the election or appointment date. The Board shall review the format of the induction process at least every three years.

10.4 Confidentiality : Repute

Members of the Board and of Committees shall:

- (i) keep confidential the affairs and proceedings of the above (save where agreed otherwise);
- (ii) not bring the above or the Congregation into disrepute.

10.5 Committee membership etc – effect of breach or inefficiency

(a) Any person appointed by the Board to a Committee may be stood down on a majority vote of the Board (without prejudice to the power under 13.2 or any other Ascama to reconstitute the same without showing cause) if the individual is in breach of 10.4 above, in the reasonable opinion of the other Elders, or fails to perform effectively.

(b) Any person to be stood down under (a) above shall be informed of the complaint against them and have the opportunity to answer it, either in person or by letter to the entire Board.

(c) A complaint regarding performance may either outline or specify in detail the failure, but the individual shall have the right to attend and speak (but, if a Board member, not vote) at the meeting at which the final decision is taken.

(d) A complaint regarding breach of confidence or disrepute shall specify the alleged failing with sufficient detail for the individual to prepare a reasoned reply. The individual shall have the right to attend and speak (but, if a Board member, not vote) at the meeting at which the final decision is taken.

10.6* Matters requiring General Meeting

The following matters shall require approval of the Yehidim in a General Meeting before being put into effect by the Board:

- (i) opening or closing of any Synagogue forming, or admitting a Synagogue as, a constitutional part of the Congregation, the present three Synagogues being Bevis Marks, Lauderdale Road and Wembley;
- (ii) any fundamental change to the character of the services, customs or minhagim of the Congregation;

(iii) the appointment of a Senior Rabbi under the procedures of Ascama 19 and 20.

11 Election of Elders

11.1 * Election Vested in Yehidim

The election of the Elders (referred to in Ascama 10.2) shall be vested in the Yehidim of the Congregation.

11.2* Synagogue representation

(a) *At least one Elder per present three Synagogues*

If at an election:

(i) there are no Elders from a particular Synagogue whose term of office does not then expire; and

(ii) there is an eligible nominee for the non-Gabay vacancies who will (at the election date) have been on that Synagogue's roll of electors for at least a year (or whose nomineehip is approved for the purpose of this Ascama 11.2 by the relevant Local Synagogue Committee and who agrees that, if elected, he will transfer his seat to that Synagogue if he has not already done so);

the nominee (or, if more than one under (ii) above, the eligible nominee with the highest votes) will, unless the Gabay is elected from that Synagogue, be elected, regardless of votes cast for nominees from other Synagogues.

(b) *At least three Elders for Bevis Marks and Wembley combined*

If at an election:

(i) there are not three Elders from the two Synagogues of Bevis Marks and Wembley combined, whose term of office does not then expire, and after the process in (a) above there will still not be three such Elders;

(ii) then (unless the Gabay when elected becomes the third such Elder) if there is an eligible nominee for the non-Gabay vacancies who will (at the election date) have been on either such Synagogue's roll of electors for at least a year (or whose nomineehip is approved for the purpose of this Ascama 11.2 by the relevant Local Synagogue Committee and who agrees that, if elected, he will transfer his seat to that Synagogue if he has not already done so);

the nominee (or, if more than one under (ii) above, the eligible nominee with the highest votes) will be elected, regardless of votes cast for nominees from other Synagogues.

(c) This Ascama 11.2 applies only to the Synagogues at Bevis Marks, Lauderdale Road and Wembley, and not to any that may be added to the Congregation unless this Ascama is altered.

11.3* Eligibility for Election

(a) Any Yahid shall be eligible for election as an Elder, subject to (b) below (and to the rest of Section 9 of the Ascama and to 11.4 below), if he is not indebted for Finta for one year or

upwards, as defined in Ascama 4.2.

(b) In accordance with Ascama 9.3 the proportion of women serving as Elders is limited to one half. Accordingly if at an election there are any female Elders whose terms of office do not then expire and an additional female would increase the proportion of women beyond one half, no woman will be eligible to be nominated at that election.

11.4* Extent of eligibility for Re-election

An Elder who has held such office for two consecutive terms of three years, or a shorter term immediately followed by a term of three years, shall not be eligible for re-election as an Elder until a further two years shall have elapsed (but may participate on a Board committee). Periods prior to 7 July 2016 as an Elder or member of the previously constituted Mahamad, and any term of less than one year prior to an election, are to be ignored.

11.5* Board to include no more than two family members

At any one time only two members of a wider family (as defined in Ascama 1.1) may serve on the Board.

11.6* Time of Election; Term of Office

(a) Each year, three Elders shall be elected by the Yehidim.

(b) Term of office shall be three years from Shabbat Hagadol, subject to 11.6A below.

(c) Elections shall take place in the month of Adar, (or Veadar in a leap year), or at the discretion of the Board on any day thereafter prior to Shabbat Hagadol. The dates for elections shall be fixed by the Board.

11.6A* Election in 2016 (and transitional terms of office)

(a) In the year 2016, the term of office of all Board members shall, in place of the above, expire on 7 July 2016, except for the two members of the former Mahamad whose terms were due to expire in 2017 who shall continue as Board members and be Elders until the due expiry in 2017. The date for elections for the other seven positions may be any day up to 7 July 2016.

(b) Of the seven persons elected in 2016, one shall hold office until the election in 2017, three until the election in 2018, and three until 2019 as mutually agreed or determined by lot after the election.

(c) On the expiry in 2017 of the two terms that began before 7 July 2016, or on the expiry of three new terms in 2018 under (b) above, the relevant persons will only be eligible to stand for one subsequent consecutive term of three years.

(c) Ascama 11.10 shall apply, the proclamation being on the first Shabbat after the conclusion of the 2016 elections.

(d) After the 2018 elections, this Ascama (and the words in 11.6 "subject to 11.6A below") shall cease to be relevant and will be omitted from the Ascama, and in 11.7(a) the reference to 11.6A shall become 11.6.

11.7* Procedure for Election

(a) At least forty-two days' notice shall be issued to the Yehidim of the date fixed for any election of Elders. Such notice shall give the names of the nominees of the Board, state whether male or female, and regarding a male nominee who has ticked a box indicating that he would be willing to serve as Parnas Presidente, stating that this is so and that the Board would not be bound by this when making its choice. The notice shall invite nominations within fourteen days, set out in full Ascama 9 and 11.1 to 11.6A, and include a brief outline of the key duties of the Elders including (if applicable at that election) the Gabay.

(b) (i) Any three Yehidim may then nominate in writing any duly qualified Yahid as a candidate on the form from time to time prescribed by the Board. The written consent of the nominee on the nomination or on a copy of it shall accompany any nomination made. Those standing for position of Gabay will so indicate on their nomination form. A male nominee may, at his option, tick a box to indicate whether he would be willing to serve as Parnas Presidente, the form stating that the Board would not be bound by this when making its choice.

(ii) At the discretion of the Board nominations and consents may be in scanned form and emailed, and exceptionally, at discretion, may be emailed separately.

(c) If the number of eligible nominations does not exceed the number of vacancies (and separately so if there is a Gabay vacancy), and the number of female nominees (if any) would not bring the proportion of women on the Board beyond one half, the persons nominated shall be deemed to be elected at the expiration of the twenty-eighth day before that fixed for election.

(d) In all other cases an election shall take place by postal ballot (with provision also for both electronic and telephone voting unless in either of these two cases in the opinion of the Board this is costly or impractical, in which case the Board shall declare the basis of its reason).

(e) A list of the nominees with their proposers, the year of each nominee's admission as a Yahid, a brief statement if the nominee wishes (including offices held (if any) in the Congregation), where applicable a note that the nominee is under the age of thirty-five years, together with the regulations governing voting and a ballot paper, shall, except as provided in Ascama 7.4, be sent to all Yehidim at least fourteen days before the date fixed for the election.

(f) Subject to the effect of Ascama 9.3 and 11.2, those candidates receiving the largest number of votes shall be declared elected. In the event of an equality of votes the successful candidate will be determined by lot, under a procedure determined under (h) below (unless any withdraw(s)). If the number of female nominees (if any) could bring the proportion of women on the Board beyond one half, those with higher votes will, subject to that limit and after first taking 11.2 into account, be elected.

(g) A nominee for Gabay may, if he or she so declares, also stand for the general Elder positions, and if elected Gabay is not counted for the general positions.

(h) The Board may from time to time prescribe regulations governing the procedure for voting and for the conduct of the ballot.

(i) The Elders who are not subject to a particular (or simultaneous) election, apart from any who are members of the wider family of the candidate concerned, shall determine the management of ineligibility or potential ineligibility under Ascama 11.5 at that election (whether it be found before or after nomination - or after the election). They may exclude or disqualify persons by agreement or by lot or by reference to votes cast (as they consider

appropriate), and in such event shall decide whether to treat a resulting vacancy (if any) as casual or to hold a further election.

11.8* Synagogue Affiliation

Every candidate for election as an Elder shall state on his form of nomination of which Synagogue of the Congregation he is (pursuant to the provisions of Ascama 15.5) an elector.

11.9* Casual Vacancies

(a) (i) If death, resignation or disqualification results in a Synagogue, as mentioned in Ascama 11.2(a), having no elected Elders, or there being less than three as mentioned in Ascama 11.2(b) (having immediately previously in either case had such), the Board shall co-opt from the Synagogue of the former Elder, after consultation with the local Committee, a Yahid who, having regard to Ascama 9.3 and 11.2, would be eligible to serve as an Elder.

(ii) In other cases of casual vacancy, the Board may (but shall not be obliged to) co-opt, not necessarily from the same Synagogue as the departed Elder, a person so eligible, and may likewise co-opt to fill any vacancy remaining after an election.

(iii) Co-optees shall serve only until the next following election of Elders.

(b) Where an elected Elder ceases to serve during his term of office (other than during the final year), or there was a vacancy remaining after an election, an elected replacement shall serve for the remainder of the term, but for subsequent eligibility will be treated as having served for three years.

(c) The Board may co-opt a person (eligible as stated in (a)(i) above) to cover the temporary absence of an Elder for a period which is expected to exceed two months. Such person shall have full voting rights on the Board. He will cease to participate when the absent member becomes available and gives notice to that effect to the Parnas Presidente (who shall inform the co-optee and the Board).

11.10 Proclamation in Synagogues

The result of elections held in accordance with Ascama 11.6 and 11.9 shall be proclaimed in the Synagogues of the Congregation on Shabbat Hagadol.

12 Meetings of the Board

12.1 Procedures at Meetings of Board

(a) Every Elder shall be summoned to all meetings of the Board, but inadvertent omission to do so shall not render invalid a quorate meeting.

(b) The quorum shall normally be five, but six to consider resolutions under Ascama 1.2 (alteration of ascama).

(c) The Parnas Presidente shall chair board meetings or in his absence the vice-chair but if both are unwell, or not present within ten minutes after the time appointed for the meeting, the Elders present, if quorate, may appoint one of their number to chair that meeting.

(d) A meeting of the Board may be convened to take place by video-link or by aural conference call provided that all participants in the meeting can be heard by all other participants.

(e) Apart from (d) above, and with the agreement of the chair of the meeting, exceptionally an Elder may be present by telephone or other electronic link and any such person or persons shall count towards a quorum.

(f) No person shall speak in a debate upon any question more than once, without the permission of the chair, save the mover, who shall have the right to reply. The asking of questions shall not be deemed to be the making of a speech.

(g) No propositions shall be debated nor put to the vote until seconded.

(h) An amendment shall be put first to the vote, and a motion for adjournment shall at all times have priority over any other question.

(i) No member shall vote at any meeting or be competent to sign a requisition for a meeting (under 12.2(b) below) if he is indebted to the Synagogue for Finta for one year or upwards, as defined in Ascama 4.2. A list of any Elder so disqualified shall be placed before the chair at each meeting.

(j) All questions requiring a vote shall be decided by a majority of votes, subject to 12.4 below (property or fund disposals, grants, unbudgeted material expenditure). In the case of equality the Parnas Presidente (or other chair under (c) above) shall have a second or casting vote.

(k) Any proposed enactment bearing on Halacha must be approved by the Ecclesiastical Authority of the Congregation prior to ratification.

12.2 Frequency of Meetings of Board, notice, attendance

(a) The Parnas Presidente shall convene the Board to meet whenever he deems it to be necessary (see (e) below re notice).

(b) If in the view of five or more Elders it is requisite to call a meeting of the Board and after receipt from them of a written request (not subsequently withdrawn) stating the subject to be considered, the Parnas Presidente fails to do so within five days for a meeting to be held within two weeks of his receipt of the request, they (or one stating that it is on their behalf) may do so by written notice to each Elder for a date at least one week after that notice and to be held in the usual place for Board meetings.

(c) One such meeting, the Annual Session (see 12.3) shall be held in the month of Tebet or Shebat (or as soon thereafter as may be convenient).

(d) Notice of a meeting of the Board shall state the purpose or purposes for which the meeting is convened and indicate in reasonable detail the business to be transacted.

(e) Except in the event of an emergency at least one week's notice shall be given for normal meetings and two weeks' to consider resolutions under Ascama 1.2 (alteration of ascamot)..

12.3 Annual Session of Board (& Dower Societies and unrelated other matters)

(a) At the Annual Session of the Board, the Accounts of the Congregation for the financial year ending with the preceding 31st day of October and the estimates of the sums to be expended during the following financial year shall be presented together with a report on the

general affairs of the Congregation.

(b) At the Annual Session of the Board, in alternate years, the Board shall carry out its function to elect 6 to 8 trustees of the Dower Societies, registered with the Charity Commission (under no.1094694), in accordance with the scheme of the Commission dated 7 August 2002 (as amended from time to time).

(c) The Board shall, as and when required, elect delegates to the London Board for Shechita, the Hoop Lane Joint Burial Committee, the Edgwarebury Joint Burial Board and other Anglo-Jewish bodies on which the Congregation is represented.

12.4 Property or fund disposals, grants, unbudgeted material expenditure

A majority of two-thirds of those present at a Board meeting (including by telephone or aural link), subject to a minimum of five votes in favour, shall be required for carrying any resolution which is:

- (i) for the sale (or swap or other disposal) of any part of the properties of the Charities ICW or for the sale (except for the purpose of re-investment) of any of the invested funds of the Charities ICW; or
- (ii) for approving a pecuniary grant of any kind; or
- (iii) for approving or authorising any expenditure by or on behalf of the Charities ICW in excess of £150,000 if such expenditure has not been included in the budget previously approved by the Board for the year in which it is due to be spent.

Before such resolution, the Board shall have received advice from the Finance committee (see Ascama 13.2) and any other proper advice as may be required under the Charities Act 2011 (as amended from time to time).

13. Gabay, Finance Committee

13.1 Remit of the Gabay

(a) The Gabay shall be the Elder with delegated responsibility by the Board for the management and supervision of the financial affairs of the Congregation including in particular responsibility for investment, financial planning and supervision of income and expenditure (see also Ascama 5 re finta). At the appropriate meetings he or she shall present the annual accounts of the Charities ICW (including those of the London Sephardi Trust) to the Board and to the Yehidim, and shall report to the Board regularly.

(b) When a Gabay takes office (including the filling of a casual vacancy) the Board shall ensure that a majority of the existing Finance committee continues in office if willing, but thereafter may, after consulting the Gabay, reconstitute the committee as and when it thinks fit.

(c) The Gabay shall chair the finance committee and shall be an ex-officio member of the Investment Committee of the London Sephardi Trust.

13.2 Finance committee

(a) The Finance committee shall be a Standing committee of the Board (to which Ascama 15.1 shall apply, subject to this 13.2) and shall comprise three or more members

appointed by the Board together with the Gabay ex officio. Members shall be appointed to serve for a term of three years. They shall be eligible, on retirement, for re-appointment for not more than two further such terms unless then serving on the Board.

(b) The Gabay shall be the committee's chair, and on the Gabay's recommendation, the Board shall appoint a vice-chair.

(c) If any member be elected to the Board (other than as Gabay) he or she shall, upon assuming office on the Board, cease to serve on the Finance committee. If elected Gabay he shall, upon assuming that office, cease to an 'appointed' member of the committee but shall serve on it as Gabay.

(d) If for any reason a vacancy occurs, Board shall as soon as possible appoint a replacement for the remainder of the term of office of the previous holder.

(e) Only one member of a wider family (as defined in Ascama 1.1), including the Gabay, may serve on the Finance committee at any one time.

13.3 Finance committee - Terms of Reference

(1) The Finance committee shall be answerable to the Board for overall advisory and supervisory functions in relation to the financial affairs of the Congregation.

In particular, its responsibilities shall include:

(a) Recommending annually to the Board the minimum amount to be raised as Finta.

(b) Submitting annually to the Board recommended budgets for each of the major areas of expenditure, together with a consolidated budget for the ensuing year.

(c) Quarterly examination of the synagogue accounts in the light of the above budgets and reporting thereon to the Board.

(d) Consideration of any proposed expenditure not provided for in the above budgets and making recommendations thereon to the Board.

(e) Reviewing:

(i) the regular reports as and when due to be submitted by the Investment Committee of the London Sephardi Trust to the Board (see 13.1(c) re Gabay).

(ii) an initial report and such subsequent reports as it may require of the Congregation's financial systems and procedures, including those of all the funds of which the Board or ex officio Elders are majority trustees or have management responsibilities.

(f) Reporting to the Board:-

(i) at its annual budget meeting;

(ii) at the meeting immediately prior to the Annual Meeting of Yehidim;

(iii) with its comments on the reports received under (e) above;

(iv) at any other time at its discretion when the committee considers any matter should be brought to the early attention of the Board;

- (v) at any other time when so requested by the Board.
 - (g) Recommending to the Board, and keeping under review, a more detailed remit than the above.
 - (h) Such other functions as decided by the Board, subject to the agreement of the committee.
 - (i) To meet at least 6 times per year.
- (2) (i) All capital expenditure exceeding £30,000 must be referred to the Finance committee by the Board for its comments and recommendations (ii) The committee is to ensure that all capital expenditure requests be accompanied by a note detailing the nature of the expenditure together with a cost benefit analysis of the proposal, and at least two estimates for the cost of the work. (iii) The committee is to be notified by the Board of capital expenditure below this threshold.
- (3) The Board must also refer all proposed new recurring revenue expenditure of more than £10,000 to the Finance committee for its comments (which shall be reported at the next Board meeting, for information). The committee is to be notified of recurring revenue expenditure below this threshold.
- (4) The Board and the officials of the Synagogue shall, in their management of the financial affairs of the Congregation, follow systems and procedures approved from time to time by the Board on the recommendation of the Finance committee.

14. Advisory Council

14.1* Role of the Council

There shall be an Advisory Council to provide support to the Board in the following areas:

- (a) The Council's members will be appointed primarily for their individual expertise that may be called upon by the Board by mutual agreement with relevant members for projects or particular advice.
- (b) The Council as a whole will meet with the Board at least once a calendar year. Additionally, the Council may, by majority resolution (which may be effected by email), through its chair raise matters at any scheduled Board meeting, where possible after a week's notice prior to the meeting from the Council chair to the Parnas Presidente and Executive Director.
- (c) The Congregation's Business Plan, to which the Finance committee shall have given input to the Board, shall be presented annually to the Advisory Council, for information only, and in the case of a revised plan ahead of presentation to the Congregation, as an opportunity for the Council to understand better the Board's intended future plans. Presentation will normally be by at least two members of the Finance committee and additionally, if neither is an Elder, with an Elder in attendance.

14.2* Composition of the Council

- (a) The Council will include chairs of committees designated by the Board, to include at least the chairs of the Local Synagogue committees, Hebra, Fund-raising, and the vice-chair

of the Finance committee.

(b) Other members of the Council, including its chair (appointed as such and referred to in these ascamot as the 'Council chair'), will be Yehidim appointed by the Board, by mutual agreement, the total number, including ex-officio under (a) above, normally, but not necessarily, being between 12 and 25.

14.3* Council chair

The Council chair has the following roles:

- (i) as ambassador for the Congregation at the invitation of the Board, as outlined below;
- (ii) as chair of the Advisory Council;
- (iii) as attendee at most Board meetings, as outlined below;
- (iv) as a mediator for matters raised by 40 Yehidim, under Ascama 14.4 below.

The ambassadorial role is representational, to act as an emissary of the Board, in a non-policymaking and non-political capacity, the latter two being the function of the Parnas Presidente who is effectively president of the Congregation.

The Council chair will be given notice when each Board meeting is convened, and will be entitled and expected to attend (if able) unless requested not to do so, and will be entitled to speak, but not to vote. In exceptional cases the Council chair may be asked to be absent for one or more agenda items.

14.4* Requisition by 40 Yehidim – role of Council chair as a mediator

(a) Where 40 or more Yehidim ("the requisitioners") address to the Council chair at the Congregation's office a request copied to the Executive Director to raise a matter with the Board, complying with (b) below, the remaining provisions of this Ascama 14.4 shall apply.

(b) To be valid the request must meet the same conditions regarding signatures, finta debtors, copies and email as a requisition under Ascama 7.2, and state the object of the request.

(c) The role of the Council chair shall be to mediate, through the four persons stated in (d) below, between the requisitioners and the Board with a view to achieving an agreed outcome. If that has not been achieved within 28 days of receipt of the request by the Congregation's office, the mediation process shall be deemed to have expired unless the four persons agree to extend it.

(d) Mediation shall take place between two nominees of the Board, and the two first-named signatories of the request (or their respective nominees).

14.5* Terms of office

(a) The membership of ex-officio members of the Council under 14.2(b) above, shall be co-terminous with their terms of office pursuant to which they hold an ex officio position on the Council.

(b) All other Council members, including the Council chair, shall be appointed by the Board for terms of three years (with eligibility for re-appointment).

14.6* Meetings

(a) The meeting with the Board under 14.1(b) above shall be convened at a date agreed between the Council chair and the Parnas Presidente, after consultation with the Executive Director or his or her nominated deputy.

(b) The meeting under 14.1(c) above, when the Congregation's Business Plan is to be presented, shall be convened at a date to be agreed between the Council chair and the vice-chair of the Finance committee, after consultation with the Executive Director or his or her nominated deputy.

(c) The Council may be convened by the Council chair at other times after consultation by him/her with at least two of its ex-officio members and at least two of its appointed members.

(d) All Council meetings will ordinarily take place on the site of one of the synagogues of the Congregation.

15. Committees (Board and Others)

15.1 Standing and Ad Hoc Committees (& see 13.2 Finance committee)

(a) The Board may at a meeting convened for that purpose from time to time establish standing or ad hoc committees and shall designate each committee as executive or advisory or both and may delegate thereto such of their power as they deem necessary or expedient. Provided always that:

(i) the delegated executive power (if any) of such committees shall be defined by the Board who shall in the case of financial powers (if any) obtain advice from the Finance committee;

(ii) notwithstanding any delegation of powers the Board shall retain its authority over any committee and shall maintain the direction and overall control of all the affairs of the Congregation

(iii) a committee shall normally include an Elder, but not necessarily as chair.

(b) The Board may reserve to itself the right to appoint the chair of any such committee.

(c) Any committee established under this Ascama 15.1 shall be subject to the general jurisdiction of the Board. The constitution and terms of reference of any such committee shall be submitted to the Board for approval and shall provide for periodical review of its membership by the Board who may also reconstitute the membership at any time.

(d) No more than two members of any wider family (as defined in Ascama 1.1) shall serve together on any Committee of the Congregation comprising fewer than 20 persons including the office-holders.

The Board may permit specific exceptions, provided that notices of any vacancies have either:

(i) been published in the Sephardi Bulletin or other Congregational Journal, or

(ii) been displayed for one calendar month in the precincts of all three

synagogues, or in the case of vacancies on Synagogue Committees of those synagogue(s) concerned; and (in either case);or

(iii) the Board is satisfied (and records in its minutes) that suitable candidates are not otherwise forthcoming to fill any vacancies in the Committee(s) concerned.

15.2 Reports of Committees, and other matters

(a) The chair of each such committee shall submit a report of the affairs of his committee to the Board in such form and at such time or times as the Board shall specify and in any event shall furnish such report in writing with if appropriate certified accounts to the Board and Executive Director once in each year. The printed Annual Speech to Yehidim shall list the committees that have been in place during the year and their principal functions as stated in the Board resolution establishing (or varying) them.

(b) The Board shall ensure that one person does not chair more than two committees unless there appears good reason (which shall be minuted) or he or she is temporarily filling a casual vacancy.

(c) If an Elder ceases to hold that office he shall thereby cease to be on any committee (except a Local Synagogue committee unless he is the Board's nominee to it) but (if willing) may be co-opted under (e) below, in which case both periods will count towards the three years of a term.

(d) Each committee established by the Board will have at least one Elder on it (but will continue to function in the event of a casual vacancy), unless a reason to the contrary is minuted by the Board. Each will if practical be chaired by an Elder.

(e) Any willing Yahid, including the Parnas Presidente, can be co-opted to any committee by the Board after consultation with the committee, save a Finta debtor for one year or upwards as defined in Ascama 4.2. This co-option power shall be exercised to bring skills and resource to committees.

15.3 Staffing, Buildings

There shall always be:

(i) a committee responsible for legal compliance in staffing matters.

(ii) a committee whose functions include maintenance of the fabric of the Congregation's buildings.

15.4 Local Synagogue Committees

(1) There shall be for each Synagogue of the Congregation a Local Synagogue Committee. Each such Committee shall comprise a chair together with elected members (the number to be determined in accordance with that Synagogue's governing document) and ex-officio members. Each Committee may also co-opt, for one year, up to two further members. The chair and each elected or co-opted member of a Local Synagogue Committee shall have been an elector of the Synagogue concerned for at least one year immediately preceding the commencement of his term of office.

(2) The chair of each Local Synagogue Committee shall be appointed by the Board, at an Annual Session of the Board, to serve in that capacity, initially for a term of two years, commencing from the date of the next ensuing Annual General Meeting of the electors of

the Synagogue concerned. Such term may be extended for one further period of two years by the Board.

(3) Elected members of Local Synagogue Committees shall be elected, to serve for a term of two years, by the Electors of the Synagogue concerned, under the provisions of Regulations agreed by the Board.

(4) The following shall be members, ex-officio, of the relevant Local Synagogue Committee:-

One Local Parnas of the Synagogue concerned (as determined in accordance with that Synagogue's governing document); in the case of Lauderdale Road one committee-member of the LRSA (as determined by the LRSA committee); provided that if any such person is an elected member of the Local Synagogue Committee there shall not additionally be a corresponding ex-officio member (unless that Synagogue's governing document provides differently if the latter is already serving ex-officio).

(5) The Rabbi and Minister of the Synagogue concerned shall be invited to attend all meetings of the Committee as non-voting members and shall be sent copies of the Minutes.

(6) The Board shall nominate, for each of the Local Synagogue Committees and after consultation with the Committee concerned, a Board member who may attend all meetings of the Committee

(7) Each Local Synagogue Committee shall be responsible to the Board for the proper conduct of the affairs of the local congregation and for the day-to-day supervision of the duties of the employees of Sha'ar Hashamayim in connection with the synagogue concerned. The detailed functions of Local Synagogue Committees, and the procedures to be followed by them, shall be as defined in Regulations approved by the Board.

15.5 Ascama Committee

a) The Ascama Committee will:

(i) draft any new Ascama and amend any existing Ascama as may be necessary to implement decisions made by the Board, having regard to the provisions of Ascama 1.2.

(ii) keep all Ascama under review, proposing any necessary amendments from time to time.

(iii) advise the Board of any departure from the Ascama if brought to the notice of the Committee and, where appropriate, make recommendations for action necessary to restore an irregular situation to conformity with the Ascama.

(iv) consider any change brought to its attention that would or might involve amendment to the Ascama, proposed by the Board, and, if considered necessary, provide comments or a draft amendment to the Ascama at the time such a proposal is submitted to the Board.

(v) advise the Executive Director of any necessary production and distribution of amended pages or a new edition of the Ascama or any change of its format.

(vi) when so requested by the Board or (subject to Board approval) by any Committee of the Congregation, draft regulations or administrative procedures, but

excluding any documents which, in the opinion of the Board or the Ascamot Committee, require professional drafting.

(b) The Ascamot Committee shall comprise at least four Yehidim, at least one being a current and another a current or former member of the Board. All members of the Committee shall be appointed by the Board to serve for a period of five years, initial arrangements being made to ensure that not more than two members retire simultaneously.

(c) The Ascamot Committee may delegate its drafting function to some of its number.

16 Presiding in Synagogue, Local Parnasim, Electors

16.1 Order of precedence for Presiding

The following shall be the order of precedence for Presiding in each of the Synagogues of the Congregation:

- The Parnas Presidente (if he so wishes), the Parnasim of the Synagogue ("Local Parnasim"), Elders (if they so wish) other than Local Parnasim, the Thesoureiro and Parnas of Heshaim, the Parnasim of Hebra, the Treasurer of Beth Holim, the Parnasim of Beth Holim, the Parnas of Terra Santa, the President of the Welfare Board, the Parnas of Cautivos, the Elders of the Congregation according to seniority of age, the Yehidim of the Congregation (other than the salaried officers) according to seniority of age.

16.2 Local Parnasim

There shall be for each of the Synagogues of the Congregation such number of Local Parnasim as may be determined from time to time by the Local Synagogue Committee.

16.3 Responsibilities of Local Parnasim

A Local Parnas of each Synagogue shall (save as provided in Ascama 17.1) during his period of presiding be responsible to the Board for the supervision of all statutory services and for the allocation of Mitzvot including the Mitzvot of Zemirot and Haphtarah thereat and for such other duties as the Board may from time to time require and may from time to time delegate all or any such duties to any other Parnas of the same Synagogue or, with the agreement of the Local Synagogue Committee, to any male Yahid.

16.4 Eligibility for appointment as Local Parnas

A Yahid (not a Yehida) shall be eligible for election as a Local Parnas if:-

- (i) he is eligible for election to the Board having regard to the provisions of Ascamot 9.1 and 9.2 and, per 11.3(a), he is not indebted for Finta for one year or upwards, as defined in Ascama 4.2; and
- (ii) he is an elector of that Synagogue.

At any one time only one member of a wider family (as defined in Ascama 1.1) may serve as Parnas of a particular Synagogue, and any uncertainty shall be decided by the Board.

16.5 Rolls of Electors : Appointment of Local Parnasim

(a) For each of the Synagogues of the Congregation the Executive Director shall establish and maintain a roll of electors who are in accordance with regulations prescribed from time to time by the Board eligible to be Local Parnasim. No Yahid shall be registered as an elector for more than one Synagogue but the name of any Yahid may at his request (and with the approval of the receiving Local Synagogue Committee) be transferred from one electoral roll to another.

(b) The manner of appointment of Local Parnasim shall be decided for each Synagogue by its Local Synagogue Committee.

16.6 Term of Office as Local Parnas : Casual vacancies

(a) Parnasim appointed under the provisions of Ascama 16.5(b) shall hold office for two years from Shabbat Hagadol or such other Shabbat as prescribed in regulations made or approved by the Board and shall (subject to the provisions of Ascama 16.4) be eligible for appointment to hold office for a second consecutive term of two years.

(b) A Parnas who has held such office for four consecutive years by election to that office shall not be eligible for re-election as a Parnas until one year shall have elapsed since he last held such office.

(c) The Parnasim of any of the Synagogues may appoint a Yahid who is eligible for election as a Parnas of that Synagogue to fill a casual vacancy until the period of office of the former holder would have expired. The Executive Director shall be informed of this appointment which shall be proclaimed in the Synagogue concerned within two weeks of the appointment.

(d) A Local Parnas who has been appointed to fill a casual vacancy for a period of less than one year shall:

(i) if appointed for less than one year, be eligible at the expiry of such period for election as if he had not served;

(ii) if appointed for one year or longer, be eligible at the expiry of such period for immediate election for only one further consecutive term of two years.

16.7 Proclamation in Synagogue

The result of the election of Parnasim for each Synagogue shall be proclaimed in the Synagogue concerned on Shabbat Hagadol or on such other Shabbat as may be prescribed by the Board.

16.8 Periods of Presiding in Synagogue

The periods of presiding in each of the Synagogues of the Congregation shall be governed by regulations made or approved from time to time by the Local Synagogue Committee.

17 Synagogue Services

17.1 Distribution of Mitsvot

The presiding Parnas shall be responsible for the distribution of all the Mitsvot, save that on the first day of Shabugnot the Thesoureiro of Heshaim or in his absence the Parnas of Heshaim shall preside, and all Mitsvot shall be announced by the Minister. No Mitsva

shall be given to anyone below the age of 13, save the reading of the Haphtarah, Hashem Melech, and 'Bells and Band'. After the Mitsvot have been announced by the Minister, no other person shall perform them except in the absence of the persons to whom they have been given.

17.2 Mitsva of Levantar; Levantadores

(a) The Mitsva of Levantar shall be given only to a member of the Society of Levantadores, and only Yehidim and Assistant and Student Ministers of the Congregation shall be eligible as members of that Society. Members of the Society shall be elected by the Board after the production to them of a certificate in writing to the effect that the candidates are able to raise the Sepher in the accustomed manner.

(b) Such certificates must be signed by any three of nine members of the Society who have been specifically appointed by the Board as examiners.

(c) Members of the Society shall hold office for three years, but may be removed by a resolution of the Board of which notice is given in the summons convening the meeting at which it is passed. They may be re-elected by the Board every three years on production of a fresh certificate, their names being submitted for that purpose at the Annual Session of the Board.

(d) All Levantadores shall be eligible to act in any of the Synagogues of the Congregation.

17.3 Rogativa

A Rogativa shall be recited only with the consent of the presiding Parnas.

17.4 Hatan Torah and Hatan Beresheet

(a) Each Local Synagogue Committee shall appoint annually, before the Shabbat preceding Rosh Hashana, two electors of the Synagogue concerned or any ecclesiastical or other Congregational official regularly worshipping in that Synagogue, to serve as Hatan Torah and Hatan Beresheet in that Synagogue, the senior in age being Hatan Torah, subject always to requirements of Din.

(b) Each of the said Hatanim on the days of Simhat Torah and Shabbat Beresheet respectively may give to the presiding Parnas a list of the persons to whom he desires the Mitsvot of the day to be presented.

(c) The attendants (Shushbinim) appointed by the Hatanim shall accompany the said Hatanim into the Synagogue and be seated by their side during the Services.

18 Election of Certain Officers (Hebra, Welfare Board and others, and see 12.3)

18.1 Elections

Elections for the following offices shall take place at the time of the Annual meeting of Yehidim:

(a) two Parnasim of Hebra of Guemilut Hasadim.

(b) the President and other Officers of the Welfare Board in accordance with its constitution as registered with the Charity Commission (number 230824) from time to

time.

(c) a Thesoureiro and a Parnas of Heshaim.

All the above elections shall be by the respective members and subscribers of the above institutions, and shall be subject to the approval of the Board (save that in the case of the Welfare Board the Officers shall be elected by the Board of the Congregation).

18.2 Qualifications for Election

For the Thesoureiro of Heshaim, the Senior Parnas of Hebra, only Yehidim who have at any time before their nomination served on the Board for at least three years (with or without a break) shall be elected; and for the Parnas of Heshaim, Junior Parnas of Hebra, Parnas of Terra Santa and Parnas of Cautivos any Yahid may be elected. If the persons elected as Thesoureiro and Parnas of Heshaim or Parnasim of Hebra be not members of or subscribers to the respective societies, they shall be deemed to be subscribers during their year of office.

18.3 Proclamation in Synagogues

There shall be proclaimed in the Synagogues of the Congregation the results of elections as follows:-

- (i) the Parnasim of Hebra.
- (ii) the President and Vice-President of the Welfare Board (every second year).
- (iii) the Thesoureiro and the Parnas of Heshaim (every second year), the Parnas of Terra Santa, and the Parnas of Cautivos.

19 The Haham and the Beth Din

19.1* Election of the Haham (or senior Rabbi under Ascama 20.1(d))

(a) Where the office of Haham is vacant the Board may declare its intention to take steps to fill the vacancy. It shall then determine the duties and emoluments of the next holder of the office and shall select a candidate for election by Yehidim qualified to vote.

(b) A meeting or meetings of Yehidim shall be specially summoned, in accordance with Ascama 7.2, at which the Board shall ensure that an explanation is given of the reasons for selecting the candidate, and at which no other business (or prior motions for other business) shall be taken. Where possible the candidate shall address one or more meetings either in person or by videolink, and there shall be an opportunity for Yehidim to participate.

(c) There shall then be an election for the office of Haham. It shall take place by postal ballot (with provision also for both electronic and telephone voting unless in either of these two cases in the opinion of the Board this is costly or impractical, in which case the Board shall declare the basis of its reason).

(d) The name of the candidate, with such information relating to him as the Board thinks fit, together with the regulations governing voting and a ballot paper, shall, except as provided in Ascama 7.4, be sent to all Yehidim at least fourteen days before the date fixed for the election. The day following the last date for voting shall be deemed the date of the election,

and shall be at least ten days after the date of the meeting or meetings convened under paragraph (b) above.

(e) The candidate shall be deemed elected only if at least 60% (sixty per cent) of the valid votes are cast in his favour.

(f) Should the candidate not receive the requisite number of votes, no further election shall be held save by a new resolution of the Board passed more than three months after the above date of the election.

(g) The Board may from time to time prescribe regulations governing the procedure for voting and for the conduct of the ballot.

(h) The name of the person elected as Haham shall be notified to Yehidim and proclaimed in the Synagogues of the Congregation.

(i) Where Ascama 20.1(d) applies, references above to the Haham shall be to a Rabbi to have oversight of all the Synagogues of the Congregation.

19.2 Duties of the Haham

The Haham shall preach in the Synagogues of the Congregation when required by the Board and attend therein and at the Medrash. It shall be his duty with the authority of the Board to perform the marriage ceremony of any member of the Congregation when requested to do so. The Haham shall not intercede in favour of or oppose any candidate for any office in the Congregation or canvass for any applicant for monetary assistance. The Haham shall be the head of the Beth Din and Medrash. In the absence of a Haham the Board shall appoint a qualified person to act as Ab Beth Din and determine his duties, tenure and emoluments. The Haham, or, in his absence, the Ab Beth Din, shall when required by the Board declare the Din on behalf of the Congregation or any of the Yehidim or Congregantes and perform such other rabbinical functions as may be necessary.

19.3 Privileges of the Haham

The Haham shall be entitled to be called to the Sepher on the following days:-

Shabbat Beshallah	Shabbat Hagadol
Shabbat Yitro	Shabbat Rosh Hodesh
Shabbat Vaethannan	7th Day Pesah
Shabbat Teshubah	1st Day Shabugnot
Shabbat Hanucah	Kippur (Shahreet)
Shemini Hag Ngatseret	

Week Days:

Rosh Hodesh Each Tanganit Pureem

19.4 The Beth Din

The Beth Din shall be composed of the Haham or Ab Beth Din and two or more persons

qualified according to Jewish Law and approved by the Board and shall decide any disputes arising in the Congregation which require to be determined according to Din. Should a question arise which needs the authority of more than three persons for its decision and there be only three persons in the Beth Din at the time, the Haham, or in his absence, the Ab Beth Din, shall, with the approval of the Board, have power to call in others whom they may deem to be so qualified. No persons save those herein mentioned and acting in accordance with these Ascamos shall have power to give Din in this Congregation.

20 Ministers

20.1* Appointment of Ministers

(a) Whenever a vacancy occurs in the office of Minister, the Board shall as soon as possible convene a meeting of the Board which may, if found desirable, declare its intention to take steps to fill the vacancy. In this event, the Board shall instruct the relevant committee to follow its procedures which shall include ensuring that:

- (i) the Board approves a job specification and person specification; and
- (ii) in due course the relevant Local Synagogue Committee is consulted and its approval obtained for any subsequent offer and appointment which will be subject also to approval by the Board (by simple majority) following consultation with all the Yehidim.

(b) A candidate shall not be progressed if the Ecclesiastical Authority of the Congregation or, in his absence, the members of the Beth Din, declare in writing that according to Din, he is not eligible for such office.

(c) Any candidate shall if the Board shall so require read (publicly or privately as the Board thinks fit) the Shabbat services and such other Services as may be required by the Board.

(d) The appointment of a Rabbi with oversight of all the Synagogues of the Congregation shall follow the same procedure as under Ascama 19.1, and in addition paragraphs (a)(i), (b) and (c) above shall apply.

20.2 Duties of Ministers

The Ministers shall be under the general jurisdiction of the Haham (or the Ecclesiastical Authority of the Congregation) and shall conform to all resolutions of the Board and instructions of the Board. It shall be their duty to attend at all Services, and to officiate as directed. They shall also attend on any other occasion when required. Whenever any Minister is unable to attend to his duties, another shall officiate in his stead. The Ministers shall write and copy the Ketubot, and when directed shall officiate on occasions of Berit, marriages, funerals and in the house of mourning.

A Minister shall not, without leave of the gentleman presiding, commence prayers, allot any Mitsva, or make any Hashcaba save as provided by Ascamos 27.3 and 27.4.

No person shall be given a title without the prior approval of the Board.

20.3 Disciplinary Action

Any disciplinary action in respect of a Minister will be undertaken under the Congregation's Disciplinary Procedure.

20.4 Assistance to the Ministers

In case of need the Board may appoint any persons they may think proper as assistants to the Ministers, or to officiate in their stead. The Board may with the consent of the Haham (or the Ecclesiastical Authority of the Congregation) from time to time invite preachers of other Congregations to preach in the Synagogues of the Congregation.

21 Other Salaried Officers

21.1 Appointment of various Salaried Officers

If there shall be a vacancy in any of the offices of Executive Director, superintendents of the Synagogue and senior groundsmen the Executive Director (or if absent then the Parnas Presidente) shall report such vacancy to the Board at its next meeting and the Board shall thereupon decide whether the vacancy shall be filled and if so on what terms and conditions. Appointment of the before-mentioned officers shall be vested in the Board. In the event of a vacancy, or of any such officer being incapacitated from attending to his duties from any cause, the Board may temporarily appoint another person to act in his stead.

21.2 Duties of the Executive Director

It shall be the duty of the Executive Director to attend in person all meetings of the Board, and of the Yehidim, and in person or by deputy previously approved by the Board at such meetings of committees as they shall determine; to issue notices for such meetings, and to ensure minutes are taken; to attend in person or by deputy previously approved by the Board at all weddings; to ensure that books of accounts of the revenue and expenditure of the Congregation and of the trusts under its administration are kept; to ensure that accounts are presented to the Board at appropriate intervals of income and expenditure and that procedures are followed for all payments as decided by the Board from time to time; to attend in the offices of the Congregation daily so far as possible, apart from contractual holidays and perform all other duties required by the Board.

21.3 Duties of the Superintendents of Synagogues

It shall be the duty of the Superintendent of each Synagogue to open and close the same, before and after public prayer, and to attend all Services. He shall perform such other duties as the Board shall require.

21.4 Duties of Keepers of Burial Grounds

The Keepers of the burial grounds shall be responsible for the care thereof. They shall be in attendance at all funerals, keep an accurate register of all burials, see that the tombs do not exceed the measurements prescribed by Ascama 26.5, and prevent the fixing of any stones not in conformity therewith. They shall likewise see that the graves are dug in rows in the usual manner and do not exceed the limits prescribed by Ascama 26.6. They shall not accompany persons who visit graves, unless so requested.

21.5 Canonicals

Officers of the Congregation attending any public religious Service in its Synagogue shall wear the official attire pertaining to their office if that is the requirement of their Local Synagogue Committee (where applicable) or the Board.

21.6 Officers answerable to Board

All salaried officers of the Congregation shall be subject to the resolutions and directions of the Board. Any disciplinary action against any such officer will be undertaken under the Congregation's Disciplinary Procedure.

22. *Number not used*

23. Society of Heshaim, Medrash

23.1 Functions

The Society of Heshaim (Ets Hayim) which formerly was known as the Yeshiba of Heshaim (and with which has been incorporated the Yeshiba of Mahane Rephael) shall be a Standing Committee of the Board and shall be responsible to the Board for the following functions:- (a) The promotion, conduct and supervision of rabbinical study, including the maintenance of a Medrash;(b) Arrangements for the publication of prayer books and other publications of a religious nature; (c) Other purposes specified or agreed by the Board from time to time, which purposes shall be similar or ancillary to the foregoing and shall be in furtherance of the charitable objects of the Society and within its resources to implement.

23.2 Composition

The Society of Heshaim shall comprise twelve Yehidim who shall be elected by the Board to serve for a period of two years, together with the ex-officio members specified in Ascama 23.5 and one Elder for the time being who shall be nominated by the Board. The Society may also co-opt additional members as set out in Ascama 23.5. Members of the Society shall continue to be designated "Inspectors of Heshaim".

23.3 Meetings and Quorum

The Society of Heshaim shall meet not less than twice yearly, one meeting being held in the month of Iyar. The quorum for a meeting of the Society shall be seven of whom not less than four shall be elected members.

23.4 Election of Officers

At the first meeting of the Society following an election of Inspectors, the elected and ex-officio Inspectors shall elect from their number, to serve for the ensuing two years, a Thesoueroiro (Treasurer), who shall also act as the chair of Heshaim, and a Parnas, who shall act as the vice-chair. The Thesoueroiro and the Parnas shall each have served as Inspectors of Heshaim for not less than two years prior to their election to these offices. If the office of Thesoueroiro or Parnas should fall vacant before the expiry of two years, the Inspectors shall, at the next meeting of the Society, elect one of their number to fill the vacant office for the remainder of the two-year period.

23.5 Ex-officio and Co-opted Members

The ex-officio members of the Society of Heshaim shall comprise the Haham, all the Rabbis and Ministers of the Congregation and all persons who have formerly held office as Thesoueroiro or Parnas of Heshaim. The Society of Heshaim may co-opt, to serve until the next election of Inspectors, up to four Yehidim of the Congregation and one representative each from not more than three other Sephardi congregations, which congregations shall be specified by the Board from time to time. Persons so co-opted shall, at the expiry of their period of co-option, be eligible either for election, if so qualified, or for further co-option.

23.6 Funds of the Society

The funds of the Society of Heshaim shall be invested on behalf of the Society by the London Sephardi Trust.

23.7 The Medrash

The studies of the Medrash shall be under the direction of the Haham or, in his absence or if there be no Haham, the Ab Beth Din. The other members of the Medrash shall comprise all the other Rabbis and Ministers of the Congregation and such other persons who are, in the opinion of the Haham or of the Ab Beth Din, competent usefully to participate in the studies of the Medrash and who wish to do so. When in session, the Medrash shall meet weekly.

24 *Number not used*

25 Hebra of Guemilut Hasadim

25.1 Composition of Committee of Management

The government of the Hebra of Guemilut Hasadim and the administration of its funds shall be vested in a Committee of Management consisting of:- (i) six members elected by the Board; (ii) two members elected by the Yehidim; (iii) the Parnas of Lavadores, the Gabay, another Elder appointed by the Board, and former Parnasim of Hebra; and (iv) representatives of Sephardi congregations nominated under Ascama 25.2.

25.2 Representatives of other Congregations

Any Sephardi congregation for whose members burial rights have been secured in the burial grounds of the Congregation shall be entitled to nominate a representative to serve on the Committee of Management of the Hebra. Any such congregation having a membership of more than three hundred paid-up members shall be entitled to nominate a second representative. Each representative shall be nominated to serve for a term of two years,

25.3 Election of Parnasim; Meetings; Accounts

The Board shall each year at its Annual Session elect three Yehidim to the Committee of Management and the Yehidim shall each year at their Annual Meeting elect one Yahid to the Committee of Management. The Yehidim so elected shall serve for two years and if not already members of the Hebra shall be deemed such during their term of office. They shall on retiring from office be eligible for re-election. A senior Parnas of Hebra and a Junior Parnas shall be elected annually by the members of Hebra from members of the Committee of Management who are Yehidim of Sahar Asamaim and who have served not less than three years as members of the Committee. The Committee of Management shall meet not less than twice yearly and a quorum shall consist of five members including at least three Yehidim of Sahar Asamaim. A resolution of the Committee of Management passed at a meeting at which Yehidim of Sahar Asamaim are in a minority shall not be effective unless and until confirmed by the Board.

The Accounts of the Hebra shall be submitted to the Board at its Annual Session and the surplus income of the Hebra shall be transferred to the fund of the Synagogue annually and credited to a Beth Haim Account.

25.4 Arrangements for Funerals

The control of all arrangements connected with funerals shall be vested in the Parnasim of Hebra, subject to the provisions of Ascama 8.1 to 8.7 and 26.1 to 26.6.

26 Burial Plots, Graves and Tombstones

26.1 Double and Single Burials

Normally there shall be two interments in every plot in the burial grounds of the Congregation but any person who in his lifetime had requested to be buried in a single plot or whose relatives so request when making arrangements for the funeral shall be entitled to single burial upon payment to the Congregation of a charge prescribed annually by the Board after receiving the recommendations of the Hebra. In fixing the charge to be made for burial in a single plot the Board shall make a distinction between (i) Yehidim and members of participant congregations; and (ii) others.

26.2 Reserved Graves

a) Graves may be reserved only by Yehidim or by members of a participant congregation.

b) A reserved grave shall continue to be reserved (unless it be surrendered or repossessed, as provided below) only for such time as the person who had reserved it shall continue to be a Yahid or member of a participant congregation.

c) The upper part of a double plot may be reserved without charge for a surviving spouse or relative or close friend where the Din so permits.

d) At the time of arranging a burial in a single plot or immediately following such a burial, the surviving spouse or other close relative being a Yahid or Yehida or a member of a participant congregation may reserve one single plot adjacent to that in which the deceased relative is buried upon payment of the charge prescribed for burial in a single plot and upon signing a form to be provided therefor. Additional adjacent plots may be reserved, upon payment of the prescribed charge for each but only at the discretion of the Parnasim of Hebra who shall have regard to the availability of land in the cemetery concerned. Graves so reserved shall follow the last burial and be consecutive or, if there be no room in that row, shall be in the next row, as close as possible to the original grave.

e) Notwithstanding the provision in sub-paragraph (a) of this Ascama that a grave may be reserved only by a Yahid or Yehida or member of a participant Congregation, graves which were reserved with the permission of the then Mahamad before 5 Tamuz 5738 (10 July 1978) by Congregantes will continue to be so reserved provided that the Congregante concerned remains in membership of the Congregation.

f) If the reservation of any grave be surrendered within two years of the prescribed fee having been paid, the full fee shall be returned and the grave or graves shall be utilised in the ordinary course. If the reservation of a grave or graves be surrendered when two years or more shall have elapsed since the fee was paid, the Parnasim of Hebra shall determine what portion if any of the fee shall be returned.

g) If the Parnasim of Hebra believe that a reserved grave, whether the upper part of a double grave or a single grave, will not be required for the remains of the person for whom it has been reserved they should enquire from the person who made the reservation or if this be not possible his next-of-kin or representatives. If it so requested by or on behalf of the person who reserved the grave, the reservation may be transferred to another

close relative who wishes to be buried in that reserved grave and is not debarred therefrom for any Halachic reason. Otherwise the reserved grave may be repossessed by the Hebra and be made available for another interment. Any fee that had been paid in respect of the reservation may be returned in full or in part, at the discretion of the Parnasim of Hebra.

26.3 Right of Congregation to Refuse Burial

The Congregation reserves the right to refuse to bury the body of any person, other than a Yahid or a Congregante of the Congregation or a member of a participant congregation or the wife or child of any of these. The decision of the Board shall be final in connection with any dispute which might arise concerning the exercise of this right.

26.4 Consecutive Use of Plots

All adults to be interred in one of the burial grounds of the Congregation shall be buried in consecutive graves, save in the case of (i) reserved graves, or (ii) a Haham or Minister or Cohen, who may, in accordance with custom, be buried at the commencement of a row. The upper part of a double plot where available in accordance with the Din shall be deemed to be consecutive.

26.5 Tombstones

The design of all tombstones and the wording of all inscriptions thereon shall be first approved by the Parnasim of Hebra and the person wishing to erect the tombstone shall pay such fee as may from time to time be prescribed by the Board. On a single plot and on a double plot where the next of kin of the deceased person buried in such double plot agree to have one tombstone, the tombstone for adults shall not exceed 6 1/2 feet in length 3 feet in breadth and 1 1/2 feet in height, including the thickness of the stone. On a double plot where two tombstones are required each of them shall not exceed 3 feet in length 3 feet in breadth and 1 1/2 feet in height, including the thickness of the stone. Tombstones for children must not exceed 3 1/2 feet in length 1 1/2 feet in breadth and 1 feet in height, including the thickness of the stone. Should in any case these limits be exceeded the stone shall forthwith be reduced to such limits. Within these limits and subject to these restrictions all tombstones erected in the cemeteries of the Congregation must be either flat or slightly rounded without angle or ornament.

26.6 Measurements of Graves

The following spaces shall be allowed for each grave:-Adults' Graves - 2 1/2 feet in breadth, or 3 3/4 feet if with a foundation, 5 feet in depth, and 2 feet between each grave; a double plot shall be 7 feet in depth. Three rows of adults' graves, 6 feet wide, each with a space of 2 feet between the rows, shall be arranged in every 25 feet of the Burial Ground. Children's Graves - 1 1/4 feet in breadth, 4 feet in depth, and 1/4 foot between each grave.

27 Funeral Services, Hashcabot, &c.

27.1 Services at Funerals

For each person buried in the regular row or in a reserved grave, there shall be performed, subject to the provisions of Ascama 27.2, the usual ceremonies at the burial ground, according to age and sex and day of burial.

27.2 Duties of Ministers at Funerals

One of the Ministers shall accompany to the grave every person buried in the burial grounds of the Congregation and shall officiate at the funeral. No Minister shall take part in the funeral of a person whose body is to be, or has been, cremated, save by reciting an Hashcaba at the Mortuary Hall; this restriction, however, shall not apply where the Board is satisfied that cremation has taken place through compulsion, force of circumstances, or accident. Nothing in this Ascama relating to cremation shall preclude the recital of the ordinary Burial Service by a private individual. A Minister of the Congregation shall, if required, read the prayers at the house of mourning, both morning and evening, during the seven days of Abelut.

27.3 Hashcabot for Individuals

Hashcabot for deceased persons shall be said immediately after the Haphtarah in the Synagogues of the Congregation on the Shabbat following the burial in the cemeteries of the Congregation. Hashcabot shall also be said in the said Synagogues during the week of mourning in the morning when prayers are not read with Minyan in the house of the deceased or of the mourners, and likewise on the mornings of the seventh day, the thirtieth day, and the day on which the eleven months from the burial shall end. An Hashcaba may likewise be said in Synagogues for any Jew or Jewess, but for the first time this shall not be done without permission from the presiding Parnas. Should there be two or more Hashcabot said on the same day, precedence shall be given to men before women.

27.4 Grouped Hashcabot

All Hashcabot for males and females, other than (i) those made at the Sepher, (ii) those made on the first Shabbat following the funeral, and (iii) those made on the occasion of anniversaries, shall be grouped together under their respective heads. On each Shabbat afternoon and on Kal Nidre night a general Hashcaba shall be said until the completion of the eleven months after burial, for all persons for whom the first Hashcaba shall have been made in the customary manner. The names of all persons who have bequeathed a legacy to the Synagogue shall be included in a general Hashcaba which shall be said on Kal Nidre night, after the Service; the list of names shall be divided according to the direction of the Board and in respect of the reading thereof on Kal Nidre night to the intent that over a period of not more than five years the list of names shall have on that night over the said period a complete reading. The Board may include in the said list the names of other persons at their discretion.

27.5 Prohibition on Taking Corpses into Synagogue

No corpse shall be brought into Synagogue or into the Medrash save that of a Haham of the Congregation.

28. Offerings and Collections

28.1 Offerings to be invited before Festivals

A circular letter inviting offerings to the Synagogue shall be addressed by or on behalf of the Board to each Yahid shortly before the festivals of Rosh Hashanah, Pesah and Shabugnot.

28.2 Collections in Synagogues

On Pureem morning the presiding Parnas and the next in rotation, shall go round the Synagogue, each with a plate, the first to collect the half-shekel the second for Pureem money. On the Fasts of Guedaliah, Tebet, Esther, Tamuz and Ab, persons nominated by the Executive Director shall go round the synagogues at Minha with a plate to collect contributions for the Sedaca.

28.3 Boxes in Synagogues for Donations

There shall be kept in each of the synagogues of the Congregation boxes available for donations, which shall be opened at least once annually when the amount found therein shall be paid into the Sedaca.

29 Marriages, Registers of Marriages, Burials

29.1 Solemnisation of Marriages

No marriage shall be solemnised in the Congregation (a) unless the husband is a Yahid or a Congregante Member; (b) without the leave of the Board, who may delegate the duty of giving or withholding such leave to one of their number who may establish or continue a process approved by the Ecclesiastical Authority of the Congregation; and (c) save by its recognised officers. The Board at its discretion shall fix the fee payable in respect of each marriage and may in exceptional circumstances forgo the payment of any fee. All fees for marriages shall be payable before the celebration.

29.2 Registers of Marriages

There shall be kept in the Offices of the Synagogue two Registers of Marriages celebrated in the Congregation, one being a Hebrew Register consisting of copies of the Ketubot, the other being an English Register as required by Act of Parliament.

29.3 Register of Burials

There shall also be kept in the Offices of the Synagogue a Register of Burials, wherein the Executive Director or his or her nominee shall enter the names of all persons buried in the burial grounds of the Congregation, with the Hebrew and English dates of burial, and the number of the grave for which purpose the Keepers of the Grounds shall every three months furnish the Executive Director with all relevant particulars.

30. Sundry Matters

30.1* Erection of Synagogues

No Synagogue shall be admitted to form part of the Congregation without the approval and consent of 60% (sixty per cent) of the Yehidim present at a meeting called for the purpose.

30.2 Distribution of Seats in Synagogues

The seats in the Synagogues of the Congregation shall be allotted by the respective Local Synagogue Committees in their unfettered discretion as to persons conditions and term to Yehidim, Yehidot, and Congregantes, preference given to the two former classes. A Register book shall be kept by the Executive Director or the respective local committees of the names of the persons to whom seats are allotted.

30.3 Board of Deputies

The Congregation shall be represented on the Board of Deputies of British Jews by Yehidim to be chosen by the Yehidim from their body. The election shall be held in accordance with the constitution of the said Board. The provisions of Ascamot 11.7(a) and (b) shall apply with the necessary modifications, to all such elections, except that the Deputies of the Congregation shall be elected at an Annual Meeting by ballot of those Yehidim present and qualified to vote; no postal ballot shall be permitted for such elections.

The fees payable in respect of the Deputies elected by the Yehidim shall be paid out of the funds of the Congregation.

Whenever the said Deputies of the Congregation shall have occasion to deal with matters of a religious nature, they shall do so under the advice and direction of the Ecclesiastical Authority, and with whom alone rests the spiritual guidance of the Congregation. At meetings of the Board any matters which a majority of the Deputies desire to propose relating to the business of the said Board of Deputies shall have been submitted in advance by the Deputies to the Executive Director who will consult with the Parnas Presidente or his delegate regarding the meeting of the Board to which the business may be brought and the time at which it will be presented. Two Deputies may attend for that part of the meeting if they wish, and shall attend if so requested by the Board. At all times when a majority of the Deputies of the Congregation shall so request, the Executive Director shall circulate to the Board information regarding the Board of Deputies or its proceedings.

30.4 Vesting of Property

The legal title to the real and funded property and the chattels shall be vested in the London Sephardi Trust.

30.5 Disposal of Chattels of the Congregation

No part of the chattels of the Congregation except articles less than fifty years old shall be sold, given away, exchanged or destroyed, without the previous consent of the chair for the time being of the Advisory Committee on Congregational Records nor without the previous authority of the majority of the Board present at a meeting at which prior notice of such proposed transaction had been given.

30.6 Property Maintenance Fund

A Fund shall be maintained for the repair, improvement, extension and analogous purposes of the properties of the Congregation for which purpose the Board may from time to time appropriate any sums which may be available out of income or from any source other than capital funds.