



At the Court at Buckingham Palace

THE 9TH DAY OF FEBRUARY 2005

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

WHEREAS there was this day read at the Board a Report of the Committee of the Lords of Her Majesty's Most Honourable Privy Council dated the 5th day of February 2005 in the words following, viz:-

"YOUR MAJESTY having been pleased, by Your Order of the 17th day of November 2004, to refer to this Committee the humble Petition of the Magistrates' Association, praying for the grant of a Supplemental Charter:

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's Order of Reference, having taken the Petition into consideration do this day agree humbly to report, as their opinion to Your Majesty, that the Supplemental Charter may be granted by Your Majesty in the terms of the annexed Draft."

HER MAJESTY, having taken into consideration the Report and the Draft Supplemental Charter accompanying it, was pleased, by and with the advice of Her Privy Council, to approve thereof and to order, and it is hereby ordered, that the Right Honourable the Lord High Chancellor of Great Britain do cause a Warrant to be prepared for Her Majesty's Royal Signature for passing under the Great Seal a Supplemental Charter in conformity with the annexed Draft.

A.K Galloway

ELIZABETH THE SECOND

by the Grace of God of the United Kingdom of Great Britain and
Northern Ireland and of Our other Realms and Territories Queen,
Head of the Commonwealth, Defender of the Faith:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS We in the year of our Lord one thousand nine hundred and sixty-two by Royal Charter (hereinafter called "the Original Charter") granted upon a Petition of The Magistrates' Association (therein referred to as the unincorporated association) constituted a Body Corporate by the name of The Magistrates' Association with perpetual succession and with power to sue and be sued with said name and to use a Common Seal.

WHEREAS by their humble Petition the Council of The Magistrates' Association have prayed that We would be pleased to grant to the said Association a Supplemental Charter.

AND WHEREAS We, have taken the said Petition into Our Royal Consideration and are minded to comply with the Prayer thereof.

NOW THEREFORE KNOW YE that We of Our especial grace, certain knowledge and mere motion, have granted, constituted, declared and appointed and by these Presents do for Us, Our Heirs and Successors grant, constitute, declare and appoint that:

1 In this Our Supplemental Charter, unless the context otherwise requires:

"The Association" means the Body Politic and Corporate hereby constituted;

"The Board of Trustees" means the Board of Trustees constituted and appointed as herein provided; and "Trustees" and "Trustee" shall have a corresponding meaning;

"The Council" means the Council constituted and appointed as herein

provided;

"The Bye-laws" means the Bye-laws of the Association for the time being in force under or by virtue of the Provisions of this Our Charter;

"Annual General Meeting" means the Annual General Meeting of the Members of the Association convened and held in accordance with the provisions of this Our Charter and the Bye-laws;

"General Meeting" means and includes the Annual General Meeting and a Special General Meeting of the Members of the Association convened and held in accordance with the provisions of this Our Charter and the Bye-laws;

"Magistrate" means any Justice of the Peace named in any of her Majesty's Commissions of the Peace or any other person appointed by her Majesty in any judicial capacity at home or overseas including any person whose name appears on any supplemental list kept under the provisions of the Courts Act 2003 and any such person as aforesaid who has retired;

"Our Charter" means this Our Supplemental Charter;

"Triennium" shall have the meaning ascribed to it in the Bye-laws.

2 The persons now being the President, Vice-Presidents and Members of The Magistrates' Association shall for ever hereinafter continue and be confirmed as one Body Politic and Corporate with the name of "The Magistrates' Association" and by the aforesaid name shall continue to have perpetual succession and a Common Seal, with full power to alter, vary, break or renew

the same from time to time at their discretion, and shall and may by the same name sue and be sued in all Courts and in all manner of actions and suits and with full power to take, hold, grant, demise, exchange or otherwise dispose of real or personal property and to do all such other lawful acts whatsoever.

- 3 The Original Charter shall be (except insofar as it incorporated the Association and authorised them to have a Common Seal and to sue and be sued) and is hereby revoked but nothing in this revocation shall affect the legality or validity of any act, deed or thing lawfully done or executed under the provisions of the said Original Charter.
- 4 The objects for which the Association is established and incorporated are to promote the sound administration of the law by the following means:
 - (a) educating and instructing Magistrates and others in the law, the administration of justice, the treatment of offenders and the best methods of preventing crime; and
 - (b) issuing publications and promoting conferences and discussions on developments in the law and the administration of justice.
- 5 The income and property of the Association, wheresoever derived, shall be applied solely towards the promotion of the objects of the Association as set forth in this Our Charter or any Charter supplemental hereto and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to Members of the Association. Provided that nothing herein shall prevent repayment of out-of-pocket expenses incurred by or the payment in good faith of reasonable and proper remuneration to any Member or Servant of the Association (whether also a Trustee or Council Member or not) in return for any services actually rendered to the Association nor prevent the payment of interest at a rate not exceeding the Bank of England minimum lending rate current at the time on money lent or reasonable and proper rent of premises demised or let, by any Member to the Association.

Provided further that:

- (a) it shall be the duty of any Trustee who is in any way directly or indirectly interested in any contract or proposed contract or any other business of the Association to disclose the nature of his interest at the meeting of the Board of Trustees or any Committee or sub-Committee thereof at which the contract, proposed contract or any other business is first discussed or at the first meeting held after he became so interested, and

- (b) a Trustee at any meeting of the Board of Trustees or any Committee or sub-Committee thereof shall not vote in respect of any contract or other business in which he is interested, and, if he shall do so, his vote shall not be counted, nor shall he be counted in the quorum present at the meeting; but nothing herein shall prohibit a Trustee from voting in respect of any contract or other business with any company in which he is interested only as a holder of shares or other securities.
- 6 The Lord Chief Justice of England and Wales for the time being shall be ex-officio President of the Association. The Vice-Presidents of the Association at the date of this Our Charter shall continue in Office until the Board of Trustees otherwise resolves or death or resignation, whichever shall be the sooner, when their places shall be filled in the manner resolved from time to time by the Board of Trustees. The Board of Trustees may appoint such one or more further Vice-Presidents in such manner and for such term as it shall from time to time think fit.
- 7 The Council shall appoint a Chairman and Deputy Chairman or Deputy Chairmen of the Association who shall also be the Chairman and Deputy Chairman respectively of the Board of Trustees and the Board of Trustees shall appoint an Honorary Treasurer and such other Honorary Officers in such manner and for such term as it shall from time to time deem necessary. The Honorary Officers of the Association at the date of this Our Charter shall remain in Office until the Board of Trustees otherwise resolves or death or retirement, whichever shall be the sooner, when their places shall be filled in the manner resolved from time to time by the Council or the Board of Trustees as the case may be.
- 8 The Members of the Association shall be those persons who under the Original Charter were Members of the Association immediately prior to the grant of this Our Charter and such other persons as are admitted to Membership in accordance with the Bye-laws (subject to determination of Membership in accordance with the Bye-laws) and every Member shall have all the rights and privileges attaching to a Member as provided in this Our Charter and the Bye-laws.
- 9 An Annual General Meeting of the Association shall be convened and held in accordance with the Bye-laws in each calendar year. At each Annual General Meeting the following business shall be transacted: the presentation and adoption of the Annual Report and Accounts, the election of Auditors and any other business of which notice shall have been given as provided by the Bye-

laws. All other General Meetings of the Association shall be called Special General Meetings.

- 10 There shall be a Council of the Association whose purpose shall be to elect, advise and assist the Board of Trustees, and to elect the Chairman and Deputy Chairman or Deputy Chairmen of the Association. The first Council shall consist of the members of the Council of the Association at the date of the grant of this Our Charter who shall continue in Office, subject to the provisions of the Bye-laws, until the close of the Triennium current at the date of the grant of this Our Charter. The Council shall thereafter consist of persons elected by the Members of the Association as provided in the Bye-laws.
- 11 Subject to the provisions of this Our Charter and the Bye-laws the management of the property and affairs of the Association and all the powers of the Association shall be vested in and exercisable by the Board of Trustees which shall consist of not less than nine and not more than twelve Members nominated and elected by the Council in the manner prescribed in the Bye-laws together with not more than three Members co-opted by the Board of Trustees in their absolute discretion.
- 12 Without restricting the generality of the foregoing provision, the Board of Trustees may do the following things:
 - (a) Appoint any person or persons (whether incorporated or unincorporated) to hold in trust for the Association any property belonging to the Association or in which it is interested, or for any other purposes, and execute and do all such deeds and things as may be requisite in relation to any such trust.
 - (b) Borrow or raise any sum or sums of money on such security, and upon such terms as to interest or otherwise, as they may deem fit, and, for the purposes of securing the same or the interest thereon or for any other purpose, create any mortgage or charge on the whole or any part of the property present or future of the Association.
 - (c) Make, draw, accept, endorse and negotiate promissory notes, bills, cheques or other negotiable instruments, provided that every promissory note, bill, cheque, or other negotiable instrument drawn, made or accepted on account of the Association shall be signed by the persons authorised or required by the Bye-laws to sign cheques and drafts.
 - (d) Invest or lend the funds of the Association not required for immediate use in the purchase or upon mortgage of, freehold or leasehold property or in

or upon such shares, stocks, funds, securities, units of unit trusts and other investments whatsoever and wheresoever and whether involving liability or not as the Board of Trustees (or any Committee to which the Board of Trustees may delegate the matter) shall in its absolute discretion think fit and whether in the name of the Association or of trustees or nominees for the Association as the Board of Trustees (or such Committee) shall decide in their absolute discretion to the intent that the Board of Trustees (or such Committee) shall have the same full and unrestricted powers of investing and transposing investments in all respects as if they were absolutely entitled thereto beneficially and no Trustee (or member of such Committee) shall be responsible or accountable for any loss occasioned by reason of the exercise of such powers unless the same shall happen through the dishonesty or wilful default of such Trustee or member.

- (e) Where deemed expedient for the purpose of promoting the objects of the Association, sell, let, exchange or otherwise dispose of absolutely or conditionally any part of the property of the Association, upon such terms and conditions and for such consideration as they may think fit.
 - (f) Affix the Common Seal to any document provided that such document be also signed by at least two Trustees and countersigned by the Secretary or other Officer appointed for that purpose by the Board of Trustees.
 - (g) Delegate permanently or temporarily any of their powers to any Committee to be appointed and regulated as authorised by this Our Charter and the Bye-laws.
- 13 The Board of Trustees shall have power from time to time to make Bye-laws, and from time to time to revoke or alter any Bye-laws for the time being in force, subject to the provisions hereinafter contained. The Bye-laws may provide for all matters whatsoever in any way connected with the management of the Association, its objects, property and affairs not otherwise provided for by this Our Charter and in particular (but without prejudice to the generality of the foregoing) for all or any of the following matters:
 - (a) the qualification, election, classification and disqualification of Members, the conditions and duration of Membership, including the regulation and determination of the contributions to the funds of the Association or of any other services to the Association entitling any person to the privileges of a Member;
 - (b) the privileges to be enjoyed by Members;

- (c) the constitution of the Board of Trustees and the Council, and the appointment, qualification, election, nomination, duties and powers of members of the Board of Trustees and of the Council or any Committee of the Board of Trustees or of the Council;
- (d) the appointment, qualification and removal from time to time of the Honorary Officers and servants of the Association the appointment of whom is not by this Our Charter otherwise expressly provided for, and their respective powers, duties and emoluments;
- (e) the summoning and holding of and the procedure and business to be transacted at the Annual General Meeting and at Special General Meetings, and at meetings of the Council, the Board of Trustees and any Committee thereof, and the rights and duties of persons present at such meetings, and the quorum necessary to constitute a meeting.
- 14 The Bye-laws set forth in the Schedule to this Our Charter shall, until the same shall be revoked or altered in manner herein provided, be the Bye-laws of the Association.
- 15 No Bye-law shall be revoked, or altered, and no new Bye-laws shall take effect until submitted to and approved by a majority of not less than three-fourths of those present and voting at a meeting of the Board of Trustees, with respect to which not less than twenty-one days' notice has been given that such revocation, alteration, or new Bye-law will be taken into consideration thereat, and confirmed by a majority of not less than three-fourths of those present and voting at a General Meeting of the Association. Provided that no such revocation, alteration or new Bye-law shall have any force or effect if it be repugnant to this Our Charter or to the Laws of Our Realm, nor until it shall have been approved by the Lords of Our Most Honourable Privy Council, of which approval a Certificate under the hand of the Clerk of Our said Privy Council shall be conclusive evidence.
- 16 The Board of Trustees may make provision for all matters in connection with the Association and its objects which it may consider to require regulation, and for which no provision is made in this Our Charter or in the Bye-laws, by means of Rules or Regulations which shall be framed and published in such manner and at such time and with reference to such subjects as it shall think proper.
- 17 The Board of Trustees may from time to time appoint any Committee or Committees as it shall think fit, and as occasion may require, at such times and in such manner and with such powers and duties as the Bye-laws or the resolution appointing such Committee may prescribe. No person other than a Member of the Association may be appointed to any Committee.
- 18 The Trustees, every member of the Council or of any Committee of the Board of Trustees and every Honorary Officer or servant of the Association shall be indemnified out of its funds against all costs, charges, expenses, losses and liabilities incurred by him in the conduct of the business of the Association or in the discharge of his duties. In respect of the expenses of any such member in travelling on the affairs of the Association the indemnity hereby provided for shall be restricted to the reimbursement of such expenses as the Board of Trustees may decide. No Trustee, member of Council or Honorary Officer of the Association shall be liable for the acts or omissions of any other Trustee, member of Council or Honorary Officer or by reason of his having joined in any receipt for money not received by him personally, or for any loss on account of defect of title to any property acquired by the Association or on account of the insufficiency of any security in or upon which moneys of the Association shall be invested, or for any loss incurred through any banker, broker or other agent, or upon any ground whatever other than his own wilful acts, neglects or defaults.
- 19 The Secretary of the Association shall have the custody of this Our Charter.
- 20 All acts done at any meeting of the Board of Trustees, or of the Council or any Committee, or by any person acting as a Trustee or a member of Council or of any Committee, shall, notwithstanding it may be afterwards discovered that any person acting as a member of any such body had not been duly appointed a member thereof, or that there was some defect in the appointment of any member or person as a member of such body, or that any such member or person was disqualified, be as valid in all respects as if every such member or person had been duly appointed and was duly qualified to act, and no actions of any such body shall be invalidated by reasons of any vacancy therein.
- 21 The Board of Trustees may by resolution approved by a majority of no less than three-fourths of those present and voting at a meeting in respect of which not less than 21 days' notice has been given, and with the sanction of a majority of not less than three-fourths of those present and voting at a Special General Meeting especially called for the purpose, amend, add to or revoke any of the provisions of this our Supplemental Charter or of any further Charter granted to the Association, provided that any such amendment, addition or revocation shall not be effective unless approved by Us, Our Heirs or Successors in Council.
- 22 It shall be lawful for the Board of Trustees by resolution approved by a majority

of no less than three-fourths of those present and voting at a meeting in respect of which not less than twenty-one days' notice has been given, and with the sanction of a majority of not less than three-fourths of those present and voting at a Special General Meeting specially called for the purpose, to surrender this Our Charter subject to the sanction of Us, Our Heirs or Successors in Council upon such terms as We or They may consider fit, and to wind up or otherwise deal with the affairs of the Association in such manner as shall be directed by such Special General Meeting or in default of such directions as the Board of Trustees shall think expedient having due regard to the liabilities of the Association for the time being, but if on such winding up of the Association there remain, after the satisfaction of all its debts and liabilities, any property whatsoever belonging to the Association the same shall not be paid to or distributed among the Members of the Association or any of them but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Association (and being exclusively charitable) which shall prohibit the distribution of its or their income and property

amongst its or their members to an extent at least as great as is imposed on the Association under or by virtue of Article 5 hereof, such institution or institutions to be determined by the Members of the Association at or before the time of dissolution, and if and so far as effect cannot be given to the aforesaid provision then to some charitable object.

- 23 And We do hereby, for Us, Our Heirs and Successors, grant and declare that these Our Letters, or the enrolment or exemplification thereof, shall be in all things valid and effectual in law according to the true intent and meaning of the same, and shall be construed and adjudged in the most favourable and beneficial sense for the best advantage of the Association as well in all Our Courts as elsewhere, notwithstanding any non-recital, mis-recital, uncertainty or imperfection in these Our Letters.

IN WITNESS whereof We have caused these Our Letters to be made Patent.

WITNESS Ourselves at Westminster.

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL