



The Military and Hospitaller Order of Saint Lazarus of Jerusalem

By-Laws of the Order

ARTICLE 1. INTRODUCTION

1.1 DEFINITIONS

For the purposes of these By-Laws, the following definitions shall apply:

“Auditors” means the chartered or certified accountants appointed to audit the accounts of the Foundation and report thereon to the Grand Magistral Council;

“Brevet” means the official document stating a member’s rank or award and the effective date of that membership, rank or award;

“By-Laws” means the By-Laws of the Order promulgated in accordance with Article 11.2 of the Constitution;

“Constitution” means the Constitution adopted by the Knights and Dames of the Order meeting in Chapter General at New Orleans on the 21st day of September 2015;

“The Foundation” means the “International Hospitaller Foundation of Saint Lazarus of Jerusalem” established by the Order in accordance with the laws of The Kingdom of Spain for the administration and achievement of the international charitable objectives and work of the Order and having its seat in Madrid;

“Governance Working Committee” means the Standing representative Committee of the Grand Magistral Council with responsibility for the day to day governance of the Order internationally;

“Grand Magistral Decree” means a decree issued by the Grand Master pursuant to and in accordance with Article 11.3 of the Constitution;

“International Government of the Order” includes, where the context so admits, the Grand Master, the Coadjutor, the Grand Officers and other Officers of the Grand Magistral Council, the Heads of Jurisdiction and the Board of the Foundation;

“Law Officers of the Order” means the Justiciar, the Deputy Justiciar and the members of the Legal Committee established and appointed by the Grand Master with the advice of the Grand Magistral Council;

“National Jurisdiction” is a geographic area designated as a National Jurisdiction by the Grand Master pursuant to and in accordance with Article 12 of the Constitution, paragraph 12.1;

“Order” means The Military and Hospitaller Order of Saint Lazarus of Jerusalem as more particularly described in the Constitution and which for administrative and operational purposes internationally includes The Foundation as defined above;

“Administrative Policies” means the Administrative Policies adopted by the Grand Magistral Council in accordance with Article 11.2 of the Constitution;

“Postulant” means a person duly approved for membership but not yet invested in the Order in accordance with these By-Laws;

“Regulations” means the Regulations promulgated by the Grand Magistral Council pursuant to Article 11 of the Constitution;

“Sub-jurisdiction” means an administrative unit of a National Jurisdiction;

“Statutes” are the Statutes promulgated by the Grand Magistral Council pursuant to Article 11 of the Constitution.

The foregoing definitions are supplemental to the definitions and descriptions contained in the Constitution and in the event of any ambiguity in the construction of any term or expression contained in these By-Laws, reference shall be made to the Constitution in the first instance for the purpose of disambiguation.

Whenever the singular is used in these By-Laws, when required by the context, the singular shall include the plural and vice versa. The masculine, feminine and neuter genders shall each include the others.

1.2 AUTHORITY FOR THE BY-LAWS

The By-Laws are authorized by and issued by the authority of a Grand Magistral Decree in accordance with Article 11 of the Constitution of the Military and Hospitaller Order of Saint Lazarus of Jerusalem. In the event of any ambiguity or conflict between any provision of the Constitution and any provision in these By-Laws, including a conflict as to interpretation, the provision in the Constitution shall prevail.

1.3 AMENDMENTS OF THE BY-LAWS

Any amendments, including any deletion from or addition to the By-Laws must be approved by the Grand Magistral Council in accordance with Article 11.2 of the Constitution.

ARTICLE 2. ORGANISATION OF THE ORDER

2.1 LEGAL FORM OF THE ORDER

2.1.1 The legal persona of the Order internationally is established in and through the International Hospitaller Foundation of Saint Lazarus of Jerusalem, referred to hereafter as The Foundation, having its seat in Madrid, Spain.

2.1.2

Each jurisdiction shall be required to enter into a Memorandum of Understanding in an agreed form with the Foundation, failing which the jurisdiction will cease to be a constituent part of the Order.

2.2 STRUCTURE OF THE ORDER

2.2.1

The Order is divided into Delegations, Grand and Hereditary Commanderies, Bailiwicks and Grand Bailiwicks, Priors and Grand Priors. There is no distinction between Grand Priors and Grand Bailiwicks or Priors and Bailiwicks, as these different names exist for historical reasons. References to Bailiwicks and Grand Bailiwicks in the Statutes, By-Laws, Regulations and Policies of the Order shall mean and be construed as references to Priors and Grand Priors.

2.2.2

A Delegation is an association of members of the Order consisting of at least three, but less than twenty members.

2.2.3

The structure of the Order so constituted is supported by a central team of Officers, appointed by the Grand Master, who have delegated powers and responsibilities for policy oversight and programme support in respect of the Order's operational programmes, administration and finances.

2.3 JURISDICTIONS

2.3.1

Jurisdictions are established or confirmed on the authority of the Grand Master by Grand Magistral Decree. Only Jurisdictions so established or confirmed may use the name, insignia or devices of the Order. The name, insignia and character of the Order are registered trademarks and their use is protected by law.

2.3.2

Jurisdictions are accountable to the Grand Master and are called a Grand Bailiwick, International Grand Bailiwick, Bailiwick, Grand Commandery or Hereditary Commandery as directed by the Grand Master.

2.3.3

A Grand Bailiwick or Bailiwick may consist of suitable sub-jurisdictions, but such shall have no independent standing apart from the Grand Bailiwick or Bailiwick within which they are constituted. The establishment and naming of a sub-jurisdiction is proposed by the Head of the Jurisdiction but must be approved by the Grand Master. There shall be no more than one National Jurisdiction per country.

2.4 HEADS OF JURISDICTIONS

2.4.1

The Head of a Jurisdiction shall be a Knight or Dame in good standing, recommended by the Jurisdiction to which he belongs to the Grand Master for his approval and appointment. The Head of Jurisdiction, as well as being the representative of the members, acts as the direct representative of the Grand Master and the International Government of the Order within the jurisdiction.

2.4.2

Except for Heads of Hereditary Commanderies, Heads of Jurisdictions hold their appointment for a prescribed term of three years, twice renewable and not to exceed an aggregate total of nine years (see Constitution Article 8.2.7).

2.4.3

The Head of Jurisdiction alone is responsible and accountable to the Grand Master for all matters and activities, official and unofficial, for finances and membership within his Jurisdiction including any dependent sub-jurisdictions, according to the Constitution, By-Laws, Policies, Statutes and Regulations of the Order. To that end the Head of Jurisdiction shall be privy to all communications between the Jurisdiction and the international government of the Order.

2.4.4

The Head of Jurisdiction may delegate the discharge of duties or responsibilities as may be considered necessary or desirable to the Deputy Head of Jurisdiction, the Chancellor or other jurisdictional officers, including Public Relations Officers, and shall be responsible for holding Annual General Meetings of all members of their Jurisdiction. Provision for voting and other procedures for the Annual General Meeting or Extraordinary General Meeting shall be contained in the Constitution or By-laws of the Jurisdiction or other legal entity established by it to undertake charitable work.

2.4.5

In the event that a Head of Jurisdiction shall not be in a position, for whatever reason, to attend in person at a Chapter General, a Heads of Jurisdiction meeting or other international meeting of the Order, the Head of Jurisdiction may appoint, and in case of a Chapter General shall appoint, in his stead for that purpose a senior officer in the Jurisdiction who is able to attend, and that person shall, for the purpose only of Article 8.3 of the Constitution, be the Head of Jurisdiction.

2.4.6

Where any such appointment is made, notification thereof shall be given in writing to the Grand Referendary and the Vice Grand Chancellor (Administration).

2.4.7

In the event that it is not possible for any Knight or Dame of a Jurisdiction to attend a Chapter General, the Head of a Jurisdiction shall appoint in his or her stead, the Grand Commander or, in the case of the Grand Commander's incapacity for any reason, the Grand Chancellor or such other Grand Officer as the Grand Commander or Grand Chancellor may nominate to represent the Jurisdiction, and the person so appointed or nominated shall, for the purposes only of Article 8.3 of the Constitution, be the Head of Jurisdiction.

2.4.8

Where any such appointment is made, notification thereof shall be given forthwith to the Grand Referendary and the Vice Grand Chancellor (Administration).

2.5 CONSTITUTION AND BY-LAWS OF JURISDICTIONS

2.5.1 Subject to and at all times in compliance with the national law of the territory in which it is domiciled, each Jurisdiction may adopt its own Constitution and make By-Laws and regulations having due regard to the requirements of Article 12.2 of the Constitution.

2.5.2 If not already established in accordance with the Constitution on the date of promulgation of these By-Laws, a certified translation into English of the draft Constitution and draft By-Laws of the Jurisdiction or legal entity of the Jurisdiction established for the purposes of carrying out its charitable work, as the case maybe, shall be submitted to the Grand Chancellor for approval prior to ratification and establishment by the Grand Master.

2.5.3 Heads of Jurisdictions are responsible for maintaining the legal status of the Jurisdiction in accordance with the national laws of the country or countries in which the Jurisdiction is domiciled and for ensuring that the Constitution and By-Laws of the Jurisdiction and/or the legal entity established to undertake its charitable work are kept in compliance therewith.

2.5.4 A Jurisdiction may establish a legal entity by way of an incorporated charity, charitable trust or

charitable foundation for the purpose of carrying out its charitable work.

2.5.5 The Constitution and By-Laws of the Jurisdiction, where unincorporated or where a legal entity has been established to undertake the charitable work of the Jurisdiction, shall contain provisions which require the keeping of financial records, including books of account concerning all monies received, expenses incurred and disbursements made as well as provisions requiring the auditing thereof by independent auditors to be appointed for that purpose in each financial year, all in accordance with the Order's Investment Policy.

2.5.6 All Jurisdictions shall be recorded on a register of Jurisdictions to be maintained by the Vice Grand Chancellor (Administration) of the Order.

2.6 OFFICERS OF JURISDICTIONS

2.6.1

Heads of Jurisdictions shall recommend to the Grand Master a suitable member in good standing of the Jurisdiction for appointment as Deputy Bailiff and/or Chancellor.

2.6.2

Heads of Jurisdictions have delegated authority from the Grand Master to appoint a Secretary-General, a Receiver-General, a Hospitaller, an Almoner, Heads of Sub-Jurisdictions, and such additional local officers as may be required. They may appoint similar such officers for Sub-Jurisdictions under their control, or they may delegate such power to the heads of the Sub-Jurisdictions.

2.6.3

Heads of Jurisdictions shall appoint a Jurisdictional Chaplain-General from the ranks of the Chaplains of that Jurisdiction (See Article 5.2 below) .

2.6.4

All names used for administrative appointments shall reflect the duties of the office and be consistent with those used elsewhere in the Constitution, the By-Laws, Policies, Statutes and Regulations of the Order.

2.6.5

Ceremonial appointments of the Order are provided for in Regulations promulgated for that purpose.

2.6.6

All other names of national officers or offices that have been approved by former Grand Masters shall remain valid until these names become naturally extinct.

2.7 CHANGE OF A HEAD OF JURISDICTION

On a change of Head of Jurisdiction or Sub-Jurisdiction all officers of such, not appointed by the Grand Master, shall be subject to re-appointment. They shall hold their appointment for no more than three terms of three years each at the pleasure of the Head of the Jurisdiction in accordance with the Constitution and By-Laws of the Jurisdiction.

2.8 SUB-JURISDICTIONS

Sub-jurisdictions do not form part of the Government of the Order, but all officers of such shall serve and retire on similar terms and conditions as members of the Government of the Order.

2.9 CEREMONIAL ASSETS OF JURISDICTIONS

Each Jurisdiction shall possess a National flag and an Order flag of the same size and material, a Processional Cross (Maltese cross), a ceremonial sword and green velvet cushions for carrying the decorations.

2.10 GRAND COMMANDERIES

2.10.1

For historical purposes, there are an exclusive number of Grand Commanderies that depend directly from the Grand Master, are installed by him and are not subject to the National Jurisdictions within whose geographic territory they exist. The Grand Master shall be the Grand Commander of a Grand Commandery. Grand Commanderies may not have commanderies or other Sub-Jurisdictions.

2.10.2

Provided always that the provisions of the Constitution apply, save as aforesaid, and unless expressly provided for otherwise, the Statutes, By-Laws, Regulations and Policies of the Order applying to National Jurisdictions shall apply equally to Grand Commanderies.

2.11 HEREDITARY COMMANDERIES

2.11.1

There exist a number of Hereditary Commanderies which depend directly from the Grand Master, are installed by him and are not subject to the National Jurisdictions within whose geographic territory they exist. Exceptionally, further Hereditary Commanderies may be established by the Grand Master under certain conditions to be specified in the Grand Magistral Decree establishing such a Commandery.

2.11.2

Hereditary Commanderies are required to make a commitment for use of or access to their property by the Order and make a minimum monetary donation of € 10,000 to the Order.

2.11.3

The Hereditary Commander may appoint, by written approval of the Grand Master/Grand Commander, a Vice-Commander and a Chancellor. Not less than 51% of the members of a Hereditary Commandery must belong to the family of the Hereditary Commander. The commitments and work of such a Commandery shall be provided for by Grand Magistral Decree.

2.11.4

In the event of death or retirement of a Hereditary Commander, the members of the Commandery shall elect a successor of the same family. A proposal shall then be sent to the Grand Chancellor for consideration and action. It is the prerogative of the Grand Master to accept or reject such a proposal. The provisions of the Constitution otherwise shall apply to Hereditary Commanderies.

2.11.5

Provided always that the provisions of the Constitution shall apply, save as aforesaid, and unless otherwise expressly provided for, the provisions of the Statutes, By-Laws, Regulations and Policies of the Order applying to National Jurisdictions shall apply equally to the Hereditary Commanderies.

2.12 THE INTERNATIONAL GRAND BAILIWICK

2.12.1

Formerly, members in good standing who for good and sufficient reason given did not wish to be part of their National Jurisdiction or who were unable to be so could request the status of "In Gremio Religionis" in which they reported directly to the Grand Chancellor. Henceforth this status shall be replaced by the establishment of an International Grand Bailiwick to which all such members, including those presently "In Gremio Religionis" may apply for membership.

2.12.2

All Delegations of the Order, excepting those already under the supervision of a Jurisdiction, are constituent parts of the International Grand Bailiwick and, subject to necessary modification, are governed by and subject to the Constitution and By-Laws of the Order.

ARTICLE 3. ADMINISTRATION

3.1 THE GRAND MASTER

3.1.1 DUTIES, RESPONSIBILITIES AND POWERS

The duties, functions, responsibilities and powers of the Grand Master are provided for in Article 8.2 of the Constitution, and more generally by other provisions of the Constitution and the By-Laws.

3.1.2 ATTENDANCE AT MEETINGS

The Grand Master or his representative so delegated by him may attend, in an *ex officio* capacity, any meeting of the Order held anywhere in the world.

3.1.3 ACTS REQUIRING GRAND MAGISTRAL DECREE

The promulgation of the Constitution, Statutes, By-Laws and Regulations of the Order; the establishment and/or confirmation of Jurisdictions; and the making of all appointments by the Grand Master shall be by way of Grand Magistral Decree.

3.1.4 IMPEACHMENT

The Grand Master maybe removed from office only by impeachment as provided for by Article 8.2 of the Constitution. The normal protocol for complaints shall be followed save that in the case of any complaint against the Grand Master such complaint and any decision thereon shall be made by the Grand Magistral Council. If after investigation the complaint is found to be well grounded and of sufficient gravity to warrant a motion of impeachment, the Grand Magistral Council may, by a simple majority of votes cast, refer the motion on the complaint to a Chapter General of the Order. The notice of the motion shall refer to and expressly state the grounds of the complaint. A two thirds majority of the votes cast at the Chapter General shall be required to carry a motion for impeachment.

3.1.5 FURTHER BY-LAWS

Further By-Laws may be promulgated to provide for the implementation of the provisions of the Constitution relating to the Office of the Grand Master and to make provision for the administrative functions and general affairs of the office where considered necessary.

3.2 THE GRAND MAGISTRAL COUNCIL

3.2.1 COMPOSITION AND DUTIES

The powers, duties, functions, purpose and composition of the Grand Magistral Council are provided for specifically in Article 8.4 of the Constitution and more generally by other provisions of the Constitution.

3.2.2 ESTABLISHMENT AND GOVERNANCE OF COMMITTEES AND COMMISSIONS

Further to the provisions of Article 8.4 of the Constitution, the Grand Magistral Council may, with the approval of the Grand Master, establish

1. Standing committees
2. Permanent commissions
3. Other commissions and ad hoc committees.

Further to the same provisions, the Grand Magistral Council shall establish the following standing committees and commissions:

1. The Governance Working Committee
2. The Investment Committee

3. The Legal Committee
4. The Public Relations and Communications Committee
5. The Insignia Committee
6. The Hospitaller Commission.

3.2.3 TERMS OF REFERENCE OF ALL COMMITTEES AND COMMISSIONS

The terms of reference of all standing committees so established, together with such other committees or commissions, including commissions of enquiry, established by the Grand Magistral Council with the approval of the Grand Master, shall be determined and specified in a resolution of the Grand Magistral Council. Having due regard thereto, the standing and such other committees or commissions so established shall determine and proceed in accordance with standing orders to be adopted by them, provided always that such shall comply with any regulation providing for the governance of such committees or commissions comprised in Regulation No. 1 of the Governance of Standing and Ad Hoc Committees.

3.2.4 MEMBERSHIP OF COMMITTEES

The chairman and members of any such committee or commission of enquiry shall be members of the Order in good standing. The members of standing committees shall be suitably qualified and possess expertise in the profession, business, vocation or calling particular to the committee of which they are members.

3.2.5 REPORTING COMMITTEES AND COMMISSIONS

Having regard to the functions and responsibilities of the Governance Working Committee in the day to day affairs of the Order, all reporting committees and commissions shall report in the first instance to the Governance Working Committee not less than annually by the 31st of March of the following year.

3.2.6 LEGAL MATTERS

On any matter of legal import for the Order, the Grand Magistral Council or the Governance Working Committee may seek the advice of the Legal Committee of the Order in the first instance and recommended independent counsel as necessary.

3.3 STATUTES, BY-LAWS, REGULATIONS, POLICIES AND GUIDELINES

3.3.1

The Statutes, By-Laws, Regulations, Policies and Guidelines promulgated by the Grand Magistral Council pursuant to Article 11.2 of the Constitution shall at all times be subject to and not inconsistent with the provisions of the Constitution.

3.3.2

Without prejudice to the general power of the Grand Magistral Council to make them, the governance of the Standing and Ad Hoc Committees, the International Grand Bailiwick, the wearing of Dress, Decorations, Uniforms, Insignia, the Admission to the category of Justice, Protocol for Promotions and Awards and the use of the Arms and Seals of the Order shall be prescribed by Regulations.

3.3.3

Having regard to its function as the body responsible for the policy of the Order, the Grand Magistral Council, on the advice of the Governance Working Committee, shall make provision for communication, conflict of interest, investment, privacy and such other policies as may be necessary and desirable for the good governance of the Order.

3.3.4

The Grand Magistral Council may issue guidelines in respect of compliance with any matter within its competence, including guidelines and protocols on minimum standards for Vigils and Investitures.

3.3.5

The business of a meeting of the Grand Magistral Council, and a standing or other committee or commission, may be conducted wholly or partially via conference call, Skype, video link or similar facilities and where necessary completed by circular resolution sent by email or otherwise electronically.

3.3.6 FURTHER BY-LAWS

Further By-Laws may be promulgated to provide for the implementation of the provisions of the Constitution relating to the Grand Magistral Council and to make provision for its administrative functions and general affairs where considered necessary.

3.4 THE HEADS OF JURISDICTIONS MEETING

3.4.1

The Heads of Jurisdiction may propose items to be placed on the agenda of the meeting.

3.4.2

The Heads of Jurisdiction Meeting shall receive a copy of the accounts of the Foundation, including the report of the auditor. Additionally, the Heads of Jurisdiction meeting may advise on the level of oblations or other monies to be remitted to the Foundation.

3.5 CONTACT WITH MEMBERS OF OTHER JURISDICTIONS

Whilst provisions exist for international dialogue between members to take place at a number of formal levels, positive international dialogue between individual members, working towards the achievement of the aims and objectives of the Order, is encouraged. Such contacts of an individual nature must be made with the full approval of the member's own Head of Jurisdiction, and at all times care must be taken to ensure that membership *bona fides* are established by all involved in such contacts.

3.6 VOTING BY PROXY

All voting within the Order shall be in person except for the votes of the Jurisdictions in The Chapter General. No written proxy shall be recognised except as allowed in Article 8.3 of the Constitution, "The Chapter General".

3.7 MEMBERS LIVING OUTSIDE A JURISDICTION

Members temporarily living in a National Jurisdiction other than that in which they normally reside may, with the consent of the Head of the Jurisdiction of their country of normal residence, apply to be honorary members of the Jurisdiction in which they are living. Such transfers are routinely subject to the approval of the Grand Chancellor. They are expected to take part in all the work and assemblies of the Jurisdiction of which they are honorary members but they shall have no right to vote in that Jurisdiction. Members living in a country where there is currently no National Jurisdiction may apply to join the International Grand Bailiwick.

3.8 ANNUAL REPORTS AND FINANCES

3.8.1

The year of the Order is from 1st January to 31st December annually; the financial year of the Order shall correspond therewith.

3.8.2

The Foundation and all Jurisdictions are required to have their financial statements audited. No bank account of the Order shall be kept in the name of a specific individual or individuals collectively.

3.8.3

Each Jurisdiction is required to report to the Vice Grand Chancellor (Finance) the details of all bank accounts over which it has control and the name and address of its auditors.

3.8.4

Save in the case of a Jurisdiction where the national law of the State in which the Jurisdiction is established requires the appointment of independent auditors to audit the financial accounts and records of the Jurisdiction or the foundation or corporation or other body controlled or established by it to carry on its charitable work, the term “auditors” refers to a minimum of two members of the Jurisdiction, who are not executive officers thereof, who are suitably qualified and have sufficient experience, including experience in the Order to be able to make informed decisions about, and to report on, the accounts of the Jurisdiction. The Auditors of each Jurisdiction are required to submit an annual report or statement to the members of that Jurisdiction.

3.8.5

The Auditors of each Jurisdiction shall be required to submit an annual report to the Vice Grand Chancellor (Finance) to reach him no later than the 31st of March of the following year. The report shall include details, in a format determined by the Vice Grand Chancellor (Finance), of the following:

- Members by ranks at the beginning and at the end of the year;
- Number and names of postulants entered during the year by GC numbers and ranks granted;
- Number and names of promotions by ranks and GC number;
- Name, rank and GC number of any member who has resigned or died;
- A breakdown by item of the monies being transferred to the account of the Grand Chancery;
- An annual audited statement.

3.9 OBLATIONS, DUES AND FEES

3.9.1

It shall be a requirement of membership in the Order that each Member pay in advance such admission fees, annual oblations (dues) and passage fees (fees for promotion) as may be determined by their Jurisdiction, subject to any maximum limit thereon as may be fixed from time to time by the Grand Magistral Council.

3.9.2

Until such payments are made to the Jurisdiction by the individual concerned, no brevet of membership or promotion shall be issued to that individual.

3.9.3

All fees and oblations shall be paid directly to the Jurisdiction. The portion of such fees and oblations due to the Grand Chancery shall be remitted to the Vice Grand Chancellor (Finance) by March 31st next following.

3.9.4

Heads of all Jurisdictions, with the approval of the Grand Master, upon the advice of the Vice Grand Chancellor (Finance), may suspend, remit or vary the requirements of this By-Law in individual cases.

3.9.5

Chaplains of the Order are not required to pay admission fees or annual oblations (dues).

3.9.6

Each Jurisdiction shall pay an annual contribution to the Foundation on the basis of its Memorandum of Understanding with the Foundation in respect of the administration and the coordination of the Hospitaller activities carried out by it on behalf of the Order.

3.9.7

The amount of the contribution shall be assessed per capita on the number of qualified members of the Jurisdiction ascertained by the Foundation in a sum to be determined by the Grand Magistral Council, such amounts to be remitted to the Vice Grand Chancellor (Finance) by 31st March annually.

3.10 GRAND CHANCERY REPORTING

3.10.1 The Vice Grand Chancellor (Finance) shall keep audited records of all bank accounts of the Order and submit an annual report to the Grand Magistral Council not later than 31st March of the following year which details:

- All monies received into all of the Grand Chancery accounts;
- The audited accounts;
- The insignia accounts;
- The assets owned or held by the Order.

3.10.2

The Vice Grand Chancellor (Finance) shall present the Foundation's operating budget for approval by the Grand Magistral Council in the autumn of each year.

3.10.3

The annual report shall be audited by a firm of professional auditors appointed by the Grand Magistral Council for a term of three years on the advice of the Governance Working Committee. Such appointments may be renewed with the same remit for further terms of three years each.

3.10.4

Following the approval of the accounts the Board of the Foundation shall provide the Vice Grand Chancellor (Finance) with written confirmation of approval by the Board and of his discharge from any financial liabilities which may arise from the accounts.

3.10.5

The Vice Grand Chancellor (Finance) shall assure that all monies received by the Foundation from Jurisdictions in respect of annual oblations (dues), admission fees and passage fees are kept separate and apart from contributions paid to or other funds received by the Foundation exclusively for its charitable purposes.

3.11 INTERNAL AUDIT

The Grand Custodian shall conduct internal audits of all the financial activities of the Foundation at his discretion, but at least annually, in consultation with the Grand Commander of the Order.

3.12 ANNUAL REPORTS OF HOSPITALLER, CHARITABLE AND OTHER WORKS

Each Jurisdiction is required to submit an annual report to the Vice Grand Chancellor (Administration) not later than the 31st of March of the following year, detailing all hospitaller and charitable activities within the Jurisdiction. The annual Hospitaller report shall also be sent to the Grand Hospitaller by the same date.

3.13 MANAGEMENT AUDIT

Given reasonable cause, the Grand Magistral Council has the authority to instruct the Governance Working Committee to conduct an audit of the management of a Jurisdiction. This shall be done by two or more Senior Officers appointed by the Governance Working Committee from outside the Jurisdiction which is to be audited. They shall have authority delegated to them by the Governance Working Committee to examine and report to it on the management and communication practices of the Jurisdiction being so audited. The Governance Working Committee shall report to the Grand Magistral Council on the result of the audit and the outcome.

3.14 SIGNATURES

Grand Magistral Decrees regarding the Governance of the Order must be signed by: the Grand Master; the Grand Chancellor and one other principal Grand Officer. All other Grand Magistral Decrees and Diplomas in respect of Heads of Jurisdiction, membership of the Order or administrative matters shall be signed by: the Grand Master, the Grand Chancellor or one member of the Grand Magistral Council, and the Grand Referendary. In all cases, unless the above documents bear the signatures indicated, they shall be declared null and void.

3.15 ARCHIVES OF THE ORDER

All archives of the Order or facsimiles thereof shall be located at the Torri ta Lanzun, Malta.

3.16 SEALS OF THE ORDER

3.16.1 The Privy Seals of the Grand Master and of the Coadjutor

These are the full personal arms of the Grand Master or of the Coadjutor, encircled by the inscription "The Military and Hospitaller Order of Saint Lazarus of Jerusalem" and "Grand Master" or "Coadjutor", all written in one of the official languages of the Order. The Privy Seals shall be used exclusively by the Grand Master or by the Coadjutor, with the exception of the person to whom they are entrusted. This person is designated as the Keeper of the Privy Seal.

3.16.2 The Great Seal of the Order

This is the full arms of the Order encircled by the inscription "S. Ordinis Sancti Lazari Hierosolymitani". The seal of the Order shall be affixed to all diplomas and other important documents. The Great Seal of the Order shall be located securely at the direction of the Grand Master. The Great Seal, differenced by use of appropriate office title, shall also be used by: the Grand Commander of the Order; the Ecclesiastical Grand Prior and the Grand Chancellor of the Order.

3.16.3 The Seals of the members of the Grand Magistral Council

These are the cross of eight points encircled by the Collar of the Order, all encircled by the inscription "The Military and Hospitaller Order of Saint Lazarus of Jerusalem" and the office or function of the bearer in one of the official languages of the Order.

3.16.4 The Seals of Jurisdictions

These are the arms of the Order encircled by the inscription "The Military and Hospitaller Order of Saint Lazarus of Jerusalem", the name of the Jurisdiction and the office or function of the bearer, all either in one of the official languages of the Order or in the language spoken in the country of the Jurisdiction. Only Heads of Jurisdictions (i.e. Grand Priors, Grand Bailiffs, Priors, Bailiffs, Commanders, Heads of Delegations, Hereditary Commanders), their deputies and Chancellors are entitled to use such seals.

3.16.5

All seals used within the Order shall be registered at the office of the Grand Officer of Arms of the Order and the Grand Chancellor of the Order.

3.17 COMPLAINTS AGAINST SENIOR OFFICERS

Where a subordinate officer or member has a complaint against his superior officer, he may complain in writing to higher authority in the Jurisdiction of which he is a member or, if appropriate, to higher authority

in the Order, with a copy to that superior officer. If the Grand Chancellor be not the object of such a complaint, he shall be copied also. The officer who is the object of the complaint shall cooperate with the process of investigation of such a complaint. No officer or member has any authority to impede the processing of such complaint.

3.18 FORMAL CEREMONIES OF THE ORDER

All formal ceremonies of the Order shall be conducted in accordance with the Order's ecumenical tradition.

3.19 USE OF THE CROSS OF THE ORDER

The Cross of the Order may be used by the Order itself, by its authorised Jurisdictions and Volunteer Corps and by all registered and active individual Members from the rank of MLJ upwards.

3.20 USE OF THE ARMS OF THE ORDER

The arms of the Order, with or without the motto, may be used by the Order itself and by its approved Jurisdictions only, but not by individual Members. However, members may wear the arms of the Order as a decorative distinction at appropriate functions of the Order.

3.21 FOUNDATION GOVERNANCE AND OVERSIGHT, RIGHTS AND OBLIGATIONS

All rights, obligations and relationship between the Jurisdictions and the Foundation shall be founded in the first instance upon a contract or Memorandum of Understanding to be entered into between the Foundation and the Jurisdictions.

3.22 ANNUAL REPORT OF THE FOUNDATION

The Foundation shall be required to provide a summary of its annual, audited financial report to the Heads of those Jurisdictions with which the Foundation has a contract or Memorandum of Understanding, to the Governance Working Committee and the Grand Magistral Council.

ARTICLE 4. MEMBERSHIP

4.1 MEMBERSHIP IN THE ORDER

In accordance with the Constitution, By-Laws, Statutes and Regulations of the Order, Christian ladies and gentlemen of a character and standing to be a credit to the Order and an asset to its mission may be proposed for membership in the Order.

4.2 QUALIFICATION FOR MEMBERSHIP

4.2.1

All members of the Order shall be baptised and practising members of a recognised Christian tradition and be committed to the principles of Christianity.

4.2.2

Every Postulant (candidate for admission) must be known to two Knights/Dames, who must know the candidate personally and sponsor the Postulant for admission to the Order.

4.2.3

Every Postulant shall complete a Petition (application form) in writing in a form prescribed by the Order and must submit for review a curriculum vitae, with a copy of his baptismal certificate. If a baptismal certificate is not available, it may be replaced by a statement from a senior clerical officer of the candidate's Church confirming that the candidate is baptised and a practising Christian, or the Statutory Declaration contained in the Petition (admission form) may be utilized.

4.3 AGE FOR ADMISSION

Except in those cases where the Grand Master shall approve otherwise by decree, and in the case of Postulants claiming the right to admission by reason of hereditary right, no Postulant shall be admitted to the Order unless he will be the legal age of majority in his respective Jurisdiction at the time of his investiture.

4.4 EFFECTIVE DATES OF MEMBERSHIP AND OF RANK

Membership commences and ranks are effective on the dates when the applicable brevets of membership or rank are signed.

4.5 HEREDITARY ADMISSION OF CHILDREN OF KNIGHTS AND DAMES

4.5.1 The sons and daughters of Knights or Dames, or above, may apply for membership in the Order by reason of hereditary right after reaching the age of eighteen years. Upon satisfying himself that such Postulant is otherwise qualified for admission, the competent authority shall admit the Postulant as a Member, or in such higher rank as the competent authority may deem appropriate.

4.5.2 The sons and daughters of Knights or Dames of Justice admitted by reason of hereditary right shall, upon obtaining the rank of Knight or Dame, prove anew the claim to the category of Justice or, failing such proof, be admitted in the category of Grace.

4.6 RANKS IN THE ORDER

4.6.1 The ranks in the Order in ascending order are:

- Member (MLJ)
- Officer (OLJ)
- Commander (CLJ)
- Knight or Dame of Grace (KLJ, DLJ)
- Knight or Dame of Justice (KLJ, DLJ)
- Knight or Dame Commander of Grace (KCLJ, DCLJ)
- Knight or Dame Commander of Justice (KCLJ, DCLJ)
- Knight or Dame Grand Cross of Grace (GCLJ)
- Knight or Dame Grand Cross of Justice (GCLJ)

4.6.2

The rank of Grand Cross is a mark of highest distinction. This rank is awarded at the sole discretion of the Grand Master. It is strictly reserved to Heads of State, Prime and State Ministers, Governors, Generals, etc., members of the Grand Magistral Council, Heads of Jurisdiction and outstanding members of the Order who have served the Grand Master faithfully and with exceptional distinction.

4.6.3

The forms of address for the different ranks are:

- MLJ, OLJ and CLJ, **Confrere, Consoeur**
- KLJ, KCLJ, **Chevalier**
- DLJ, DCLJ, **Dame**
- GCLJ, **His Excellency The Chevalier**
- GCLJ, **Her Excellency Dame**

Members must not use any Order-related prefixes other than those prescribed above.

4.7 CATEGORIES OF MEMBERS

There shall be two categories for all admissions to the Order in the rank of Knight/Dame or above, these being of Grace or of Justice. Normally no Postulant shall be admitted to the Order in the category of Justice unless he meets the criteria specified in Section 4.8 below. Members admitted in the category of Justice are entitled to wear the Order's Cross of Justice. Members unable to satisfy the qualifications for admission in the category of Justice shall be admitted in the category of Grace.

4.8 CRITERIA FOR ADMISSION IN THE CATEGORY OF JUSTICE

4.8.1

Members admitted in or promoted to the first three Grades of the Order who are able to meet the conditions promulgated by Grand Magistral Decree from time to time shall be known as Knight Grand Cross, Dame Grand Cross, Knight Commander, Dame Commander, Knight or Dame of Justice according to the grade of appointment.

4.8.2

Those who are unable to meet the requisite conditions shall be known as Knight Grand Cross, Dame Grand Cross, Knight Commander, Dame Commander, Knight or Dame of Grace according to the grade of appointment.

4.8.3

In exceptional circumstances, and at his sole discretion, the Grand Master may, by Grand Magistral Decree, confer the category of Justice on those who are otherwise not qualified.

4.9 CLERGY

4.9.1

Priests or ministers of recognized Christian traditions (i.e. Churches professing as an article of Faith belief in the Holy and Undivided Trinity and baptism by water and the Holy Spirit) shall be admitted as ecclesiastical Members (Chaplains of the Order). Such Postulants shall submit, in addition to the documentation required by Article 4.2 above, proof that they have been validly and regularly ordained and have current written authority to officiate in their particular Church.

4.9.2

The ranks of the Clergy are, in order from junior to senior:

- Assistant Chaplain (AChLJ) – Equivalent rank MLJ or OLJ
- Chaplain (ChLJ) – Equivalent rank CLJ
- Senior Chaplain (SChLJ) – Equivalent rank KLJ
- Ecclesiastical Commander (ECLJ) – Equivalent rank KCLJ
- Ecclesiastical Grand Cross Chaplain or Chaplain Prelate – Equivalent rank (GCLJ)

4.9.3

The rank of Ecclesiastical Grand Cross is usually reserved for Cardinals, Patriarchs, (Arch) Bishops and Abbots of all Christian traditions, the Ecclesiastical Grand Prior and, at the Grand Master's discretion, certain Jurisdictional Chaplains-General. The award of Ecclesiastical Grand Cross to any person is subject to the custom and practice of individual Jurisdictions as well as to the approval of the Grand Master.

4.9.4

The forms of address for clerical members are those used according to their rank in the Christian tradition to which they belong.

4.10 MEMBERSHIP APPLICATION PROCEDURE

4.10.1

Postulants for membership of the Order shall submit their application in duplicate, accompanied by the documentation prescribed in Paragraph 4.2 above, to the Admissions Commission of their Jurisdiction, which is the only body at jurisdictional level competent to approve the candidate.

4.10.2

Upon such approval, the Admissions Commission of the Jurisdiction shall transmit the application, together with its recommendations and all other documents required by 4.2 or 4.9 above, via the appropriate officers of the Jurisdiction, to the Grand Chancery.

4.10.3

The Grand Chancellor of the Order shall decide upon the admission, rank and category of the postulant, being guided as appropriate by the recommendations of the local jurisdictional Admissions

Commission, and shall transmit the application, if approved, together with his recommendation, to the Grand Master, who shall decide upon the admission of the postulant and confirm his rank and category. The decision of the Grand Master is final and not subject to appeal.

4.10.4

The Grand Master may delegate all or part of such responsibilities to the Grand Commander of the Order, the Grand Chancellor of the Order or to the Head of a National Jurisdiction upon the advice of the Grand Magistral Council.

4.10.5

All appointments of clergy in a National Jurisdiction shall be referred to the Jurisdictional Chaplain-General for approval and shall not proceed without such approval.

4.11 APPOINTMENTS OF EMERITI

4.11.1

The granting by the Grand Master of emeritus status to any member upon his retirement from office is a mark of honour and distinction and shall be made in consultation with the Grand Magistral Council.

- A retired Grand Master may be appointed Grand Master Emeritus by a Chapter General.
- A retired Grand Officer may be appointed a Grand Officer Emeritus by the Grand Master.
- A former Head of Jurisdiction may be appointed (Grand) Prior Emeritus or (Grand) Bailiff Emeritus by the Grand Master.
- A Head of Jurisdiction may confer the status of Member Emeritus within his Jurisdiction on a member who, owing to long and exceptional service, warrants this distinction.

4.11.2

An Emeritus rank has no executive power but is ceremonial and in a ceremony is preceded only by the holder of the active rank. An Emeritus rank is held for life.

4.12 INSIGNIA

Members are required to purchase from their Jurisdiction the appropriate insignia for the rank that they hold. The International Custodian of Insignia shall publish the prices at which Jurisdictions may purchase these insignia from his office and the prices at which Jurisdictions are permitted to sell these to their members. These prices shall be strictly adhered to unless the Grand Magistral Council has granted a particular Jurisdiction a dispensation to purchase insignia from an approved local supplier and to charge differently.

4.13 INVESTITURES

4.13.1

The Grand Master is the sole authority for investing Members on entry, on promotion, or receipt of an award. He may delegate such authority to Heads of Jurisdictions or Principal Grand Officers to deputise for him and in such cases Investing Officers may invest to one rank below that which they hold. The delegation of investing authority (to include the name of the Investing Officer) shall be sought by the Jurisdiction in writing from the Grand Chancery *before* the investiture.

4.13.2

Jurisdictions shall request permission from the Grand Commander of the Order to hold an investiture not less than ninety days' notice in advance of the proposed investiture date, together with the name or names as the case may be of the proposed Investing Officer(s).

4.13.3

Should a Head of Jurisdiction wish to invite the Grand Master or a senior officer to be present at a National Jurisdiction investiture, such an invitation shall be conveyed via the Grand Commander.

4.14 INACTIVE MEMBERS

4.14.1

Those Members who fail to participate in the Hospitaller, ecumenical or other good works of the Order,

and who fail to pay their oblations shall be transferred to the list of Inactive Members. Each Jurisdiction shall review its membership list annually and include in its annual report to the Vice Grand Chancellor (Administration) the names of those Members transferred to the inactive list pursuant to this paragraph.

4.14.2

Inactive members shall no longer be asked to contribute to the work of the Order, and shall not be given notice of any assemblies of the Order. Inactive members may wear only the insignia of the highest awards made in the Companionate of Merit, the Medal of Merit and the Cross of Merit, if entitled to such decorations. They may not wear the insignia of their rank in the Order.

4.14.4

In the event of a member below the rank of Knight or Dame remaining inactive for a period of three years, their membership of the Order shall cease automatically.

4.14.5

Members of the rank of Knight and above must be released from their oath by the Grand Master. The procedure for release shall be initiated by the Head of Jurisdiction.

4.15 TRANSFER FROM INACTIVE TO ACTIVE MEMBERSHIP

An inactive member may be returned to the active list at the discretion of the Head of the member's Jurisdiction and after making such payments to the Jurisdiction as the Head of the member's Jurisdiction considers appropriate in the particular circumstance.

4.16 SUSTAINING MEMBERS

In cases of genuine financial hardship, or for other justifiable reason, a member may make written request to the Head of his Jurisdiction for the category of Sustaining Membership. Any member so approved shall be entitled to a one-year waiver of payment of oblation, renewable for one year at the discretion of the Head of Jurisdiction, after which time annual payments thereof must be resumed.

4.17 TRANSFER BETWEEN JURISDICTIONS

An active member may request transfer from one Jurisdiction to another because of a change of domicile or place of principal employment. Such transfers shall require the recommendation of the heads of both jurisdictions concerned and the approval of the Grand Chancellor.

4.18 RESIGNATIONS

4.18.1

Only members below the rank of Knight or Dame may resign. Those of the rank of Knight and above will be placed on the List of Inactive Members until they have been released from their oath by the Grand Master. (See Paragraphs 4.14.4 and 4.14.5 above).

4.18.2

Members who have resigned may not wear the insignia or the uniform of the Order. It is desirable that the insignia be returned to the Head of Jurisdiction.

4.19 EXPULSIONS

4.19.1

The expulsion of, or removal from office, of a member requires that the Governance Working Committee be provided with a petition in writing citing specified reasons for either action. This shall require supporting documentation to justify such action. It will require, at minimum, substantive evidence of a member's misfeasance or malfeasance in duties or responsibilities of membership or office. Likewise, if a member has been found guilty of a criminal offence, this would also be grounds for expulsion or removal. All documentation must be sent to the Grand Chancellor, who shall review it and determine whether the petition can be considered immediately by the Governance Working Committee or requires further investigation.

4.19.2

In respect of members of Jurisdictions, such petitions shall be submitted by the Head of Jurisdiction, and for members of the Grand Magistral Council by the Grand Commander of the Order. Should any petition concern a Head of Jurisdiction or any other senior officer, By-Law 3, paragraph 3.17 shall apply.

4.19.3

Expelled Members may not wear the insignia or the uniform of the Order. They should return their insignia to the Head of Jurisdiction.

4.20 MEMBERS WHO BECOME NON-CHRISTIANS

All Members of the Order who cease to be Christian shall automatically cease to belong to the Order. Upon regaining their Christian faith, such former Members may petition the Grand Master for reinstatement in the Order via their Jurisdiction, and upon a showing of good cause, and with the approval of the Grand Master, they may be reinstated.

ARTICLE 5. SPIRITUAL AFFAIRS OF THE ORDER

5.1 SPIRITUAL ADVISORY COUNCIL

5.1.1

The role of the Spiritual Advisory Council is to give support to the Jurisdictions and to advise the Grand Master and the Grand Magistral Council on all matters of ecclesiology and spirituality, as well as to promote Christian unity. The Spiritual Advisory Council shall review services of investiture, vigils and ecclesiastical procedures to ensure that good practice is followed throughout the Order, and shall consider and advise on the ecumenical life of the Order.

5.1.2 Membership of the Council.

1. Membership of the Council shall be by the invitation of the Grand Master after conferring with the Ecclesiastical Grand Prior of the Order.
2. Membership of the Council will not exceed twelve but it may make *ex-officio* non-voting appointments on occasion to assist in specific work.
3. Members shall be drawn from different traditions of Christianity with the object of reflecting the Christian traditions of the members of the Order.
4. The Ecclesiastical Grand Prior shall be the Chairman of the Council.
5. The Spiritual Protector shall be fully informed of all meetings, agendas, reports and minutes of all meetings of the Spiritual Advisory Council by the Ecclesiastical Grand Prior.

5.2 JURISDICTIONAL CHAPLAINS-GENERAL

The Head of each Jurisdiction of the Order, in consultation with competent authority, shall appoint a member of the Order from within the Jurisdiction who is a senior member of the clergy as his Jurisdictional Chaplain-General. The Jurisdictional Chaplain-General shall be responsible for overall planning (strategic and tactical), recommending, implementing and evaluating the spiritual activities of the Jurisdiction in conjunction with the Head of Jurisdiction and in harmony with the Christian and ecumenical nature of the Order.

5.3 ADMISSION OF CLERGY TO THE ORDER

In order to assist Jurisdictions, the Spiritual Advisory Council may consider any application for admission from a member of the clergy which requires further advice or guidance, and make recommendations to the relevant Head of Jurisdiction regarding such an application. In the event of a dispute, the matter shall be referred to the Grand Commander of the Order for review. The Grand Commander may seek the advice of the Grand Master, whose decision shall be final.

ARTICLE 6. HOSPITALLER DUTIES AND OBLIGATIONS OF THE ORDER

6.1 CONDUCT OF MEMBERS

6.1.1

The Order is founded on two basic principles: a strong ecumenical spiritual commitment and a dedication to the principles of chivalry and good works. Members of the Order are, therefore, expected to conduct their personal and professional affairs and lives in harmony with these principles.

6.1.2

Each member shall engage actively in the pursuit of chivalric and other good works as is appropriate and in accordance with his abilities, resources and station. Such activities shall be in harmony with Jurisdictional priorities and the priorities and goals of the Order as a whole.

6.2 HOSPITALLER COMMISSION

6.2.1

The Hospitaller Commission is a Standing Commission of the Order. The Commission consists of all Jurisdictional Hospitallers and is headed by the Grand Hospitaller, *ex-officio*. It shall meet in person or electronically at the call of the Grand Hospitaller, but in no case less frequently than once every two years.

6.2.2

The Hospitaller Commission shall serve as the principle forum for planning, recommending, implementing and evaluating the Hospitaller activities of the Jurisdictions of the Order and of the Order as a whole.

6.2.3

Each Jurisdiction shall be represented by its Hospitaller or his representative approved by the Grand Hospitaller.

6.3 JURISDICTIONAL HOSPITALLERS

6.3.1

The Head of each Jurisdiction of the Order, in consultation with the Grand Hospitaller, shall appoint a member of the Jurisdiction who is a health professional or, in the absence of a health professional, a suitably qualified alternative as Hospitaller of the Jurisdiction. The Jurisdictional Hospitaller, in conjunction with the Head of Jurisdiction, shall be responsible for the evaluation, overall planning and implementation of the Hospitaller activities of the Jurisdiction: all such activities shall be consistent with the hospitaller aims and objects of the Order.

6.3.2

The Jurisdictional Hospitaller shall report to the Head of Jurisdiction concerning day-to-day operations and shall be responsible for liaising with the Grand Hospitaller and the Foundation concerning jurisdictional charitable activities, in co-ordinating international activities or otherwise as the circumstances require.

6.3.3

The Jurisdictional Hospitaller, or his representative approved for that purpose by the Grand Hospitaller, shall attend all meetings of the Hospitaller Commission and shall be responsible for providing to the Grand Hospitaller in each year an annual report detailing the Hospitaller activities of the Jurisdiction.

ARTICLE 7. REGULATIONS, POLICIES, GUIDELINES & PROTOCOLS, STATUTES

7.1 Regulations have been promulgated in respect of the following:

1. Governance of Standing and Ad Hoc Committee
2. International Grand Bailiwick

3. Wearing of Dress, Decorations and Uniforms
4. Protocol for Promotions and Awards

7.2 Policies have been adopted in respect of the following:

1. Communication Policy
2. Conflict of Interest Policy
3. Investment Policy
4. Privacy Policy

7.3 Guidelines have been adopted in respect of the following:

1. Guidelines and Protocols on Minimum Standards for Vigils and Investitures
2. Guidelines on Proofs required for the category of Justice

7.4 Statutes have been promulgated in respect of the following:

1. Statutes of the Ancient and Most Noble Military and Hospitaller Order of Saint Lazarus of Jerusalem
2. Statutes for the Companiate of Merit of the Military and Hospitaller Order of Saint Lazarus of Jerusalem