

Statutes

Consolidated version of 18 September 2025 including prior approved revisions.

The Statutes are certified.

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Article 1. Name and Legal Personality

- 1.1. An Association named “Better Cotton Initiative”, hereinafter referred to as “the Association” in these statutes (the “Statutes”), is incorporated according to article 60 and subsequent of the Swiss Civil Code.
- 1.2. The Association is a legal entity under Swiss law.

Article 2. Seat

- 2.1. The Association's legal seat is in Vernier.
- 2.2. The Association may operate internationally.
- 2.3. The Association is registered with the Geneva Register of commerce.

Article 3. Mission and Beneficiaries

- 3.1. The Association exists to make global cotton production better for the people who produce it, better for the environment it grows in and better for the sector's future.
- 3.2. The Association's beneficiaries are cotton farmers, cotton farm workers, cotton farming communities, and the environment.
- 3.3. The objectives of the Association are not for profit.

Article 4. Non-discrimination

The Association does not and shall not discriminate on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, marital status, gender identity or sexual orientation.

Article 5. Finances

Financial Resources

- 5.1. The Association's resources may derive from the following sources:
 - 5.1.1. Membership fees;
 - 5.1.2. Donations and legacies;
 - 5.1.3. Sponsorships;
 - 5.1.4. Private and public sources;
 - 5.1.5. Any other resources authorised by the law.
- 5.2. The funds shall be used in accordance with the Association's mission.

Financial Powers

- 5.3. For the purposes of carrying out its mission, the Association shall be entitled:
- 5.3.1. To open and operate bank accounts in the name of the Association and to draw, make, accept, endorse, execute and issue promissory notes, bills, cheques and other instruments.
 - 5.3.2. To acquire, alter, improve, charge, take on lease, exchange, hire, sell, let or otherwise dispose of any movable or immovable property and any rights and privileges whatsoever.
 - 5.3.3. To borrow or raise money, with or without security, upon terms approved by the Council.
 - 5.3.4. To pledge, lien or mortgage the assets of the Association and / or render guarantee as security for the performance of any contract entered into with a third party, the discharge of any obligation incurred, or the repayment of any monies borrowed by the Association.
 - 5.3.5. To invest any surplus funds of the Association not immediately required for the Association's activities, as determined and approved by the Council.
 - 5.3.6. To create, establish, administer and manage funds, including endowment funds, conducive to achieving and promoting the Association's mission.
 - 5.3.7. To enter into agreements, contracts and arrangements with organisations, institutions, bodies and individuals.

Financial year

- 5.4. The financial year shall begin on 1 April and end on 31 March of each year.

Auditor

- 5.5. The Council may voluntarily appoint an independent auditor to audit the Association every year as long as there is no mandatory duty to appoint an auditor. If the requirements of Article 69b of the Swiss Civil Code are met and audit is mandatory, the General Assembly will elect a qualified independent auditor.

Liability

- 5.6. For any claims whatsoever, the Association is only liable for its assets. No member is personally liable for any liabilities, obligations or debts of the Association. Subject to Article 55 para 3 of the Swiss Civil Code, neither the members of the Council nor any other Office Bearers of the Association shall incur any personal liability arising out of the activities or commitments of the Association.

Article 6. Membership

Membership qualifications

- 6.1. An organisation is qualified to be a member of the Association if the organisation:
- 6.1.1. is legally registered;
 - 6.1.2. is not part of a group of companies (or other legal entities), one of which is already a member of the Association in the same Membership Category (as defined below);
 - 6.1.3. falls within one of the categories listed in article 6.2;
 - 6.1.4. has applied for membership as provided by articles 6.6.1 to 6.6.6; and
 - 6.1.5. has been approved for membership of the Association.

Membership categories

- 6.2. The Association's members are categorised in one of the below categories (each a "Membership Category"):
- 6.2.1. **Producers:** any organisation that engages with and aims to represent cotton producers.
 - 6.2.2. **Suppliers and Manufacturers:** any organisation that runs for-profit activity within the cotton supply chain beyond the farm-gate and before the retail, from buying and selling to processing.
 - 6.2.3. **Retailers, Brands and Buyers:** any for-profit organisation selling goods or services directly to consumers or, intended for direct use of consumers.
 - 6.2.4. **Civil Society:** any non-governmental organisation that is not-for-profit and serves the public interest and common good related to the cotton sector.
 - 6.2.5. **Associate members:** any organisation that
 - a. has a valid interest in becoming a member of the Association but does not fall within categories 6.2.1 to 6.2.4; or
 - b. represents the interests of organisations as defined in 6.2.2, 6.2.3 or 6.2.4.
- 6.3. The Council may determine sub-categories to the Membership Categories for the purpose of membership fee structure and in accordance with membership policies. The Association shall keep a list of its members mentioning the company name, its representative(s) and addresses for each. Such details and supporting documents shall be retained for five (5) years after the member leaves the Association.

Benefits and rights of membership

- 6.4. The benefits and rights of membership shall include:
- 6.4.1. Learning about and receiving updates on the Association and its activities;
 - 6.4.2. Participating and voting in the General Assembly;
 - 6.4.3. Being eligible or co-optable as applicable, as Council member in their Membership Category;

- 6.4.4. Other benefits and rights as determined by the Council.

Commitment and obligations of members

- 6.5.1. All members shall commit to support and contribute to the Association's mission, and to share relevant learning and experience, in line with the Association's **Antitrust Policy**.
- 6.5.2. All members shall comply with the membership policies applicable to their Membership Category, or sub-category, as determined by the Council.

Application for membership

- 6.6.1. An application for membership of the Association:
- must be in writing in the form made available by the Association;
 - must be lodged with the Secretariat of the Association.
- 6.6.2. As soon as practicable after receiving an application for membership the Secretariat of the Association must refer the application to the members of the Association, who will have at least 15 days to make comment on the application.
- 6.6.3. As soon as practicable after the period for comment referred to in article 6.6.2 has ended, the Secretariat of the Association will consider the application, together with any comments received.
- 6.6.4. The Secretariat of the Association will determine whether to approve or reject the application. The Secretariat of the Association will not deny membership for any anticompetitive, unfair or unlawful reason. In case of any doubt as to which category the applicant should fall in, the determination of the Secretariat shall be final.
- 6.6.5. As soon as practicable after the Secretariat of the Association makes a determination under article 0, the Secretariat of the Association must:
- notify the nominee, in writing (including email), of the Secretariat's determination;
 - if the Secretariat approved the nomination, request the nominee to pay the membership fee as determined in the membership fee structure; and
 - if the Secretariat rejected the application, provide an explanation for the same.
- 6.6.6. In case where an application for membership has been rejected by the Secretariat of the Association, the applicant may appeal of that decision to the Council. An appeal of a decision of rejection of membership must be:
- in writing (including email) and include the application for membership, the decision of rejection, and a short explanation as to why the Council should accept the application for membership;
 - lodged with the Secretariat of the Association within 15 days of receiving the decision of rejection.
- 6.6.7. As soon as practicable the Council will consider any appeal of a decision of rejection of membership.
- 6.6.8. The decision of the Council on whether to accept or confirm rejection of membership shall be final.

- 6.6.9. Specific periods and timelines for the process referred to in articles 6.6.2 to 6.6.5 may be decided by the Secretariat, subject to the minimum period of 15 days in article 6.6.2.

Membership fees

- 6.7.1. All members must pay a membership fee, on an annual basis, in accordance with the membership fee structure determined by the Council.
- 6.7.2. The membership fee structure shall determine:
- a. the scale determining the fee amount for each Membership Category and sub-category if applicable;
 - b. the timelines for payment of the membership fees;
 - c. the rules and timelines to obtain a reduction or a waiver of membership fees.
- 6.7.3. The membership fee structure is determined and approved by the Council.
- 6.7.4. Membership fees are not reimbursable.

Termination of membership

- 6.8.1. A member ceases to be a member of the Association if the member:
- a. becomes insolvent, is wound-up or is dissolved;
 - b. resigns that membership to the Council at least six (6) months before the end of the calendar year;
 - c. is expelled from the Association pursuant to article 6.9; or
 - d. has failed to pay the membership fee other than pursuant to a fee waiver or reduction granted pursuant to article 6.7.2c.
- 6.8.2. Rights and obligations of members terminate upon cessation of their membership.
- 6.8.3. Membership is neither transferable nor heritable.

Expulsion from membership

- 6.9. The Council may expel a member if:
- 6.9.1. the Council determines that the member:
- a. no longer meets the definition specified in article 6.2 for the member's Membership Category;
 - b. has breached any of the articles 6.5.1, 6.5.2, 6.7.1;
 - c. is endangering the interests or the reputation of the Association; or
 - d. is otherwise in violation of the Statutes;
- 6.9.2. provided that the Council has given the member at least thirty (30) days written notice of the expulsion, stating the grounds for the expulsion and allowed the member to provide a written submission stating why they should not be expelled with such submission to be received prior to the proposed date of expulsion.
- 6.9.3. The Council's decision whether or not to expel a member shall be final.

No claim on assets

6.9.4. Members have no claim on the assets of the Association.

Article 7. Organs

7.1. The Association shall consist of at least the following organs:

- a. The General Assembly;
- b. The Council;
- c. An independent Auditor, if required by law and in accordance with article 5.5.

7.2. The Council shall decide on the creation of any additional organs or operational groups as necessary for the pursuit of the Association's mission.

Article 8. General Assembly

Composition

8.1.1. The General Assembly consists of all the members of the Association.

8.1.2 The Chair of the Association (hereafter, "the Chair") may invite observers to attend General Assembly meetings.

Convocation

8.2.1. The Association must hold a General Assembly meeting at least every year.

8.2.2. A General Assembly meeting may be either:

- a. physical, where the members of the Association gather in person in the same place for a face to face meeting; or
- b. virtual (which is expected to be the norm), where the members of the Association hold a discussion by technological means such as a conference call, a video conference, an online conference.

8.2.3. The Council may, on such date and at such time, and place if applicable, as the Council thinks fit, call a meeting of the General Assembly.

8.2.4. The Council must, on the requisition in writing (including email) of fifty (50) members or at least one-fifth (1/5th) of the members of the Association, whichever is lower call a meeting of the General Assembly within 45 days.

8.2.5. A requisition for a General Assembly meeting pursuant to article 8.2.4:

- a. Must be in writing (including email);
- b. must state the purpose or purposes of the meeting;
- c. must be signed (including e-signature) by the members making the requisition;
- d. must be lodged with the Chair; and
- e. shall consist of the appropriate supporting documents.

Notice

- 8.3.1. The Council shall give a written notice to each member specifying the date, time, agenda of the meeting and supporting documentation at least 20 days before the fixed date for the holding of the General Assembly meeting.
- 8.3.2. 10% of the members of one Membership Category may request, in accordance with article 8.3.3, to add an item for discussion or decision to the agenda of a General Assembly meeting.
- 8.3.3. Any request made under article 8.3.2.
 - a. must be in writing (including email);
 - b. must be signed (including e-signature) by the requesting members;
 - c. must be lodged with the Secretary of the Association (hereafter “the Secretary”) at least 30 days prior to the date of the meeting.
 - d. shall consist of the appropriate supporting documents.

Procedure

- 8.4.1. General Assembly meetings are limited to topics on the meeting agenda, in accordance with the Association's **Antitrust Policy**.
- 8.4.2. The Chair presides over the General Assembly meetings, unless otherwise decided by the Chair.
- 8.4.3. No decision or election is to be made at a General Assembly meeting unless a quorum of members as determined in article 8.4.4 is present during the time the meeting is considering that item.
- 8.4.4. To constitute a quorum for the General Assembly, each Membership Category must be represented by at least 5% or 25 of its members, whichever is lower. Represented means either present at the meeting or represented in accordance with the article 8.4.5.
- 8.4.5. There shall be no voting by proxy.

Election of the Council members

- 8.5.1. The members from each Membership Category as provided in articles 6.2.1 to 6.2.4 vote to elect representatives of their Membership Category on the Council, to replace Council members whose mandate is terminated by a plurality voting system (the candidates with most votes are elected) and by secret ballot.
- 8.5.2. All Council candidates must be eligible to serve a full term of four (4) years in order to stand for election and/or to be appointed as member of the Council.
- 8.5.3. In the case of an indecisive deadlock between two (2) or more candidates within a Membership Category, the members from this Membership Category shall re-vote for the candidates involved in the deadlock.
- 8.5.4. If after a re-vote in accordance with article 8.5.3 there is still an indecisive deadlock between two (2) or more candidates within a Membership Category, then a second re-vote will be taken, with only those members from the Membership Categories

not deadlocked being eligible to re-vote for the candidates involved in the deadlock.

- 8.5.5. The election of Council members may also be organised outside the General Assembly procedure as per article 66 para 2 of the Swiss Civil Code, if deemed appropriate by the Council (see also article 8.6.6).

Decision making

- 8.6.1. The General Assembly shall seek to make decisions by consensus (absence of sustained opposition).
- 8.6.2. If the General Assembly is unable to reach consensus, a double majority is required for the General Assembly to make a decision:
- a simple majority (50% + 1 vote) of all the members voting; and
 - 30% of all the members voting in each Membership Category.
- 8.6.3. In case of a vote on the dissolution of the Association, the required double majority is as follows:
- a majority of two thirds (2/3) of the members voting and
 - a simple majority of the members voting in each Membership Category.
- 8.6.4. Abstentions, as well as blank or invalid ballots shall be disregarded when calculating the majority.
- 8.6.5. For virtual meetings, as per article 8.2.2.b, members must attend the conference by call, video or through an online platform to be considered present. This platform will allow to establish and verify the identity of participants and to participate in the meeting as though participants were present (including the possibility to ask questions and vote for authenticated users only).
- 8.6.6. The members may also take decisions by written resolutions outside the General Assembly. In such a case, the majorities expressed under articles 8.6.2 and 8.6.3 apply for decision making purposes, except for elections of Council members where the majorities expressed under articles 8.5.1 to 8.5.4 apply.
- 8.6.7. The decisions of the General Assembly are made public.
- 8.6.8. Voting takes place by a show of hands or through an electronic voting process.
- 8.4.6. Upon request of at least one-fifth (1/5th) of the members attending the meeting, voting may take place by secret ballot.

Powers

- 8.7.1. The General Assembly is the supreme authority of the Association.
- 8.7.2. The General Assembly delegates operational activities and strategic decision making to the Council.
- 8.7.3. The General Assembly shall:
- elect its representatives for the Council in accordance with articles 9.1.2.a and 9.1.3;
 - receive and approve each year reports of activity and financial reports from the Council;

- c. receive activity reports from the other organs as determined by the Council;
- d. approve the qualified independent auditor and approve the annual audit report, if applicable according to article 5.5;
- e. decide on any proposals submitted to the General Assembly by the Council or other organs;
- f. approve any revision of the Statutes;
- g. decide the dissolution of the Association; and
- h. manage all matters that are not delegated to other bodies.

Article 9. Council

Composition

- 9.1.1. With reference to article 69 of the Swiss Civil Code, the Association has a Council to act on behalf of the Association by delegation of the General Assembly.
- 9.1.2. The Council shall consist of the following individuals:
 - a. up to eight (8) representatives designated in accordance with article 8.5.1 from the Membership Categories set out in articles 6.2.1 to 6.2.4, who shall be elected in accordance with articles 8.5.1 to 8.5.3 or co-opted pursuant to article 9.1.7.
 - b. up to four (4) representatives co-opted by the Council, made up by one representative from each Membership Category, together referred to as “Member Representatives”; and
 - c. up to three (3) persons other than representatives from the categories of members set out in articles 6.2.1 to 6.2.4 (“Independent Directors”), who shall be co-opted by the Council.
- 9.1.3. The Member Representatives referred to under article 9.1.2.a shall consist of:
 - a. up to two (2) representatives from the Producers category as provided in article 6.2.1;
 - b. up to two (2) representatives from the Suppliers and Manufacturers category as provided in article 6.2.2;
 - c. up to two (2) representatives from the Retailers and Brands category as provided in article 6.2.3; and
 - d. up to two (2) representatives from the Civil Society category as provided in article 6.2.4.
- 9.1.4. The Member Representatives must be in an active employment or contractual relationship with one of the members. If this requirement lapses during the term of office, the Member Representative shall submit their resignation, failing which the Council may withdraw their status as Council member. Unless a deputy has been previously appointed, the Member shall designate a new Member Representative within thirty (30) days of resignation or status withdrawal.
- 9.1.5. The Chief Executive Officer of the Association as provided in article 12.1.1 shall serve as a non-voting ex-officio member of the Council.

- 9.1.6. The Chair may invite observers, without voting rights, to observe meetings of the Council. Paid employees of the Association may only sit at the Council in an advisory, non-voting capacity.
- 9.1.7. In case of vacancy of one or more seats on the Council, the members of the Council may co-opt additional Member Representatives or Independent Directors from the relevant categories to sit on the Council until the seat mandate comes to an end.
- 9.1.8. The members of the Council do not receive any financial remuneration for their activity as members of the Council.
- 9.1.9. Council members shall serve a term of four (4) years with a maximum of ten (10) consecutive years. This applies to both Independent Directors and Member Representatives.
- 9.1.10. In accordance with art. 69 para 2 of the Swiss Civil Code, at least one (1) person able to represent with individual signature power must be domiciled in Switzerland and have access to the list of members.

Convocation and notice

- 9.2.1. The Council shall meet at least twice a year, either in person or virtually.
- 9.2.2. The Chair calls the meetings of the Council.
- 9.2.3. The Chair must, at the request of one (1) of the Council members, call a meeting.
- 9.2.4. The Chair shall call a meeting of the Council with a notice period in advance of the fixed date of the meeting as determined in the By-Laws of the Council.
- 9.2.5. One or more members of the Council who wish to add any item for discussion or decision to the agenda of a meeting of the Council shall as soon as practicable request the Chair of the Association to include the item on the agenda.

Decision Making

- 9.3.1. No decision shall be made by the Council unless a quorum as defined in the Council By-Laws is present.
- 9.3.2. The Council shall seek to make all decisions by consensus (absence of sustained opposition).
- 9.3.3. In the case where the Council is unable to reach consensus, the Council shall resort to a vote as determined in the By-Laws of the Council.
- 9.3.4. The decisions of the Council shall be reported to the General Assembly in a timely manner and cost-effective way as determined by the By-Laws of the Council.
- 9.3.5. In accordance with article 68 of the Swiss Civil Code, Council members are excluded from voting on any resolution concerning a transaction or dispute between him or her, his or her spouse or a lineal relative on the one hand and the Association on the other.

Powers

- 9.4.1. The Council is the representative decision-making organ on behalf of and with the mandate of the General Assembly.
- 9.4.2. The responsibility of the Council is to ensure that the Association has a clear strategic direction and an adequate policy to successfully fulfil its mission.
- 9.4.3. The Council shall:
 - a. Call a General Assembly meeting at least every two (2) years;
 - b. Approve the By-Laws of the Council;
 - c. Elect the Chair, Vice-Chair, Treasurer and Secretary from amongst its members;
 - d. Endorse the Chief Executive Officer of the Association;
 - e. Appoint an independent auditor to audit the Association's finances every year;
 - f. Establish any organ, committee or operational group considered necessary for the pursuit of the Association's mission, and appoint members thereof;
 - g. Decide on the strategy for development and implementation;
 - h. Approve the annual budget and, as far as the competence does not lie with the General Assembly as per article 8.7.3.d, the audit report of the Association;
 - i. Approve the membership fee structure and membership policies;
 - j. Consider the appeals on decision of rejection of membership application and approve expulsion of members;
 - k. Designate the individuals who are authorised to represent and bind the Association;
 - l. Determine a grievance management process.
- 9.4.4. The Council may mandate the Chair, Vice-Chair, Treasurer, Secretary or the Chief Executive Officer to execute its decisions.
- 9.4.5. All further responsibilities and duties as well as procedures with reference to the Council of the Association are defined in By-Laws.

Article 10. Chair, Vice-Chair, Treasurer and Secretary

The Chair, Vice-Chair, Treasurer, and Secretary may individually be referred to as an "Officer", together as the "Office Bearers". The Office Bearers are elected by and among Council members.

An Office Bearer's mandate is attached to an individual or can be jointly held by two individuals. If two individuals are appointed to fill an Office Bearer position (co-Chairs, co-Vice-Chairs, co-Treasurers, or co-Secretaries), the co-Office Bearers will perform their duties jointly and will strive to reach consensus in all instances. In case of a deadlock, the joint office bearers will resort to a Council vote in accordance with the By-Laws.

Chair

- 10.1.1. The Chair is elected by the Council.

10.1.2. The Chair's key role is as both an internal and external ambassador for the Association:

- a. to ensure policy decisions are both presented to the Council and appropriately considered;
- b. to perform defined tasks and take specific decisions on behalf of the Council;
- c. to advise the Chief Executive Officer of the Association

Vice – Chair of the Association

10.2.1. The Vice-Chair is elected by the Council.

10.2.2. It is the duty of the Vice-Chair to assist the Chair in all responsibilities in article 10.1.2 on request of the Chair.

Treasurer of the Association

10.3.1. The Treasurer is elected by the Council.

10.3.2. It is the duty of the Treasurer to:

- a. ensure that all money due to the Association is collected and received and that all payments authorised by the Association are made; and
- b. ensure that correct books and accounts are kept showing the financial affairs of the Association including details of all receipts and expenditure connected with the activities of the Association;
- c. ensure that an annual financial report is submitted to the Council together with the annual budget of each coming year;
- d. carry out specific tasks as determined by the Council.

Secretary of the Association

10.4.1. The Secretary is elected by the Council.

10.4.2. The Secretary ensures open and transparent communication procedures between the members of the Association and the Council of the Association are in place in accordance with the Statutes.

10.4.3. In the fulfilment of their role, the Secretary may delegate the execution of their duties to the Secretariat.

Article 11. Committees

11.1.1. The Council may establish any committee or similar body it deems necessary and shall determine the composition and role thereof.

11.1.2. Committees will operate in accordance with the By-Laws of the Council.

Article 12. Chief Executive Officer and Secretariat

Chief Executive Officer

- 12.1.1. A Chief Executive Officer shall be recruited and appointed by the Chair, on behalf of the Council, to execute the decisions of the Council.
- 12.1.2. All further responsibilities and duties as well as procedures with reference to the Chief Executive Officer of the Association, not determined by the Statutes, are to be determined by the Council as appropriate.

Secretariat

- 12.2.1. A Secretariat shall assist the Chief Executive Officer of the Association in executing the decisions of the Council.
- 12.2.2. The organisation of the Secretariat shall be decided by the Chief Executive Officer of the Association.
- 12.2.3. Staff of the Secretariat are appointed by the Chief Executive Officer of the Association.
- 12.2.4. The addition of senior leadership roles (i.e. Executive Group) requires Council ratification.

Article 13. Complaint Management

- 13.1. Members of the Association or any party directly or indirectly linked to the Association who wish to raise a complaint in relation to the Association, or one or more of its organs shall appeal to the Secretariat using the process determined in 13.2 and the steps outlined in 13.3.
- 13.2. The Council shall determine a process to manage the complaint in an open and transparent manner yet maintain private and confidential, any information deemed sensitive in accordance with data protection regulations. Whistleblowers shall be protected against retaliation of any form, whether direct or indirect.
- 13.3. Submission of a complaint shall:
 - 13.3.1. be in writing (including email);
 - 13.3.2. be lodged with the Secretariat; and
 - 13.3.3. document as appropriate the nature of the complaint.
- 13.4. The Council may establish a complaint process organ.

Article 14. Signature

The Council determines the persons authorized to sign for the Association as well as their signing powers.

Article 15. Dissolution

Decision of dissolution

15.1. The dissolution of the Association may only be decided by the General Assembly in accordance with its decision-making rules defined in article 8.6.3 of the Statutes.

Disposal of assets

15.2. Upon dissolution, the Council, after payment or constitution of a deposit for all indebtedness of the Association, shall transfer the net assets to one or more non-profit making Swiss organisation exonerated from tax pursuing a purpose of public interest similar to that of the Association.

Article 16. Language

16.1. The English version of the Statutes is the legally binding version and shall prevail in case of conflict of interpretation with any other versions.

16.2 For the purpose hereof, words in the singular include the plural and vice versa, and words of any gender include all genders, as the context requires.