

Appendix 2.

Model Constitution suitable for Charitable Status

1. Name

The name of the Association shall be -----
(hereafter called 'the group').

2. Object

The object of the Group shall be *to advance the education and provide for the recreation of the inhabitants of Morley and the surrounding area through the provision of an annual literature festival and associated events.*

3. Powers

The furtherance of the said object but not further or otherwise the Group shall have the following powers:

- a) To raise funds and apply for, invite, obtain, collect and receive contributions from any other person or persons whatsoever by way of subscription, donation, grant, legacy and otherwise; provided that the Group shall not undertake any permanent trading activities in raising funds for the said objective;
- b) To employ on such terms and conditions of employment the Group shall determine any paid or voluntary worker or workers to assist in the attainment of the said objective;
- c) To do all such other lawful things as shall further the attainment of the said objective or any of them.

4. Membership

- 4.1 Membership- shall be open to all those who are interested in furthering the work of the group regardless of race, age, gender, sexual orientation ability, who completes a membership application form and pays the relevant subscription/joining fee as determined by the Annual General Meeting of the organisation's Members.
- 4.2 The committee hereinafter constituted shall have the right:
 - I) To approve or reject applications for membership;
 - II) For good and sufficient reason to terminate the membership of any member provided that the member concerned shall have the right to be heard by the committee before final decision is made.
- 4.3 Every member shall subscribe to the Group such annual sum (if any) for the next financial year as shall be determined at the Annual General Meeting hereinafter mentioned and the words 'financial year' shall mean the period April 1 to March 31 inclusive.

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4.4 Honorary Officers

4.4.1 At the Annual General Meeting hereinafter mentioned, the Group shall elect a Chair, a Secretary and a Treasurer (hereinafter called 'the Honorary Officers') being persons who are members of the Group.

4.4.2 The Honorary Officers shall hold office until the conclusion of the next Annual General Meeting after their election but shall be eligible for re-election (*plenty of groups do not include a clause like this- provided that no Honorary Officer shall hold office for more than three consecutive years. On the expiration of such period, two further years must elapse before any further Honorary Officer shall be eligible for re-election.*)

4.4.2 The Honorary Officers shall be ex-officio members of the Committee hereinafter constituted.

5. Committee

5.1 Save as otherwise herein provided, the policy and general management of the affairs of the Group shall be directed by the Committee hereinafter constituted.

5.2 The Committee shall consist of the Honorary Officers and not less than (*two*) nor more than (*eight*) other members of the Group, elected by the Annual General Meeting hereinafter mentioned.

5.3 In addition to the Honorary Officers and the members so elected, the Committee may co-opt to serve on the Committee in an advisory capacity of other interested individuals or representatives of statutory or voluntary agencies active in the locality or of such other organisations as the Committee may determine, provided that no such co-opted member shall be entitled to vote.

5.4 The members of the Committee shall hold office until the conclusion of the Annual General Meeting next after their election or co-option, as the case may be, but shall be eligible for the *re-election or re co-option*.
The Committee shall meet not less than (six) times per year.

5.5 Four members of the Committee (or one third of the Committee members for the time being – whichever is the greater) shall constitute a quorum.

5.6 Minute books shall be kept by the Committee and the Secretary shall enter therein and record all proceedings and resolutions for the Committee.

6.0 General Meetings

6.1 The first general meeting of the Group shall be held not later than the of 20..... and once in each year thereafter an Annual General Meeting of the Group shall be held at such a time (not more than 15 months after the holding of the preceding Annual General Meeting) and place as the Committee shall determine. At such Annual General Meeting, the place shall include:

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- i) The receipt of the Annual Report and the Accounts for the preceding year from the Committee;
 - ii) The appointment of an auditor or auditors *if required under charitable law*
 - iii) The election of the Honorary Officers and the members (other than co-opted members) to serve on the Committee;
 - iv) The determination of the annual membership subscription payable under 4c hereof;
 - v) The transaction of such other matters as may from time to time be necessary.
- i) The Committee may at any time, and the Secretary shall within 21 days or receiving a written request to do so, signed by not less than one quarter of the members for the time being of the Group (or such other number of the Group the General Meeting may from time to time determine), and giving reasons for the request, call a special General Meeting of the Group;
 - ii) Notification of a General Meeting shall be given in writing by the Secretary to all members not less than 21 days prior to the meeting.
- i) The quorum for a General Meeting shall be one third of the total membership, for the time being, of the Group, or such other number as the Group in General Meeting shall from time to time determine;
 - ii) Save as otherwise herein provided, all questions arising at a General Meeting shall be decided by a simple majority of those present and voting thereat. A member of the Group shall be entitled to appoint a proxy who shall be a member of the Group to attend any General Meeting that he or she is unable to attend and to exercise the vote of the member in whose stead he or she is attending in addition to his or her own vote. Provided that no such entitlement shall apply in respect of clauses 9 and 10 hereof. Save as foresaid, no person shall exercise more than one vote but in the case of all equality of votes the Chair, or in their absence the member elected to chair the meeting, shall have second or casting vote.

7.0 Finance

7.1 Accounts

The Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to:

- i) The keeping of accountancy records for the Group;
- ii) The preparation of annual statements of account for the Group;
- iii) The auditing or independent examination of the statements of account for the Group;
- iv) The transmission of the statements of account of the Group to the Charity Commission.

7.2 Annual Report

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The Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an Annual Report and its transmission to the Charity Commission.

7.3 Annual Return

The Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of all Annual Returns and its transmission to the Charity Commission.

7.4 Funds

The funds of the Group shall be applied in furtherance of its object and no payment shall be made to any member except for the services actually rendered as the Committee except reasonable and proper out of pocket expenses.

7.5 Bank account

A bank account shall be opened in the name of the Group with Bank plc, or such other bank as the Committee may from time to time determine. The Committee shall authorise in writing to the Secretary, the Treasurer and two members of the Committee (not being co-opted members) to sign cheques on behalf of the Group, All cheques must be signed by not less than two of the four authorised signatories

8.0 Alteration to the Constitution

No alteration or addition to this constitution shall be made except at a General Meeting of the Group called for such purpose.

No alteration or addition shall be made to Clauses 1, 2, 9 or 10 without the prior written approval of the Charity Commission, and no alteration shall be made which would cause the Group to cease to be a charity in law.

Alterations or additions to the constitution shall receive the assent of not less than two thirds of all members present and voting at a General Meeting.

9.0 Dissolution

The Group may be dissolved by a resolution passed by a two thirds majority of those present and voting at a special General Meeting convened for the purpose, of which 21 days notice shall be given (to the members).

Such a resolution may give instructions for the disposal of any assets held by or in the name of the Group but provided that if any property remains after the satisfaction of all debts and liabilities, such property shall not be paid or distributed among other members of the Group, but shall be given or transferred to such other charitable institution or institutions having objects similar to some or all of the objects of the Group as the Group may determine and if and in so far as effect cannot be given to this provision, then to some other charitable purpose.