

CONSTITUTION

1. Name

The name of this Charitable Unincorporated Association is

RAYMOND TRUST FUND

(The Charity)

Registered with the Charity Commission no. 305523

2. Administration

The Charity shall be administered by the elected Councillors of Heytesbury Imber & Knook Parish Council.

3. The Charity's Objects/Purposes

These were originally laid out in clause 1 of the 1935 Deed but were amended by clauses 3 and 4 of the 1986 Charity Commission Scheme when the Charity no longer had a hall to manage but funds. The current objects/purposes of the Charity are as follows:

3.1. Application of Income

The trustee shall apply the clear income of the Charity as it thinks fit for any charitable purposes for the general benefit of the inhabitants of Heytesbury, Knook and Tytherington and the immediate vicinity.

3.2. Application of Property

The trustee at any time may apply the whole or part of the property of the Charity in or towards defraying the cost of providing land and buildings to be settled upon trust for use as a village hall.

4. Powers

To further these objects/purposes the Trustee shall have power to:

4.1. Obtain, collect and receive money or funds by way of contributions, donations, grants or any other lawful method towards the objects/purposes of the trust.

4.2. Associate with Local Authorities, voluntary organisations and the residents of the Parish in a common effort to carry out the objects/purposes of the Charity.

4.3. Do all such lawful things as will further the aims of the Trust.

4.4. To employ and remunerate such staff as necessary for carrying out the work of the charity.

5. Membership

The members of the Charity are the elected members of Heytesbury Imber & Knook Parish Council. Should any trustee become disqualified from serving as an elected member of the Parish Council, their membership of the Trust would be immediately relinquished.

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6. Trustee Committee

- 6.1. The Trustee Committee is comprised of all elected Councillors of Heytesbury, Imber and Knook Parish Council for the time being. Any Councillor leaving office shall immediately relinquish their membership of the Trust.
- 6.2. At the Annual General Meeting of the Charity, the trustee shall elect from amongst themselves a Chairman who shall hold office from conclusion of that meeting for a term of one year.
- 6.3. At the Annual General Meeting of the Charity the trustee shall appoint or re-appoint an administrator to undertake secretarial, treasury and record keeping duties who shall hold office from conclusion of that meeting for a term of one year.

7. Meetings & Proceedings of Trustee Committee

- 7.1. An Annual General Meeting (AGM) shall be held annually in September.
- 7.2. Notice of the AGM shall be published three weeks beforehand and a report on the Trust's financial activity for the previous year shall be made available at the same time.
- 7.3. The Trustee Committee shall meet at least four times each year in addition to the AGM.
- 7.4. The Chairman shall act as such at meetings of the Trustee Committee. If the Chairman be absent from any meeting, the members of the Trustee Committee present shall elect one of their number to act as Chairman for the duration of the meeting and before any business is transacted.
- 7.5. A quorum will be five of the Trustee Committee
- 7.6. A trustee **must**:
 - 7.6.1. Declare the nature and extent of any interest, direct or indirect, which he/she has in a proposed transaction or arrangement with the Charity or in any transaction or arrangement entered into by the Charity which has not been previously declared;
And
 - 7.6.2. absent him/herself from any discussions of the Charity trustees in which it is possible that a conflict will arise between his/her duty to act solely in the interests of the Charity and any personal interest (including but not limited to any personal financial interest). Any charity trustee absenting himself/herself from any discussion in accordance with this clause must not vote or be counted as part of the quorum in any decision of the Charity Trustees on the matter.

- 7.7. Every matter shall be determined by a simple majority of votes. In the case of equality of votes, the Chairman shall have a casting vote.
- 7.8. A proper record of all transactions and meetings shall be maintained by the administrator.

8. Income & Expenditures

- 8.1. The funds of the Charity, including any donations, contributions and bequests, shall be paid into the bank account operated in the name of the Charity.
- 8.2. All cheques or other payments drawn on the account will be signed by two out of the three authorised bank signatory members of the Trustee Committee. The payment item will have been previously authorised and minuted by the majority vote of the Trustee Committee.
- 8.3. The Income and property must be applied solely towards the promotion of the objectives.
 - 8.3.1. The Charity Trustee is entitled to be reimbursed out of the property of the Charity or may pay out of such property reasonable expenses properly incurred by him/her when acting on behalf of the Charity.
 - 8.3.2. A Charity Trustee may benefit from Trustee indemnity insurance cover purchased at the Charity's expense in accordance with and subject to the conditions in section 189 of the Charities Act 2011.
 - 8.3.3. The Trustees may use the Charity funds to meet any necessary and reasonable expenses which they incur in the course of carrying out their responsibilities as Trustees of the Charity.

9. Accounts

The Trustee Committee shall comply with their obligations under the Charities Act 2011 with regard to:

- 9.1. the keeping of accounting records for the Charity
- 9.2. the preparation of annual statements of accounts for the Charity
- 9.3. the auditing or independent examination of the statements of the accounts of the Charity
- 9.4. the transmission of the statements of account of the Charity to the Charity Commission

10. Annual Report

The Trustee Committee shall comply with their obligations under the Charities Act 2011 with regard to the preparation of an annual report and its transmission to the Charity Commission.

11. Annual Return

The Trustee Committee shall comply with its obligations under the Charities Act 2011 with regard to the preparation of an annual return and its transmission to the Charity Commission.

12. Annual General Meeting (AGM)

- 12.1. There shall be an AGM of the Charity which shall be held in the month of September each year or as soon as practicable thereafter
- 12.2. Every AGM shall be called by the Chairman of the Trustee Committee and the administrator shall give at least 21 days' notice to the Parish
- 12.3. The Chairman of the AGM shall be the Chairman of the Trustee Committee for the time being, but if he or she is unable to attend the members of the Trustee Committee shall elect a Chairman before any business is transacted
- 12.4. The Trustee Committee shall present to each AGM the report and accounts of the Charity for the preceding year

13. Notices

Members will receive notices in electronic form but may elect to receive such notices by post

14. Dissolution

- 14.1. The trustees may dissolve the charity if they decide that it is necessary or desirable to do so. To be effective, a proposal to dissolve the charity must be passed at a special meeting by a two-thirds majority of the trustees. Any assets of the charity that are left after the Charity's debts have been paid (the net assets) must be given:
 - 14.1.1. To another charity (or other charities) with objects that are the same or similar to the charity's own, for the general purposes of the recipient charity (or charities);Or
 - 14.1.2. To any charity for use for particular purposes which fall within the charity's objects.
- 14.2. The Commission must be notified promptly that the charity has been dissolved and, if the trustees were obliged to send the charity's accounts to the Commission for the accounting period which ended before its dissolution, they must send the Commission the charity's final accounts.

15. Amendment to the Constitution

Amendments to this constitution can be made except for section 3 which relates to the Trust Deeds. Any procedural amendment to the constitution should be put forward in writing to be discussed at an ordinary meeting and voted on by a majority vote.

16. Disputes

If a dispute arises between the trustees, about the validity or propriety of anything done by the Charity trustees under its deeds or constitution, and the dispute cannot be resolved by agreement, the trustees party to the dispute must first try in good faith to settle the dispute by mediation before resorting to litigation.

Adopted on: 24th April 2018

Membership Councillors:

D Bond

D Hiscock

S Buttenshaw

L Morris

E Colvin

A Moore

T Eastman

A Perry

P Fellowes

V Sturmev

L Gould