

# CONSTITUTION

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Adopted 30th June 2015, amended 13<sup>th</sup> October 2015, amended 20<sup>th</sup> April 2016  
and 15<sup>th</sup> of May 2017

Registered Charity Number 1164100

## 1. Name

The association's name shall be called The Forest of Dean Athletic Club ("the Charity" or "the Club").

## 2. Colours

The Forest of Dean Athletic Club Colours are agreed by the majority of members, approved by the committee and ratified by England Athletics. The wearing of these colours is required when competing for the Club unless the Rules of Competition of UKA or the IAAF provide otherwise.

## 3. Definitions

3.1 "the IAAF" means the world governing body for athletics, which at the date of adoption of these Rules is the International Association of Athletics Federations;

- "the Chairman" means the person elected or appointed from time to time to be the chairman of the Charity in accordance with Rule 13;
- "the Vice Chairman" means the person elected or appointed from time to time to be the vice chairman of the Charity in accordance with Rule 13;

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- “the Secretary” means the person elected or appointed] from time to time to be the secretary of the Charity in accordance with Rule 13;
- “the Treasurer” means the person elected or appointed from time to time to be the treasurer of the Charity in accordance with Rule 13;
- “the Membership Secretary” means the person elected or appointed from time to time to be the membership secretary of the Charity.
- “the Trustee Committee” means the committee appointed under Rule 13 to manage the Charity;
- “the Members” means the members of the Charity admitted from time to time to membership of the Charity in accordance with Rule 9;“National Association” the Home Country Athletics Association to which the Club is from time to time affiliated which at the date of adoption of these Rules is England Athletics; “the UKA” means the UK Athletics Limited which is the governing body of athletics within the United Kingdom of Athletics House, Central Boulevard, Blythe Valley Park, Solihull B90 8AJ;
- “Connected Person” means:
  - (a) a child, parent, grandchild, grandparent, brother or sister of the trustee;
  - (b) the spouse or civil partner of the trustee or of any person falling within sub-clause (a) above;
  - (c) a person carrying on business in partnership with the trustee or with any person falling within sub-clause (a) or (b) above;

## 3.2 Words

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- denoting the singular number include the plural number and vice versa; words;
- de-noting the masculine gender include the feminine gender.

## 4. Objects

The object of the Club shall be to promote community participation in healthy recreation in the Forest of Dean and the surrounding districts in particular by the provision of facilities for athletics and related disciplines including track and field, athletics, road running, cross country, trail running and recreational jogging.

## 5. Powers

In furtherance of these objects but not otherwise the Charity through its Trustee Committee may exercise the following powers:

- a) principally to provide facilities for athletics and generally to promote, encourage and facilitate athletics in the area of the Forest of Dean irrespective of age, gender, creed or race;
- b) to provide and maintain Club premises at Five Acres Leisure Centre, Coleford, Gloucestershire and club-owned equipment for the use of its Members;
- c) to sell or supply food or drink as an ancillary activity at athletic events.
- d) to obtain funding for the activities of the Club by collecting entrance fees, membership subscriptions, by obtaining sponsorship and other available funding;
- e) to affiliate to UKA and the National Association;

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- f) to comply with and uphold the Rules and Regulations of the National Associate, UKA and the IAAF as amended from time to time and the rules and regulations of anybody to which UKA is affiliated;
- g) to acquire, establish, own, operate and turn to account in any way, for the Members' benefit, the facilities of the Club together with buildings and easements, fixtures and fittings and accessories as shall be thought advisable;
- h) to make rules, regulations, bye-laws and standing orders concerning the operation of the Club including, without limitation, regulations concerning disciplinary procedures that may be taken against the Members;
- i) to discipline the Members where permitted by its rules/regulations and to refer its Members to be disciplined by UKA or the National Association (as appropriate) where so required by the Rules and Regulations of UKA or the National Associate (as the case may be); and to do all such other things as the Trustee Committee thinks fit to further the interests of the Club or to be incidental or conducive to the attainment of all or any of the objects stated in this Rule 4.

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## 6. Application of income and property

6.1 The income and property of the charity shall be applied solely towards the promotion of the objects.

- a) A charity trustee is entitled to be reimbursed from the property of the charity or may pay out of such property reasonable expenses properly incurred by him or her when acting on behalf of the charity.
- b) 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.

6.2 None of the income or property of the charity may be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of profit to any member of the charity. This does not prevent a member who is not also a trustee from receiving:

- a) a benefit from the charity in the capacity of a beneficiary of the charity;
- b) reasonable and proper remuneration for any goods or services supplied to the charity.

## 7. Benefits and payments to charity trustees and connected persons

### 7.1 General provisions

No charity trustee or connected person may:

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- a) buy or receive any goods or services from the charity on terms preferential to those applicable to members of the public;
- b) sell goods, services or any interest in land to the charity;
- c) be employed by, or receive any remuneration from, the charity;
- d) receive any other financial benefit from the charity;

unless the payment is permitted by sub-clause 7.2 of this clause, or authorised by the court or the Charity Commission ('the Commission'). In this clause, a 'financial benefit' means a benefit, direct or indirect, which is either money or has a monetary value.

## **7.2 Scope and powers permitting trustees' or connected persons' benefits**

- a) A charity trustee or connected person may receive a benefit from the charity in the capacity of a beneficiary of the charity provided that a majority of the trustees do not benefit in this way.
- b) A charity trustee or connected person may enter into a contract for the supply of services, or of goods that are supplied in connection with the provision of services, to the charity where that is permitted in accordance with, and subject to the conditions in, section 185 of the Charities Act 2011.
- c) Subject to sub-clause 7.3 of this clause a charity trustee or connected person may provide the charity with goods that are not supplied in connection with services provided to the charity by the charity trustee or connected person.

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- d) A charity trustee or connected person may receive interest on money lent to the charity at a reasonable and proper rate which must be not more than the Bank of England bank rate (also known as the base rate).
- e) A charity trustee or connected person may receive rent for premises let by the trustee or connected person to the charity. The amount of the rent and the other terms of the lease must be reasonable and proper. The charity trustee concerned must withdraw from any meeting at which such a proposal or the rent or other terms of the lease are under discussion.
- f) A charity trustee or connected person may take part in the normal trading and fundraising activities of the charity on the same terms as members of the public.

## **7.3 Payment for supply of goods only – controls**

The charity and its charity trustees may only rely upon the authority provided by sub-clause 7.2 c) of this clause if each of the following conditions is satisfied:

- a) The amount or maximum amount of the payment for the goods is set out in an agreement in writing between the charity and the charity trustee or connected person supplying the goods ('the supplier') under which the supplier is to supply the goods in question to or on behalf of the charity.

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- b) The amount or maximum amount of the payment for the goods does not exceed what is reasonable in the circumstances for the supply of the goods in question.
- c) The other charity trustees are satisfied that it is in the best interests of the charity to contract with the supplier rather than with someone who is not a charity trustee or connected person. In reaching that decision the charity trustees must balance the advantage of contracting with a charity trustee or connected person against the disadvantages of doing so.
- d) The supplier is absent from the part of any meeting at which there is discussion of the proposal to enter into a contract or arrangement with him or her or it with regard to the supply of goods to the charity.
- e) The supplier does not vote on any such matter and is not to be counted when calculating whether a quorum of charity trustees is present at the meeting.
- f) The reason for their decision is recorded by the charity trustees in the minute book.
- g) A majority of the charity trustees then in office are not in receipt of remuneration or payments authorised by clause 7.

## **8. Conflicts of interests and conflicts of loyalties**

8.1 A charity trustee must:

- a) declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the



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charity or in any transaction or arrangement entered into by the charity which has not been previously declared; and

- b) absent himself or herself from any discussions of the charity Trustees in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the charity and any personal interest (including but not limited to any personal financial interest).

8.2 Any charity trustee absenting himself or herself from any discussions 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

## 9. Membership

9.1 Eligibility for membership

9.1.1 Persons of either sex are eligible for membership of the Club. No person shall be denied membership of the Club on the grounds of race, ethnic origin, creed, colour, age, disability, gender, occupation, sexual orientation, religion, political or other beliefs.

9.1.2 Persons below the age of 18 may be elected as Junior Members without the right to hold office or vote at general meetings.

9.1.3 The number of Members is unlimited.

9.2 Admission of Members

Any person who wishes to become a Member must submit an application in such form as the Trustee Committee shall decide. Every candidate for membership shall be considered by the Trustee Committee or the Membership Secretary acting on its behalf, which shall admit that candidate

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to membership of the Club unless to do so would be contrary to the best interests of the sport or the good conduct and interests of the Club.

## 9.3 Classes and definitions of Members

There shall be the following classes of members for the Club:

- Full Membership – Open to any person who is 18 years of age or over on admission to the club or at the beginning of the membership year.
- Associate Membership – Open to any person who is 18 years of age or over on admission to the club or at the beginning of the membership year.
- Life Membership - Members appointed by the Trustees for long standing and meritorious service to the Club or other criteria that the Trustees may from time to time determine.
- Junior Membership - Open to any person who is less than 18 years of age on admission to the club or at the beginning of the membership year.
- Family membership – Open to a Full Member’s family. For the purposes of this document ‘family’ is defined as the Full Member’s spouse or partner and children under the age of 21, for whom the adults have parental responsibility and are in full time education. Family membership shall attract one vote at General Meetings and this must be cast by the Full member.

9.3.1 Only Full and Life Members shall be entitled to receive notice of, attend, vote at general meetings or serve as Trustees. The other Members shall be entitled to all the other privileges of membership other than the right to receive notice of, attend and vote at general meetings.

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9.3.2 All Members of the Club shall be eligible to represent the Club in external competitions when they are registered members of the National Association.

9.3.3 All Members shall be subject to these Rules and the regulations of the Club and respect the Rules for Competition as set from time to time by the IAAF.

## 9.4 Subscriptions

9.4.1 The annual subscription for each type of Member shall be determined from time to time by the Trustee Committee provided that the Trustee Committee shall ensure that the fees set by it do not preclude open membership of the Club. For the avoidance of doubt the annual subscription does not include the registration fee set by National Association.

9.4.2 The Members shall pay any annual subscription fees set by the Trustee Committee from time to time.

9.4.3 The Club shall be required to register those members as defined by the National Association, for competition purposes, as being “active members”.

9.4.4 No candidate who has been elected a Member shall be entitled to the privileges of membership until he has paid the first annual subscription. Life Members shall not be required to pay an annual membership fee but are required to pay any National Association fees to represent the Club in external competitions.

9.4.5 Any Member whose subscription is not paid by 3 months after the 1st April shall be deemed to have resigned his membership of the Club. Life Members are excluded from this clause.

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9.4.6 It is a requirement of England Athletics that their annual registration fee is paid by the end of June each year, the Club will pay this fee following receipt of monies from a Member. If the fee is not received by the due date the competitive registration will lapse and a member will be ineligible to represent the Club in accordance with rule 9.3.2

## 10. Resignation

10.1 A Member may withdraw from membership of the Club on 3 months clear notice to the Club unless after resignation, there would be less than two members. Membership shall not be transferable in any event and shall cease immediately on death or dissolution or on the failure of the Member to comply or to continue to comply with any condition of membership set out in these Rules.

10.2 In line with the rules of the sport the club will only accept a resignation when satisfied that the member has cleared any debt owed to the club.

10.3 The member intending to resign should ensure that they comply with the Eligibility process of the sport in the event that they wish to join another affiliated Athletics Club.

## 11. Expulsion

11.1 The Trustee Committee shall have power to expel a Member when, in its opinion, it would not be in the interests of the sport or of the Club for him to remain a Member.

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- 11.2 A Member shall not be expelled unless he is given 14 days' written notice of the meeting of the Trustee Committee at which his expulsion shall be considered and written details of the complaint made against him.
- 11.3 The Member shall be given an opportunity to make written representations and/or to appear before the Trustee Committee and at any such meeting to be accompanied by a representative or friend, who may answer complaints made against the Member and to cross-examine any witnesses on behalf of the Member. The Member must not be expelled unless at least two-thirds of the Trustee Committee then present vote in favour of his expulsion.
- 11.4 The Trustee Committee may exclude the Member from the Club's premises until the meeting considering his expulsion has been held. For the avoidance of doubt, the Member shall be entitled to attend that meeting for the purpose of making his representations.

## **12. Effect of Resignation or Expulsion**

- 12.1 Any person ceasing to be a Member forfeits all rights in relation to and claims upon the Club, its property and its funds and he has no right to the return of any part of his subscription. The Trustee Committee may refund an appropriate part of a resigning Member's subscription if it considers it appropriate taking account of all the circumstances.

## **13. The Trustee Committee**

- 13.1 The Charity and its property shall be managed by the Trustee Committee comprising the Officers and other members elected in accordance with this

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Constitution. The Officers and other members of the Trustee Committee shall be the Trustees of the Charity and in the Constitution are together called “the Trustees”.

13.2 The Charity shall be managed by a Trustee Committee consisting of:

- (a) the Chairman;
- (b) the Vice-Chairman;
- (c) the Honorary Secretary;
- (d) the Head Coach; and
- (e) the Treasurer.

13.3 The Honorary Secretary shall send to the Members each year a nomination form for the election of Office Holders and other members of the Trustee Committee in the place of those retiring. Those persons proposed to be nominated as members of the Trustee Committee to fill any vacancies that have arisen must be nominated by any two Full Members on the form prescribed by the Trustee Committee and must be submitted to the Honorary Secretary by such date as the Trustee Committee shall prescribe each year.

13.4 Any person nominated as a member of the Trustee Committee must be a Full or Life Member.

13.5 If there is only one candidate nominated to fill any particular vacancy, that candidate shall be declared elected unopposed for that particular vacancy at the next annual general meeting. If there is more than one candidate for any particular vacancy there shall be an election at the annual general meeting for that position. In the event of a tie, the candidate to be elected shall (unless the candidates otherwise agree) be determined by lot.

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- 13.6 The Trustee Committee shall be elected at the annual general meeting in each year, and subject to termination of office by resignation, removal or otherwise, the Members remain in office until they or their successors are re-elected or elected (as the case may be) at the annual general meeting following their re-election or election (as the case may be).
- 13.7 The Trustee Committee may appoint any Member to fill any casual vacancy on the Trustee Committee until the next annual general meeting when that person shall retire but shall be eligible for re-election.
- 13.8 Retiring members of the Trustee Committee may be re-elected.
- 13.9 A member of the Trustee Committee shall be deemed to have vacated office if:
- (i) he is disqualified from acting as a member of the Trustee Committee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision)
  - (ii) he becomes bankrupt or makes any arrangement or composition with his creditors generally; or
  - (iii) he is, or may be, suffering from mental disorder; or
  - (iv) he resigns his office by notice to the Club; or
  - (v) ceases to be a member of the Charity, or
  - (vi) he shall without sufficient reason for more than three consecutive meetings of the Trustee Committee have been absent without permission of the Trustee Committee and the Trustee Committee resolves that his office be vacated; or

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- (vii) he is suspended from holding office or from taking part in any activity relating to the administration or management of the Club by a decision of the Constituent Body or UKA; or
- (viii) he is requested to resign by not less than two-thirds of the other Trustee Committee members acting together.

## 14. Proceedings of the Trustee Committee

14.1 Trustee Committee meetings shall be held as often as the Trustee Committee thinks fit provided that there shall not be less than 4 meetings each year.

The quorum for such meetings shall be 3. The Chairman and the Secretary shall have discretion to call emergency meetings of the Trustee Committee if they consider it to be in the interests of the Club. The Secretary shall give all the members of the Trustee Committee not less than 14 days' notice of a meeting.

14.2 The Chairman shall be the chairman of the Trustee Committee. Unless he is unwilling to do so, the Chairman shall preside at every meeting of the Trustee Committee at which he is present. But if there is no person holding that office or if the Chairman is unwilling or unable to preside or is not present within five minutes after the time appointed for the meeting, the Vice-Chairman shall preside. If there is no Vice-Chairman or if he is unwilling or unable to preside, or if he is not present within five minutes after the time appointed for the meeting, the members of the Trustee Committee present may appoint one of their number to be chairman of the meeting.



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- 14.3 Decisions of the Trustee Committee shall be made by a simple majority and in the event of an equality of votes the Chairman (or the acting chairman of that meeting) shall have a casting or additional vote.
- 14.4 The Trustee Committee may from time to time appoint from among its number such sub-committees as it considers necessary and may delegate to them such of the powers and duties of the Trustee Committee as the Trustee Committee may determine. All sub-committees shall periodically report their proceedings to the Trustee Committee and shall conduct their business in accordance with the directions of the Trustee Committee.
- 14.5 The Trustee Committee shall be responsible for the management of the Club and shall have the sole right of appointing and determining the terms and conditions of service of employees of the Club. The Trustee Committee shall have power to enter into contracts for the purposes of the Club on behalf of all the Members.
- 14.6 The members of the Trustee Committee shall be entitled to an indemnity out of the assets of the Club for all expenses and other liabilities properly incurred by them in the management of the affairs of the Club.

## 15. The General Committee

- 15.1 The Charity shall have a General Committee. The purpose of the committee shall be to support the Trustees in organisation of training events, race events and other activities in accordance with the Objects.
- 15.2 The Terms of Reference of the General Committee shall be defined by the Trustees in accordance with 14.4.

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- 15.3 The committee shall comprise seven members of the Club. General Committee members shall be elected annually at the Annual General Meeting for a yearly term.
- 15.4 If less than five members are willing to stand for election they shall be declared elected unopposed.
- 15.5 The Trustees shall have the power to fill vacancies from among full members of the Club.
- 15.6 The committee shall:
- (i) require at least three Trustees to be in attendance at each meeting;
  - (ii) the Honorary Secretary shall be secretary of the Committee;
  - (iii) meetings shall be normally be chaired by the Chairman or in his absence the Vice Chair.

## **16. Annual Report and Return and Accounts**

- 16.1 The Trustees must comply with their obligations under the Charities Act 1993 with regard to:
- (a) the keeping of accounting records for the Charity;
  - (b) the preparation of annual statements of account for the Charity;
  - (c) the transmission of the statements of account to the Charity;
  - (d) the preparation of an Annual Report and its transmission to the Commission;
  - (e) the preparation of an Annual Return and its transmission to the Commission.

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- 16.2 Accounts must be prepared in accordance with the provisions of any Statement of Recommended Practice issued by the Commission, unless the Trustees are required to prepare accounts in accordance with the provisions of such a Statement prepared by another body.
- 16.3 The financial year will run from April 1st to March 31st inclusive.
- 16.4 The Charity Accounts shall have an independent examination unless further scrutiny should be required to comply with the Charity Commission statutory framework.

## 17. Annual general meeting

- 17.1 The annual general meeting of the Club shall be held at such time as the Trustee Committee shall decide each year to transact the following business:
- a) to receive the Chairman's report of the activities of the Charity during the previous year;
  - b) to appoint the Independent Examiner for the accounts;
  - c) to receive and consider the accounts of the Charity for the previous year, and the Treasurer's report as to the financial position of the Charity;
  - d) to receive the Independent Examiners Report on the accounts of the Charity or other independent reports as required by Charity Commission Audit Scrutiny requirements.
  - e) to elect the Officers of the Trustee Committee;
  - f) to elect the members of the General Committee;

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- g) to decide on any resolution which may be duly submitted in accordance with Rule 17.2 below; and
- h) to deal with any special matters which the Trustee Committee desires to bring before the membership.

17.2 Notice of any resolution proposed to be moved at the annual general meeting shall be given in writing to the Secretary not less than 28 days before the meeting.

17.3 No period greater than fifteen months shall elapse between one annual general meeting and the next.

## **18. Extraordinary general meetings**

18.1 An extraordinary general meeting may be called at any time by the Trustee Committee and shall be called within 21 days of receipt by the Honorary Secretary of a requisition in writing signed by not less than 25 full members stating the purposes for which the meeting is required and the resolutions proposed.

## **19. Procedures at the annual and extraordinary general meetings**

19.1 The Secretary shall notify each Member either electronically or at his last known postal address or by placing an advice on the Club Notice board of the date of the general meeting together with the resolutions to be proposed at least 21 days before the meeting.

19.2 The quorum for the annual and extraordinary general meetings shall be 25 full members.

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- 19.3 The Chairman shall preside at all meetings of the Club but if he is not present within 15 minutes after the time appointed for the meeting or has signified his inability to be present at the meeting, the Members present and entitled to vote may choose one of the other members of the Trustee Committee present to preside and if no other member of the Trustee Committee is present or willing to preside the Members present and entitled to vote may choose one of their number to be chairman of the meeting.
- 19.4 Each Full Member or representative family member present shall have one vote and resolutions shall be passed by a simple majority of those Members present and voting. In the event of an equality of votes the chairman of the meeting shall have a casting or additional vote.
- 19.5 The Secretary, or in his absence a member of the Trustee Committee, shall take minutes at annual and extraordinary general meetings.
- 19.6 There shall be no right for a Member to vote by proxy. No person may represent more than one Member.

## **20. Alteration of the constitution**

- 20.1 The Club may amend any provision contained in this Constitution provided that:
- a) no amendment may be made that would have the effect of making the Club cease to be a Charity at law;
  - b) no amendment may be made to alter the Objects if the change would undermine or work against the previous objects of the Charity;

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- c) no amendment may be made to the objects, dissolution, application of income clauses or this clause without the prior written consent of the Commission;
- d) any resolution to amend a provision of this constitution is passed by not less than two thirds of the Full Members present and voting at a general meeting.

20.2 A copy of any resolution amending this constitution shall be sent to the Commission within twenty one days of it being passed.

## 21. Regulations and Standing Orders

21.1 The Trustee Committee shall have power to make, repeal and amend such regulations and standing orders as it may from time to time consider necessary for the wellbeing of the Club. Such regulations and standing orders and any repeals or amendments to them shall have effect until set aside by the Trustee Committee.

## 22. Finance

22.1 All moneys payable to the Club shall be received by the person authorised by the Trustee Committee to receive such moneys and shall be deposited in a bank account in the name of the Club. No sum shall be drawn from that account except by cheque signed by 2 of the 3 signatories who shall be the Chairman, Secretary, Treasurer or any other member of the Trustee Committee so authorised by the Trustee Committee. Any moneys not

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required for immediate use may be invested as the Trustee Committee in its discretion thinks fit.

- 22.2 Any proposed item of expenditure of a value exceeding £100 must be agreed by a majority of the Trustee Committee either at a meeting or electronically. Proposed items of expenditure of a value up to £100 may be made following the agreement of two officers of the committee one of whom must be either the Chair or Vice Chair. In all cases the Officers concerned will show proper consideration for the current and possible financial position of the Club.
- 22.3 The Trustee Committee shall have power to authorise the payment of remuneration and expenses to any Officer, member of the Trustee Committee, Member or employee of the Club and to any other person or persons for services rendered to the Club, provided that any payment to any officer of the Club shall comply with clause 7.
- 22.4 The financial transactions of the Club shall be recorded in such manner as the Trustee Committee thinks fit by the Treasurer.

## **23. Borrowing**

- 23.1 The Trustee Committee may borrow a maximum total amount of £1,000.00 on behalf of the Club for the purposes of the Club from time to time at its own discretion and with the sanction of a general meeting any further money above that sum.
- 23.2 When so borrowing, the Trustee Committee shall have power to raise in any way any sum or sums of money and to raise and secure the repayment of any sum or sums of money in such manner and on such terms and

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conditions as it thinks fit, and in particular by mortgage of, or charge upon, or by the issue of debentures charged upon all or any part of the property of the Club.

- 23.3 The Trustee Committee shall have no power to pledge the personal liability of any Member for repayment of any sums so borrowed.

## 24. Property

- 24.1 The property of the Club, other than cash at the bank, shall be vested in the in the Trustee Committee.

## 25. Dissolution

- 25.1 If the members resolve to dissolve the charity the trustees will remain in office as charity trustees and be responsible for winding up the affairs of the charity in accordance with this clause.
- 25.2 The trustees must collect in all the assets of the charity and must pay or make provision for all the liabilities of the charity.
- 25.3 The trustees must apply any remaining property or money:
- a) directly for the objects;
  - b) by transfer to any charity or charities for purposes the same as or similar to the charity;
  - c) in such other manner as the Charity Commission for England and Wales ('the Commission') may approve in writing in advance.
- 25.4 The members may pass a resolution before or at the same time as the resolution to dissolve the charity specifying the manner in which the trustees



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are to apply the remaining property or assets of the charity and the trustees must comply with the resolution if it is consistent with paragraphs (a) – (c) inclusive in sub-clause 25.3 above.

- 25.5 In no circumstances shall the net assets of the charity be paid to or distributed among the members of the charity (except to a member that is itself a charity).
- 25.6 The trustees must notify the Commission promptly that the charity has been dissolved. If the trustees are 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.