

## **THE CONSTITUTION OF TYNRON PARISH HALL COMMITTEE**

### **1.0 NAME**

- 1.1 The name of the committee shall be Tynron Parish Hall Committee (referred to below as “the Committee”)

### **2.0 OBJECTIVES**

- 2.1 The objectives of the Committee shall be to promote the benefit of the inhabitants of Tynron and its environs without distinction of gender, gender assignation, sexual orientation, political religious or other opinions by associating the statutory authorities, voluntary organisations and inhabitants in a common effort to enhance education, and to provide facilities, or assist in the provision of facilities, in the interest of social welfare for recreation and other leisure-time occupation so that their conditions of life may be improved.

In furtherance thereof, but not otherwise, the Committee shall:

- a) organise and manage the affairs of Tynron Parish Hall (referred to below as “the Hall”) in the interests of and on behalf of the community;
- b) ensure that a rolling programme of maintenance is carried out to keep the Hall in a good state of repair and décor;
- c) ensure that the Hall is kept clean and tidy;
- d) maintain the Hall grounds/parking area in good order;
- e) promote the use of the Hall as a venue for club events, functions and meetings without distinction as to sex, sexuality, political, religious and other opinions. The Committee shall reserve the right, however, to refuse the use of the Hall if such use is deemed to be contrary to the interests of residents in the Parish of Tynron;
- f) lay down conditions for the hire of the Hall by prospective users. The conditions are included in Appendix 1 of this Constitution and may be amended by the Committee from time to time.

### **3.0 POWERS**

In furtherance of the aforesaid objectives, the Committee shall have the following powers:

- a) raise funds and invite and receive funds from any persons by way of subscription or otherwise, for furthering the objectives of the Committee;
- b) appoint delegates and representatives to any other bodies with whom the Committee may be involved;
- c) engage any lawful activities to promote the objectives of the Committee.

### **4.0 MEMBERSHIP OF THE COMMITTEE**

- 4.1 Subject to clause 3.0b, membership of the Committee is open to any person over the age of eighteen living in the Parish of Tynron. Should a member of the committee move from the Parish of Tynron during their term of office, they may continue as an office bearer until a suitable replacement can be appointed and may continue on the committee until the end of their term.

- 4.2 The Committee shall be composed of a minimum of six voting members consisting of the following officers and a minimum of two other members:

- a) a Chairperson
- b) a Vice-Chairperson
- c) a Secretary
- d) a Treasurer
- e) a minimum of two ordinary members

- 4.3 In addition the Committee may :
- a) co-opt further members with skills or knowledge which the Committee considers would be of assistance to the Committee in carrying out its functions. Such co-opted members shall not have voting rights, shall not be entitled to move motions or amendments and shall not hold office. A co-opted member may, however, fill any casual vacancy which may arise on the Committee between elections;
  - b) co-opt at least two persons under the age of eighteen years.
- Members co-opted will serve for such time as may be determined by the Committee at the time of their co-option or until the Committee decide that their services are no longer required.

4.4 An independent examiner who is not a member of the Committee shall be appointed.

4.5 All members of the Committee who are entitled to vote on Committee business shall have one vote. In the event of a tie, the Chairperson shall have the casting vote.

#### **5.0 TERM OF OFFICE**

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A normal term of office on the committee is defined as 3 years. Office bearers may stand for a further term of office. However no member may normally remain on the committee as an office bearer for more than two terms of office

#### **6.0 POWERS AND DUTIES OF THE COMMITTEE**

6.1 The Committee shall have the general management and direction of the funds and affairs of the Hall and in particular (but without prejudice to the generality of the foregoing):

- a) may nominate any member of the Committee to serve as their representative on another body;
- b) may pay the whole or part of reasonable and proper expenses of any member of the Committee in or about the execution of any function or duty on behalf of the Committee;
- c) may make, and from time to time vary, rules for the Committee provided that any such rules are not inconsistent with this Constitution and are approved at the next occurring General Meeting;
- d) may fill casual vacancies in its membership by co-options which may not extend beyond the next occurring AGM.

6.2 Any Officer or ordinary member who fails to attend meetings of the Committee over a period of six months without good cause, duly noted to the Committee within such six-month period, will be deemed to have resigned his or her place on the Committee and will not be eligible for re-election at the next occurring AGM.

#### **7.0 DUTIES OF CHAIRPERSON, VICE-CHAIRPERSON, SECRETARY AND TREASURER**

7.1 The Chairperson shall:

- a) be responsible for ensuring that meetings of the Committee are properly conducted in accordance with this Constitution;
- b) be responsible for the submission of a report on the Committee's activities for the previous year to the AGM;
- c) in consultation with the Secretary prepare agendas for meetings.

7.2 The Vice-Chairperson, in the absence of the Chairperson, shall carry out the duties laid down in 7.1 above.

7.3 The Secretary shall:

- a) convene all meetings of the Committee;
- b) undertake all correspondence arising from the work of the committee;
- c) be responsible for preparing the Minutes of meetings and making a true record of proceedings for distribution to Members and others;
- d) in consultation with the Chairperson prepare agendas for meetings;
- e) undertake other duties required by the Committee from time to time.

- 7.4 The Treasurer shall:
- a) correctly maintain the Committee's financial records which shall disclose the financial position of the Committee;
  - b) take all reasonable steps to ensure that monies due are received and creditors paid;
  - c) present financial information to the Committee when required;
  - d) prepare annually an abstract of accounts for presentation to the examiner.

## **8.0 FINANCIAL PROVISION**

- 8.1 The Committee's financial year for accounting purposes shall be from 1 April until 31 March the following year.
- 8.2 The Committee shall be empowered to raise funds for schemes, projects and other purposes within its stated objectives.
- 8.3 The Committee may not donate monies from Committee funds to another organisation which has charitable status. It may, however, hold a fund-raising event dedicated to that particular purpose. The proceeds of such events must be clearly shown in the accounting system.
- 8.4 All monies received by the Committee, whether by grant, gift, loan or fund-raising events shall be held, paid out and applied as the Committee may direct in the furtherance of the objectives of the Committee and to support its administrative structure.
- 8.5 Pending the direction of Hall funds by the Committee, all funds shall be held in a separate bank account or accounts in the name of the Committee with such bankers as the Committee may from time to time direct.
- 8.6 The Committee shall keep an accurate record of its receipts and payments and the Treasurer shall prepare annually an Abstract of Accounts. The books and Abstract of Accounts will be scrutinised by the independent examiner and certified as giving a true and accurate picture of the Committee's financial position.
- 8.7 The Committee shall authorise, in writing, four members of the Committee, one of whom shall be the treasurer, to sign cheques on behalf of the association. All cheques must be signed by not less than two of the four authorised signatories. Signatories will not be connected, as per the definition of 'connected' within the Charities & Trustee Investment (Scotland) Act 2005 which is:
- *Any person to whom the [signatory] is married, is the civil partner of the [signatory] or with whom the [signatory] is living as husband and wife or, where the [signatory] and the other person are of the same sex, in an equivalent relationship.*
  - *Any child, parent, grandchild, grandparent, brother or sister of the [signatory] (and any spouse of any such person)*
  - *For the purposes of the above, a person who is another person's stepchild or brought up or treated by another person as if the person were a child of the other person, is to be treated as that other person's child.*
- 8.8 The Committee shall have power to invest such funds as are not required to be immediately available for meeting the Committee's liabilities. Such investments may be on deposit with a bank or a building society or in gilt-edged securities.

## **MEETING**

### **9.0**

- 9.1 The Committee shall hold general meetings no less than four times annually- These meetings will be

open to the public and will require a quorum of four members of the Committee including at least two office bearers. An AGM will be conducted within 6 months of the close of the financial accounting year

- 9.2 General meetings and the AGM will be conducted to an agenda.
- 9.3 In addition to meetings specified at 8.1, the Committee or a sub-committee nominated by the Committee, shall meet as required to attend to items of business which have to be dealt with prior to the next open meeting.
- 9.4 Any sub-committee formed by the Committee shall be responsible to the Committee who shall be deemed to be responsible for the actions of the sub-committee. There shall be at least one Officer of the Committee on any such sub-committee.
- 9.5 The business of the AGM shall be:
- a) to receive reports from the Chairperson and Treasurer,
  - b) to receive and approve the detailed annual accounts;
  - c) to confirm notice of those members standing down
  - d) to invite nomination of new committee members
  - e) to appoint an independent examiner of accounts;
  - f) to consider any matter or proposal of which due notice has been given in writing to the Chairperson or Secretary not less than fourteen days before the meeting.

Following the AGM, Office Bearers shall be selected from the nominated committee by voting members of that committee.

- 9.6 Notice of general meetings and the AGM shall be intimated to Committee members at least 10 days prior to each meeting. Such notification will include an agenda of the meeting together with minutes of the previous meeting. These papers will also be posted on the notice board at the Hall for scrutiny by the general public.

## **10.0 DISSOLUTION OF THE COMMITTEE**

- 10.1 On dissolution of the Committee, care of Tynron Parish Hall, its grounds, equipment and funds shall be vested in another charitable body with similar purposes, powers and objectives, to be held in trust by them on behalf of the residents of the Parish of Tynron, until a new Hall Committee is established. In the event of the ultimate closure of Tynron Parish Hall, all assets shall be disposed of for charitable purposes within the Parish of Tynron.
- 10.2 Any motion to dissolve the Committee shall be voted upon by at least 25 parishioners at an open meeting for which not less than fourteen days notice has been given.

## **11.0 ALTERATIONS TO THE CONSTITUTION**

- 11.1 No alterations may be made to this Constitution except by, and with the authority of a resolution of Committee members at a general meeting. Any proposal for an amendment must be made in writing to the Secretary at least fourteen days before the general meeting, and must then be passed by a two-third majority of members.

This revised constitution was unanimously approved by the Tynron Parish Hall Committee on the 26th day of September 2016 at a public meeting held in Tynron Parish Hall on the 26th day of September 2016 and was thereby submitted to the Charities Commission for their approval