

# ARCHDIOCESE OF BIRMINGHAM



## CONSTITUTION OF THE ST. DYMPHNA BEFRIENDING GROUP

Chairman Miss J. BIRD

Secretary Mr J. GILLUM

Treasurer Mrs B. EVANS

**Name of the Group:- The St. Dymphna Befriending Group.**

1. The Objects of the group are:-

- A. The relief of people with a mental health difficulties or mental distress, primarily of the Roman Catholic Faith. [Which people are hereinafter referred to as “ the Beneficiaries”]
- B. The advancement of the Roman Catholic Religion among the Beneficiaries.
- C. The Provision of, or assistance in the provision of, facilities for recreation or other leisure time occupation of the Beneficiaries provided in the interests of their Social Welfare and with a view to improving their condition of life.

In furtherance of the above objects but not otherwise the group shall have the following powers:-

- a. To educate the public in the needs of the Beneficiaries.
  - b. To foster co-operation and intercommunication between the group and other charitable organisations, Local Authorities and any other Institutions of a public or charitable nature within the Roman Catholic Archdiocese of Birmingham [hereinafter called “the Diocese”] or adjacent Roman Catholic Diocese concerned with the furthering of the objects of the group.
  - c. To give and exchange information and advice.
  - d. To advance education in all matters relating to the condition, relief and needs of the Beneficiaries and to undertake research for the purpose and to publish the results of all such research.
  - e. To hold meetings, conferences, exhibitions and discussions within the Diocese.
  - f. To publish reports, papers, books and other literature.
  - g. To recruit and assist in the recruitment of voluntary workers.
  - h. To provide comforts and amenities for such of the Beneficiaries as are resident in the Diocese and to relieve the distress and needs of such Beneficiaries and aid the Families and “carers” of such Beneficiaries in need of financial assistance.
  - i. To establish charitable clubs, recreational centres, hostels, residential and relief care homes in the Diocese.
  - j. To assist in the further education and advancement in life of such of the Beneficiaries as are resident in the Diocese.
  - k. To take and accept any gifts of property, whether subject to any special trusts or not for the objects of the group.
  - l. To raise voluntary funds and to receive and accept by way of subscription, donation, or otherwise; - provided that the group shall not undertake any permanent trading activities in raising funds for its Objects.
  - m. To sell, let, mortgage, dispose of, or turn to account, all or any of the property or assets of the group.
  - n. To do all such things as shall be necessary for the attainment of the Objects of the group.
2. The business of the group shall be conducted by a Committee consisting of;\_
- A Chairman, a Vice Chairman, a Secretary, Treasurer and such numbers of Members of the group as shall be decided at its Annual Meeting.

3. The Members of the group shall be those persons as shall be admitted to Membership of the group by the Committee thereof as aforementioned and shall pay such annual subscription as the Committee shall from time to time determine.
4. The group shall meet at least once in every year at a meeting to be called the Annual Meeting but subject thereto and to the conditions hereinafter set out and may meet at such other times as the Committee shall decide and the Committee may make rules for the conduct of the business of the meetings of the group as it thinks fit and may fix a quorum for all meetings.
5. The Committee shall meet at such times and places and at such intervals as it shall from time to time determine and shall make and alter such rules and regulations as it shall think fit for the conduct of such meetings and may fix a quorum for its meetings.
6. The Chairman shall take the Chair at every meeting of the group, at which he/she is present, or in his/her absence the Vice Chairman and if neither is present the members of the group present shall elect a Chairman from amongst themselves. The declaration of the Chairman of a meeting as to the result of any voting shall be final.
7. Each member of the group shall have one vote at all meetings and voting shall be on a show of hands and no vote shall be cast by proxy. In the event of an equal vote the Chairman of the meeting shall have a second or casting vote.
8. It shall be the duty of the Secretary to call all meetings of the Committee and of the group and s/he shall give not less than fourteen days notice of every meeting of the group to every member thereof.
9. The Committee shall have the following powers in relation to the group:-
  - a. The power to admit or refuse admission to any person seeking membership of the group.
  - b. Power to remove or expel any person from membership of the group provided that no member may be so removed except by resolution passed by at least two thirds of the Committee members present and voting at a meeting called for the purpose at which the member to be removed shall be given an opportunity on reasonable notice of attending and speaking in his/her own defence.
  - c. Power to carry out on behalf of the group, all acts which the group is empowered to carry out, except such, as by these regulations or any rules made thereunder, must be exercised by the group in general meeting.
  - d. Power to fix subscriptions and to make regulations as to the conduct and terms of membership of members of the group provided that no such regulation shall be valid unless it is in accordance with these regulations.
10. The Committee shall instruct its Treasurer to cause to be laid before the group at its Annual General Meeting in any year an audited or independently examined balance sheet and Income and Expenditure Account for the preceeding year. 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:-
  - a. The keeping of accounting records for the Charity
  - b. The preparation of Annual Statements of Account for the Charity.
  - c. The Auditing or independent examination of statements of account for the Charity.
  - d. The transmission of statements of account of the Charity to the Commissioners.

11. The Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of the Act) with regard to the preparation of an Annual return and its transmission to the Commissioners.
12. The Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of the Act) with regard to the preparation of an Annual Report and its transmission to the Commissioners.
13. Any Bank Account in which any part of the funds of the Fellowship is deposited shall be operated by the group and shall be held in the name of the Charity. All cheques and Orders for the payment of money from such account shall be signed by at least two members of the fellowship.
14. The group may by resolution passed by not less than two thirds of the Members present and voting, alter revoke or add to those rules in whole or in part provided that no alteration or deletion or addition may be made the effect of which would cause the group at any time to cease to be a Charity in Law.
15. Any property purchased by or given to the group shall be vested in Trustees to be appointed by the Committee.
16. The Trustees shall with such consent as is by Law required to deal with the property so vested in them by way of sale, mortgage charges, and lease or otherwise howsoever as directed by the Committee. Such direction shall be given by a resolution of the Members of the Committee passed by a majority of the members present at a duly convened meeting of the Committee and when so passed in favour of the subsequent purchaser, mortgagee, chargee, lessee, or grantee, be binding upon all members of the group. A certificate purporting to be signed by the Secretary for the time being of the group shall in favour of a Purchaser, mortgagee, chargee, lessee, or grantee be conclusive evidence that such a direction was duly given.
17. The group may by resolution passed by not less than two thirds of the Members present and voting dissolve the Fellowship and in such event the funds of the group remaining after payment of all debts and liabilities shall be applied for such charitable purposes for the relief of people with a physical and /or mental disability as the Committee shall direct.