

FRIENDS OF ALBELLA BOYS HOME, DARJEELING

CONSTITUTION

1. Title

The name of the Society shall be **Friends of Albella Boys Home, Darjeeling** (hereinafter referred to as the Society) and the working name **Albella Boys Home** may also be used.

2. Objects

The relief of poverty and hardship and the advancement of education, training and health of children and young people in the Darjeeling district of India, in particular, but not exclusively, by the provision of funds towards the costs of Albella Boys Home, Kalimpong, and its staff, and the education of girls not resident in the home, all within a Christian ethos.

3. Membership

The members of the Society (hereinafter referred to as Friends) shall be those persons who:

- a. are accepted by the Committee as sponsors of boys at the Home at such rate or rates as shall be determined by the Committee;
- b. such other donors who support the Home or the education of girls not resident in the Home at an annual level above a threshold to be set by the Committee from time to time; and
- c. the spouses of any such persons.

4. Honorary Officers and Committee

The management of the Society shall be in the hands of a Committee consisting of a Chairman, an Administrator, a Treasurer and between two and six other members. The present Committee is:

Chairman:	Rev Dr John Douglas Morris	
Administrator:	Alan James Pickett	
Treasurer:	Hugh Basil Woodd	
Members:	Caroline Brereton	Christopher Chapman
	Anne Hanson	

Vacancies on the Committee shall be filled by persons appointed by the continuing Committee members provided that:

- a. any person so appointed shall already be, or shall forthwith become, a Friend: and
- b. no person shall be appointed as an Officer unless he or she is an active Christian, supportive of the Christian values of the Home.

Members of the Committee shall not be remunerated but may be reimbursed for expenses properly incurred for the purposes of the Society.

5. Determination of Membership of Committee

A member of the Committee shall cease to hold office if he or she:

- a. is disqualified from acting as a member of the Committee by virtue of section 178 of the Charities Act 2011 (or any statutory modification of that provision) but subject to sections 179-181 of that Act;
- b. becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;
- c. is absent without the permission of the Committee from all their meetings held within a period of six months and the Committee resolve that his or her office be vacated;
- d. notifies to the Committee a wish to resign (but only if at least three members of the Committee will remain in office when the notice of resignation is to take effect).

6. Management

- a. All the arrangements for meetings and any other events and the control of finance shall be in the hands of the Committee who may make regulations from time to time for the conduct of their business.
- b. At meetings and proceedings of the Committee, there shall be a quorum when at least one third of the number of members of the Committee for the time being or three members of the Committee, whichever is the greater, are present. At meetings, decisions must be made by a majority of the Committee members present and voting on the question. The Chairman shall have a casting vote whether or not he or she has voted previously on the same question.

7. Ordinary meetings

The Committee must hold at least two ordinary meetings each year. One such meeting must involve the physical presence of those Committee members who attend the meeting. Other meetings may take such form, including videoconferencing, as the Committee decides provided that the form chosen enables the Committee both to see and hear each other.

8. Special meetings

A special meeting may be called at any time by the Chairman or by any two Committee members. Not less than four days clear notice must be given to the other Committee members of the matters to be discussed at the meeting. However, if those matters include the appointment of a Committee member or a proposal to amend this Constitution, not less than 21 days notice must be given. A special meeting may be called to take place immediately after or before an ordinary meeting.

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9. Powers

In furtherance of the objects but not otherwise the Committee may exercise the following powers:

- a. power to raise funds and to invite contributions provided that in raising funds the Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law;
- b. power to employ such staff (who shall not be members of the Committee) as are necessary for the proper pursuit of the objects;
- c. power to co-operate with other charities, voluntary bodies and statutory authorities operating in furtherance of the objects or of similar charitable purposes and to exchange information and advice with them;
- d. power to establish or support any charitable trusts, associations or institutions formed for all or any of the objects;
- e. power to appoint and constitute such advisory committees as the Committee may think fit;
- f. power to terminate the membership of any individual, provided that the decision of the Committee (with the exception of (i) the individual concerned if a member of the Committee and (ii) any member of the Committee making or connected with the complaint against the individual) is unanimous both as to the termination and as to there being good reason for it, and provided that the individual concerned shall have the right to be heard by the Committee, accompanied by a friend if desired, before a final decision is made.
- g. power to do all such other lawful things as are necessary for the achievement of the objects.

10. Equal Opportunities

No individual shall be excluded from membership of the Society or debarred from any official capacity on the Committee on the grounds of sex, race, colour, age, religion, sexual orientation, disability or political affiliation except as provided in 4. above.

11. Finance

- a. The financial year shall end on 31st July each year or such other date as the Committee may determine.
- b. A banking account shall be opened in the name of the Society or its working name and cheques shall be signed by any two officers of the Society.
- c. The Society may receive sponsorship for boys at the Home and support for the education of girls not resident at the Home, donations, grants in aid and financial guarantees.
- d. The income and property of the Society however derived shall be applied solely towards the objects of the Society as set forth above and no portion thereof shall be paid or transferred either directly or indirectly to any member or members of the Society except in payment of legitimate expenses incurred on behalf of the Society.

12. Accounts

The financial accounts shall be audited or examined to the extent required by legislation or, if there is no such requirement, scrutinized by a person who is independent of the Committee.

13. Amendments

The constitution may be amended by the Committee acting unanimously provided that nothing herein contained shall authorise any amendment which shall have the effect of the Society ceasing to be a charity at law and provided further that the prior written consent of the Charity Commission is obtained.

14. Dissolution

In the event of the winding up or dissolution of the Society, any remaining assets after all liabilities have been discharged shall not be paid to any member or members of the Society but shall be transferred to the Home, failing which to a charitable organisation whose objects are similar to those of the Society and whose rules preclude the distribution of income and assets among its members.

Note: This Constitution was unanimously approved by the Committee at their meeting on 5.4.14, and signed by the Chairman on the same day. The Charity Commission had provided their prior consent by email dated 3.3.14.