

CONSTITUTION OF TEIGNMOUTH SHOPMOBILITY

1. NAME

The Name of the Organisation is Teignmouth Shopmobility.

2. ADDRESS

The registered address of the organisation is:

Teignmouth Shopmobility,
The Office,
Quay Road Car Park,
Quay Road,
TEIGNMOUTH,
Devon.

3. OBJECTS

Teignmouth Shopmobility exists for charitable purposes only, to promote the welfare and independence of disabled persons on Teignmouth and the surrounding area by providing them with electric or manual wheelchairs or electric scooters on loan for periods of not more than a day, free of charge, to enable them to go to shops and places of interest in the Town of Teignmouth. In furtherance of this object but not further or otherwise Shopmobility may:

- (a) Seek to improve facilities for disabled persons and to this end maintain liaison with local authorities and other organisations concerned with disabled people.
- (b) Give and exchange information and advice.
- © Raise funds by means of subscriptions, donations, etc., provided that Teignmouth Shopmobility shall not undertake any permanent trading activities in raising funds for its primary purposes.
- (d) Do all such other lawful things as are necessary to the attainment of the objects of Teignmouth Shopmobility.

4. MEMBERSHIP

- (a) Membership shall be open to all those persons who support the objects of Teignmouth Shopmobility. A nominal membership fee being payable in such sum as shall be determined from time to time by the Management Committee and the liability of ordinary members being limited to the subscription for the year.
- (b) Paid up members shall be entitled to vote at any A.G.M. or Extraordinary Meeting hereinafter mentioned.

5. MANAGEMENT

(a) The management of Teignmouth Shopmobility shall be vested in a Management Committee (hereinafter called the Committee) which shall comprise of not more than eleven and not less than six paid up members including the Chairperson, Vice Chairperson, Secretary and Treasurer.

(b) Not less than 51% of the membership of the Committee shall be classifiable as Disabled according to Section 29 of the National Assistance Act 1948.

© Half the Committee members shall stand down each year by rotation. They shall be eligible for immediate re-election at the A.G.M.

(d) The Committee shall have the power to fill or replace any casual vacancy on the Committee. Such persons will have full voting powers, will hold office until the next A.G.M. and be eligible for election.

(e) The Committee shall have the power to co-opt members and/or specialists or appoint any special sub-committee they may deem to be necessary for the efficient operation of the scheme but these co-opted members will not have voting power on the Committee.

(f) In the event of any executive post within the Committee becoming vacant the vacancy will be filled by action of the Committee in a Special Committee Meeting. (See Clause 8b).

(g) Removal from office – An officer or committee member of the organisation may be removed from his/her office if:

(i) He/She ceases to be a paid up member.

OR

(ii) Shall have been absent without notification to the Secretary or Chairperson for more than three consecutive meetings and the Committee resolve that his/her office be vacated.

or

(iii) By resolution of the Committee, provided that the officer shall have the right to be heard at a Committee Meeting for which (14) fourteen days written notice has been given by registered post before a decision is made .

6. DUTIES OF THE MANAGEMENT COMMITTEE

Full responsibility for all assets, liabilities and activities of Teignmouth Shopmobility shall rest with the Management Committee. In particular the Committee shall:

(a) Maintain written records of Teignmouth Shopmobility business, the Secretary and Treasurer being responsible for maintaining Minutes of the meetings and books of accounts respectively.

(b) Make arrangements for the safekeeping of all assets and equipment owned by or loaned to Teignmouth Shopmobility.

© Prepare an Annual Report of the activities of Teignmouth Shopmobility together with an Annual Statement of Accounts.

(d) Initiate fund-raising activities as necessary to fulfil the aims of Teignmouth Shopmobility.

7. VOTING

(a) All questions arising at any meeting shall be decided by a simple majority of those present and entitled to vote thereat.

(b) Arrangements for proxy voting may from time to time be made by the Committee PROVIDED ALWAYS THAT no such arrangements shall be made with regard to alterations to the Constitution or Dissolution.

© No person shall exercise more than one vote.

(d) In the case of an equality of votes the Chairperson of the meeting will declare the motion NOT carried.

8. MEETINGS

(a) Management Committee Meetings shall take place no less than four times a year. At least seven days notice shall be given of such meetings.

(b) Special Committee Meetings. Any 3 members of the Committee may call a Special Meeting thereof by giving 14 days clear notice in writing to the Secretary specifying the purpose for which the meeting is to be called.

No business shall be transacted at a Committee or a Special Committee Meeting unless there is either a quorum of four or half the committee present, whichever is the greater number of persons.

© Annual General Meeting

(i) The Annual General Meeting shall be held on a date to be fixed by the Committee not later than 3 calendar months after the end of the financial year. (See Clause 10a)

(ii) The Secretary shall send a Notice specifying the date, time and place of such meetings to each paid up member of Teignmouth Shopmobility at least 21 days before the meeting.

(iii) Any member of Teignmouth Shopmobility wishing to move a resolution shall give notice thereof in writing to the Secretary not less than two weeks before the meeting is due to take place.

(iv) The election of Officers and Members of the Management Committee will take place and the Annual Reports will be given at each A.G.M.

(v) No business shall be transacted at an A.G.M. or Extraordinary General Meeting unless either a quorum of 7 members or a quarter of the membership whichever is the greater present.

(vi) The A.G.M. shall be open to attendance by any interested party but only registered paid up members shall be entitled to vote.

(d) Extraordinary General Meetings

(i) An Extraordinary General Meeting may be called at the request of not less than 4 members of Teignmouth Shopmobility made in writing and signed by each member subscribing thereto and sent to the Secretary.

(ii) The conditions and notices required for an Extraordinary General Meeting shall be those applicable to an Annual General Meeting as set out in Clause 8c(ii) and 8c(v).

The Chairperson of Teignmouth Shopmobility shall preside at all meetings. In the absence of the Chairperson, the Vice Chairperson shall preside. In the event of

his/her absence also, a Chairperson shall be appointed by the members from among the Committee members present at the meeting.

9. NOMINATIONS

Paid up members of Teignmouth Shopmobility are eligible to make nominations for Officers and Management Committee Members. These must be in writing and in the hands of the Secretary at least 7 clear days before the Annual General Meeting. Should nominations exceed vacancies, elections shall be by ballot. The Committee may make arrangements for members to vote by proxy or by post if it deems this to be desirable or necessary.

10. FINANCE

(a) The Financial Year of Teignmouth Shopmobility shall end on 31st March.

(b) Income.

The income of Teignmouth Shopmobility shall consist of proceeds from appeals to the public, together with grants or gifts from the public or voluntary or other organisations. All deposits, donations or grants shall be handed to the Treasurer and deposited in the Organisation's bank account in the name of Teignmouth Shopmobility.

© The Committee shall authorise in writing the Treasurer and at least two other signatories to sign cheques on behalf of Teignmouth Shopmobility. All cheques must be signed by not less than 2 of those authorised.

(d) Use of Funds

(i) All monies raised by or on behalf of Teignmouth Shopmobility shall be used to further the objects of Teignmouth Shopmobility and for no other purpose PROVIDED THAT nothing therein contained shall prevent the payment in good faith of properly agreed remuneration to any officer or servant of Teignmouth Shopmobility in return for any services actually rendered to Teignmouth Shopmobility, or the payment of reasonable and necessary expenses of management or in pursuance of the objects of Teignmouth Shopmobility.

(ii) The Committee are responsible to the Organisation for the proper administration of all funds.

(e) Accounts.

The Committee shall cause proper accounts to be kept of all income and expenditure and shall prepare audited accounts and bring them before the Annual General Meeting or provide them as requested at any time under the provision of the Charities Acts.

(f) Auditors.

The Committee shall appoint independent auditors to carry out the work of preparing and auditing the accounts of Teignmouth Shopmobility, ready for use under the provisions of Clause 10e.

11. AMENDMENTS TO THE CONSTITUTION.

The Constitution may be amended by a two-third majority of the members present at an Annual General Meeting or at an Extraordinary General Meeting provided that fourteen days notice of the proposed amendment has been sent out to all members and provided that nothing therein contained shall authorise any amendment which would have the effect of Teignmouth Shopmobility ceasing to be a charity.

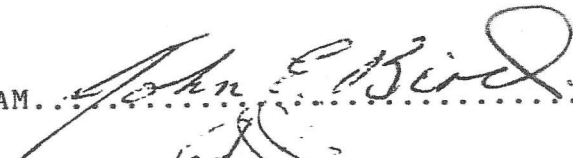
No amendment shall be made to either Clause 3 or 12 and this Clause without the approval of the Charity Commissioners for England and Wales.

12. DISSOLUTION

In the event of the dissolution of Teignmouth Shopmobility and Extraordinary General Meeting shall be called. At least 21 days notice of this meeting shall be given in writing to all members. Teignmouth Shopmobility shall be deemed dissolved upon three quarters of the voting members at the meeting voting in favour of it.

After the setting of all liabilities any assets shall not be paid to or distributed amongst the members of Teignmouth Shopmobility but shall be given or transferred to such other charitable organisation or organisations as the Committee may decide, subject to the approval of the Charity Commissioners for England and Wales.

1 April 1998.

CHAIRMAN.....

SECRETARY.....

We, the above signed, certify that this is a true copy of the Constitution.