

ALDERNEY PERFORMING ARTS FESTIVAL FOUNDATION
CH264

CONSTITUTION AND RULES

As amended 08.02.2024

Objects: To promote a not-for-profit performing arts festival with charitable object under the name "The Alderney Festival" or other name adopted by the Foundation and to promote and support other similar not-for-profit events for the benefit of the island of Alderney and, for the encouragement of the above purposes, to liaise and promote projects and mutual endeavours with other organisations both in Alderney and in France and the other Channel Islands (such as similar institutions including Studio Alderney Workshops) which will inter alia involve benefit within the above purposes to the island of Alderney.

Bank Account: To appoint HSBC, Victoria Street, Alderney as Bankers and to open a bank account in the name of the Foundation in accordance with the forms and requirements of the bank with two signatories on any cheque above £1,000.

The Office Holders: The Festival Director, the Trustees, the Members of the Committee, Honorary Accountant and Keeper of Records and the Honorary Treasurer.

Festival Director: To be Caroline Kay-Mouat and upon retirement to be appointed by the Committee.

Hon. Trustees: Three trustees of whom at least one shall be a resident of Alderney. The power to appoint new trustees shall be vested in the Committee.

Committee: Kerry Hatcher-Gaudion, David Griffiths, Caroline Kay-Mouat, Mark Currie, Andy Theobald, and such other person or persons as the Committee may select.

Powers of the Committee: The Committee shall have complete power to manage the affairs of The Foundation and without prejudice to the generality of such power, shall have power to appoint the Bankers and Office Holders of the Foundation and make payments for the provision of services for the benefit of the Foundation including the organisation of the Festival and other events and carrying out services of benefit to the Foundation such as liaising and establishing cooperation with other organisations in Alderney, France and the other Channel Islands.

Indemnity: The Office Holders including the Committee and other persons engaged on the business of The Foundation shall be entitled to be indemnified out of the property and proceeds of the Foundation for all expenses incurred in carrying out those activities. Payments out of the bank account in respect of any claim to indemnity shall be made subject

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to the production to the Honorary Accountant and Keeper of Records of such documents or vouchers as he may require.

Dissolution: Monies held by the Festival are to be used solely for the benefit of the Festival and the events scheduled therein. Should the Festival cease to exist the distribution of assets held in the Festival's bank account will be distributed in accordance with directions of the Committee or the President of Alderney.

Honorary Accountant and Keeper of Records: Caroline James

Honorary Treasurer: Mark Currie

This is certified to be a true copy of the Constitution of APAFF amended and adopted at a meeting of APAFF held 08.02.2024 between the members of APAFF as undersigned.

Signed  Caroline Kay-Mouat (Festival Director and Committee Member),

David Francis Griffiths  Alderney Trustee

Andy Theobald  Artistic Director and Committee member

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Alderney Performing Arts Festival Foundation

Addendum to the Governing Document 08 02 2024

Adopted by the Committee/Trustees on 28 02 2024

The Governing Document for the charity is its Constitution, dated 08 02 2024

This addendum amends the Governing Document to comply with Section 4 of the Charities etc. (Amendments, Exemptions, Governance, and Specified Amount) (Guernsey and Alderney) Regulations 2022 and the Schedule thereto.

1 Name of the Organisation

Alderney Performing Arts Festival Foundation ch 426

2 Legal Status

The Festival is a not-for-profit performing arts festival with charitable objects registered with the Guernsey Registry under reference ch. 426

3 Purpose, Mission, and Objectives

The purpose of the Festival is to bring over a diverse group of creatives to Alderney. The mission is to invite both the local and wider Channel Island community and potentially others from further afield to enjoy creative offerings either through direct participation or as audience members to events and activities delivered within iconic Alderney settings.

4 Relationship to other Non-Profit Organisations

To liaise and promote projects and mutual endeavours with other organisations in Alderney, the other Channel Islands (such as similar institutions including Studio Alderney Workshops) and France which will involve benefit to the island of Alderney in accordance with the Purpose cited above.

5 Arrangements governing dissolution of the Trust

The Festival is for charitable purposes. In the event that the Festival ceases to exist it shall not be revoked or varied without proper notification having been given to the Guernsey Registry of charities or such other regulator of non-profit organisations within Guernsey or Alderney as may be required.

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6 Rules covering administration of assets

Monies held by the Festival are to be used solely for the benefit of the Festival and the events scheduled thereby. Should the Festival cease to exist the distribution of assets held in the Festival's bank account will be distributed in accordance with directions of the Committee or the President of Alderney.

7 Rules governing the amendment of the Governing Document

All Committee members are to be notified of any changes to be made to the Governing Document and asked to vote for any such changes.

8 The Nature or Identity of Members

The Board may, in due course, create different categories of Member and may confer upon any such category or upon such Members generally such rights and privileges as the Committee may from time to time think fit.. The terms of such Membership shall be supplied to Members from time to time.

5.2 Membership rules such as eligibility, suspension and expulsion

Any person may become a Member subject to there being no objection by the Committee in accordance with the application criteria which may be amended from time to time (in the case of such objection such proposed Member shall be informed, within seven days, of such a decision being made, but the Committee shall be under no obligation to give reasons for such objection).

Given that the Festival does not have a Membership Scheme yet this will need to be considered as and when such a scheme is adopted.

9 Rules concerning frequency of and proceedings at Members' meetings

The Festival currently does not have a Membership Scheme, so this clause will be given attention in advance of there being Members to be considered.

10 The rights of members to elect whether the annual financial statements should be independently audited or examined

The Festival committee and Trustees will need to address this when a membership scheme is created.

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11 The rights of members to see the annual financial statements within a reasonable period following the end of the accounting period

The Festival committee and Trustees will need to address this when a membership scheme is created.

12 The rights of members to see the annual financial statements within a reasonable period following the end of the accounting period.

The Festival committee and Trustees will need to address this when a membership scheme is created.

13 The process by which the members of the Trust are determined.

Invitations will be circulated to announce that the Festival is looking to create a Membership Scheme based on people's interest in becoming more involved with the Festival.

14 Duties and powers of the Board or Committee

To oversee the Festival's annual programme, and ensure that the Purpose, Mission and Objectives of the Festival are maintained and to uphold the Festival's standards and integrity.

15 Duties and Powers of the Chair or equivalent

To keep Committee Members and the Trustees informed of yearly plans, to ensure the Festival's objectives are being met and due diligence maintained. To notify the Committee and Trustees of any change of programme or matters arising. To ensure all insurances are in place for the Committee and Festival events.

16 Duties and powers of the Secretary or equivalent

To notify Committee Members of meetings, liaise with creatives and local bodies and to organise flights and accommodation.

17 Duties and powers of the Treasurer or equivalent

To oversee the running of Festival finances and to ensure accounts are properly filed in a timely manner

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18 Rules concerning frequency of, and proceedings at meetings of Board Members

The Festival Committee is to meet annually, on island, in the summer and then to communicate every 6 months or more frequently should the need to arise.

Approved by the [Foundation/Committee/Trustees] on 28 February 2024

Chairman



C. KAY-MOUAT

Secretary



A. THEOBALD

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