

CONSTITUTION OF Connect MND Guernsey

(A Charitable Organisation in the Bailiwick of Guernsey)

1. NAME

The name of the organisation shall be **Connect MND Guernsey** (“the Charity”).

2. PRINCIPAL OFFICE

The principal office of the Charity shall be situated in the Bailiwick of Guernsey

3. CHARITABLE STATUS

The Charity is established exclusively for charitable purposes under the laws of the Bailiwick of Guernsey.

All income and property of the Charity shall be applied solely towards the promotion of its objects. No part of the income or property shall be paid or transferred directly or indirectly to Trustees or members, except as permitted by law.

4. LEGAL STATUS

The charity is an unincorporated association.

5. VISION

To ensure that no person affected by Motor Neurone Disease (MND) feels alone from diagnosis onwards.

6. MISSION

To provide compassionate support, connection, outreach, information and charitable funding support for people living with MND, their families and loved ones and provide one off grants to create meaningful experiences and memories (e.g. holiday grants).

7. OBJECTS (CHARITABLE PURPOSES)

The objects of the Charity are to relieve the needs and improve the wellbeing of people affected by MND by:

- a. Providing emotional, practical, and peer support for individuals and loved ones affected by MND through a lived experience volunteer led outreach service to provide empathetic support from diagnosis onwards.
- b. Promoting awareness and understanding of MND across the wider community.
- c. Providing structured signposting to relevant MND services in Guernsey.
- d. Providing one-off grants to create meaningful experiences and memories (e.g. holiday grants).
- e. Supporting and contributing to MND research through donating surplus funds to recognised research organisations

8. POWERS

In furtherance of its objects, the Charity shall have the power to:

- a. Raise funds through donations, grants, fundraising activities, and partnerships.
- b. Provide grants and donations to MND research organisations and approved research projects if surplus funds are available.
- c. Recruit, train, and manage volunteers, including befriending and outreach visitors.
- d. Develop and maintain empathetic support services, both in-person and online.
- e. Produce and distribute information resources.
- f. Provide one-off grants to individuals and families affected by MND to create meaningful experiences and memories.

9. SUPPORT

The charity will support:

- a. People living with MND.
- b. Family members, carers, and loved ones.
- c. Volunteers, including befriending and outreach visitors.
- d. Supporters of the Charity who align with its Vision and Mission.

10. MEMBERSHIP

The charity shall have a membership. People who support the work of the charity and are aged 18 or over, can apply to the Trustees to become a Member. The Trustees may refuse to accept an application for membership if they believe it is the best interests of the charity. Once accepted by the Trustees, membership lasts for five years and may be renewed. The Trustees will keep an up-to-date membership list. The Member has the right to be heard by the Trustees before the decision is made and can be accompanied by an appropriate third person. There shall be a minimum of three Members.

11. TRUSTEES

The charity shall be managed by a committee of Trustees who are appointed at the Annual General Meeting (AGM) of the charity. There should be a minimum of three and maximum of ten Trustees. A majority of the Trustees must be Bailiwick resident. Trustees must be people of integrity and probity who have suitable and appropriate skills and experience.

The Trustees are responsible for the overall management and administration of the Charity.

Trustees shall:

- a. Ensure the Charity acts in accordance with its objects.
- b. Safeguard the assets and reputation of the Charity.
- c. Approve policies, budgets and grants.

- d. Oversee volunteer-led service delivery, including outreach and befriending services.
- e. Ensure compliance with all relevant laws and regulatory requirements in Guernsey.
- f. Act in good faith at all times, with a general duty of care.
- g. Act only in accordance with the powers afforded by this Constitution.
- h. Ensure that there are measures in place to enable the Charity to achieve its purpose and mission or objectives effectively, to fulfil its other obligations under this Constitution and to discharge any legal obligations to which it is subject.
- i. Review the activities of the Charity every three years and their own performance annually, ahead of the AGM, to ensure that the Charity has fulfilled its obligations under this Constitution and discharged any legal obligations to which it is subject.
- j. Take all reasonable measures to ensure that the financial position of the Charity is satisfactory and prudent, having regard to the purposes of the Charity's mission and objects, and shall not commit the Charity to expenditure beyond its available resources.

Trustee Appointment and Terms of Office

Any Member may stand for election as a Trustee. Members shall elect a minimum of three and a maximum of ten Trustees to serve for a five-year term. Trustees will retire at the AGM following the fifth anniversary of their election and may stand for re-election for one further term of five years but may not stand for re-election after that period.

During the year, the Trustees may appoint up to two additional Trustees by co-option. Co-opted Trustees will stand down at the next AGM and are eligible for election by the membership at that meeting.

Retirement, Dismissal and Replacement of Trustees

- a. A Trustee may retire at any time by giving written notice to the Chair or Secretary.
- b. The Trustees may, by majority decision, suspend or remove a Trustee from office where they consider it to be in the best interests of the Charity, including on grounds of misconduct, incapacity, or failure to fulfil their duties. The Trustee concerned shall have the right to be heard by the remaining Trustees before any decision is made and may be accompanied by an appropriate third person.
- c. Members in the General Meeting may vote to dismiss a Trustee for any reason before the Trustee's term of office expires.
- d. A Trustee shall automatically cease to hold office if they:
 - become incapable of managing their own affairs;

- are convicted of an offence involving dishonesty or deception;

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- are disqualified from acting as a charity trustee under applicable Guernsey law; or
- fail to attend three consecutive Trustee meetings without the prior agreement of the Board.

e. Any vacancy arising from the retirement, dismissal, or removal of a Trustee may be filled by co-option until the next Annual General Meeting. At this point, the co-opted Trustee shall stand down and be eligible for election by the membership.

12. ROLE OF THE CHAIR

The Chair shall be responsible for leading the Board of Trustees and ensuring the effective governance and management of the Charity. The Chair shall:

- a. Lead and facilitate Trustee meetings, ensuring they are conducted efficiently and in accordance with this Constitution.
- b. Promote good governance and ensure that Trustees discharge their responsibilities in furtherance of the Charity's objects.
- c. Provide supervision and support to any manager or senior volunteer where applicable.
- d. Act as a figurehead and spokesperson for the Charity where required.
- e. Exercise a casting vote in the event of a tied vote at Trustee meetings.

The same person may occupy the role of Chair and Secretary simultaneously, provided that the requirement for the Treasurer to be unconnected from at least one other specified role is maintained at all times.

13. ROLE OF THE TREASURER

The Treasurer shall be responsible for overseeing the financial affairs of the Charity and ensuring they are conducted lawfully, constitutionally, and in accordance with accepted accounting practice. The Treasurer shall:

- a. Ensure that proper accounting records are maintained and that effective financial procedures are in place.
- b. Monitor and report to the Trustees on the financial position of the Charity.
- c. Oversee the production of all necessary financial reports, returns, accounts, and audits as required.
- d. Ensure all funds are applied solely in furtherance of the Charity's objects and held in accordance with clause 19.
- e. Ensure that no payments are made to Trustees other than reimbursement of reasonable expenses, in accordance with clause 19.

14. ROLE OF THE SECRETARY

The Secretary shall be responsible for overseeing the compliance and administration of the Charity and ensuring that the Charity is aware of and meets its legal responsibilities. The Secretary shall:

- a. Ensure that the Charity's entry on the Charities Register is kept up to date in accordance with applicable Guernsey law.
- b. Ensure that Trustee meetings, General Meetings, and AGMs are properly administered and conducted in accordance with this Constitution.
- c. Maintain accurate and up-to-date membership records in accordance with clause 19. d. Record and circulate minutes for all meetings and monitor action points arising therefrom.

15. TRUSTEE MEETINGS

- Trustees must hold at least four meetings each year. At their first meeting after the AGM, they will elect a Chair, Treasurer and Secretary.
- The Treasurer and either the Chairman or the Secretary must be unconnected.
- At least three unconnected Trustees must be present at the meeting to be able to take decisions. Minutes shall be kept for every meeting.
- Matters arising between meetings may be decided by majority approval of members via electronic, written or verbal communication, with such decisions recorded and minuted at the next meeting.
- The Trustees may make reasonable additional rules to help run the charity. These rules must not conflict with this constitution or the law.

16. ANNUAL GENERAL MEETING

The AGM must be held every year, with 14 days' notice given to all members telling them what is on the agenda. Minutes must be kept of the AGM.

There must be at least three unconnected Members present in person at the AGM.

Every Member has one vote. In the event of a tied vote, the Chair of the Trustees shall have a casting vote. Voting shall be secret.

The Trustees shall present the annual report and accounts. The Members may elect to have these financial statements independently verified.

Members in General Meeting may vote to dismiss a Trustee for any reason before the Trustee's term of office expires.

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17. GENERAL MEETINGS

If the Trustees consider it necessary to change the constitution, or wind up the Charity, they must call a General Meeting so that the membership can make the decision. Trustees must also call a General Meeting if they receive a written request from the majority of members. All members must be given 14 days' notice and told the reason for the meeting. At least three unconnected Members must be present. All decisions require a two-thirds majority. Minutes must be kept.

Changes to the Constitution can be made at AGMs or General Meetings. No change can be made that would make the organisation no longer meet its charitable purpose. Trustees may also call a General Meeting to consult the membership.

18. EMPLOYMENT

The Charity shall not employ staff.

19. FINANCE AND ACCOUNTS

- a. All funds shall be applied solely to the Charity's objects and held in Guernsey.
- b. Proper accounting records shall be maintained in accordance with Guernsey requirements.
- c. Annual accounts shall be independently examined or audited where required.
- d. Transparent procedures shall govern all grants.
- e. No Trustee shall receive payment other than reimbursement of reasonable expenses.
- f. The Trustees shall determine, having regard to the size, nature, and complexity of the Charity, whether the annual financial statements should be independently examined or independently audited, and shall record that determination in the minutes of the relevant Trustee meeting.
- g. Members shall have the right to receive or inspect the annual financial statements of the Charity within a reasonable period following the end of each accounting year, whether or not those statements have been independently examined or audited.

20. CONFLICT OF INTEREST

Trustees must declare any actual or potential conflict of interest and must withdraw from

any related decision-making where appropriate.

21. SAFEGUARDING AND PROTECTION

The Charity is committed to safeguarding all beneficiaries, volunteers, and participants.

All Trustees and volunteers will have a Basic Police Disclosure as a minimum requirement.

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22. EQUALITY, DIVERSITY AND INCLUSION

The Charity shall operate on principles of equality, dignity, respect, and inclusion for all individuals, regardless of background or personal circumstances.

23. DISSOLUTION

If the Charity is dissolved:

- a. All outstanding debts and liabilities shall be paid from remaining funds. b. Any remaining assets shall be transferred to one or more charities with similar charitable purposes, including those supporting MND care, support, or research, within the Bailiwick of Guernsey or directly to the MND Association (UK)
- c. No assets shall be distributed to Trustees or members.

24. GENERAL PROVISION

Nothing in this Constitution shall authorise the application of funds in a manner inconsistent with the Charity's charitable status under the laws of the Bailiwick of Guernsey.

