

DRAFT GOVERNING DOCUMENTS

1 NAME

The Charity's name is Pink Ladies Guernsey.

2 THE PURPOSES AND MISSION OF THE CHARITY ARE:-

The aim of the Charity is to support people affected by breast cancer and to raise awareness of breast cancer in the Bailiwick of Guernsey by:

- Establishing contact with people diagnosed with breast cancer.
- Establishing contact with health and social care professionals locally.
- Providing emotional and practical support for people with breast cancer and their families.
- Providing up to date information on approved complementary therapies available locally and elsewhere.
- Providing an environment for people who have, or have had, breast cancer to meet for support and social occasions to include their family and friends.
- Interacting with other support groups locally and nationally.
- Raising public awareness of the need to be breast aware, to participate in an approved breast screening programme and of the early signs of breast cancer.
- Supporting breast cancer research both locally and nationally.

3 LEGAL STATUS

The Charity is an unincorporated association.

4. ORGANISATION

4.1 The Charity's principal policy-making body shall be the Annual General Meeting.

4.2 The Charity shall be managed by a Committee comprising a Chairperson (also known as the Facilitator), Secretary, Treasurer, plus up to five Committee Members, who are voting members of the Charity.

- 4.3 The Committee shall be elected at each AGM and serve until the end of the next AGM when they will be eligible for re-election.
- 4.4 Committee Members shall act only in accordance with the powers under this Constitution to discharge the Charity's obligations, legal or otherwise.
- 4.5 Committee Members should be aware of and declare any potential or actual conflict of interest with the normal business of the Charity.
- 4.6 Committee Members must always act in good faith with a duty of care to the objectives, assets and activities of the Charity.

5. CARRYING OUT THE PURPOSES

In order to carry out the charitable purposes, the Committee Members shall have the following powers:-

- 5.1 to raise funds, invite and accept donations, contributions, grants and legacies from third parties and organisations, whether on an unconditional basis or subject to any conditions imposed by the donor. In so doing, the Committee Members must not undertake any taxable permanent trading activity and must comply with any relevant statutory regulations;
- 5.2 to take such lawful steps including but not limited to public appeals, direct approaches to individuals or otherwise as may from time to time be deemed with by the Charity to be necessary, expedient or desirable for the purpose of procuring contributions to the funds of the Charity in the form of donations, subscriptions or otherwise;
- 5.3 to obtain and pay for such goods and services as are necessary for carrying out the work of the Charity;
- 5.4 to invest the moneys of the Charity not immediately required for its purposes in or upon such investments, securities or property as may reasonably be thought fit subject nevertheless to such conditions (if any) and such consents (if any) as may for the time being be imposed or required by law and subject also as hereinafter provided;

- 5.5 to print and publish or procure to be printed and published or to circulate or procure to be circulated (whether gratuitously or not) any newspapers, periodicals, magazines, books, pamphlets or other documents that may be deemed necessary or desirable for the promotion of the Objects or any of them;
- 5.6 to create, maintain, improve and amend a website to inform the general public, Members and prospective Members of the Charity's aims, membership, activities, grants and anything else relevant to the Charity's Objects;
- 5.7 to co-operate with other charities, voluntary bodies and statutory authorities and to exchange information and advice with them;
- 5.8 to establish and support or become a Member of or aid in the establishment and support or co-operate with any charitable association or institutions whether incorporated or not and to subscribe or guarantee money for charitable purposes in any way connected with the purposes of the Charity or calculated to further its Objects;
- 5.9 to acquire, merge with or enter into any partnership or joint venture arrangement with any other charity formed for any of the Objects;
- 5.10 to employ such persons as may be necessary in the carrying out and general implementation of this constitution and to provide for, arrange and implement the training of such persons;
- 5.11 to organise training, informative talks, presentations, volunteering fayres, events and any other function, meeting or tuition to further any of the Objects;
- 5.12 to form sub-committees to carry out such functions as the Committee deems appropriate in furtherance of the Objects;
- 5.13 to open and operate such bank accounts and other accounts as the Committee considers necessary;
- 5.14 to set aside income as a reserve against future expenditure but only in accordance with a written policy about reserves; and
- 5.15 to do all such other lawful things as are incidental or necessary to the achievement of any of the Objects.

6. MEMBERSHIP

Membership of the Charity shall be open to any person who has been affected by breast cancer personally or through a family or friend. Members will have voting rights and be designated as voting members. The Committee must keep a register of names and addresses of the Members

The Committee may suspend or remove a person's membership if they believe it is in the best interests of the Charity. The Member has the right to be heard by the Committee before the decision is made and can be accompanied by a friend.

7 ANNUAL GENERAL MEETING - AGM

- 7.1 The AGM must be held every year, with fourteen days' notice given to all members telling them what is on the agenda. Minutes must be kept of the AGM.
- 7.2 Every Member has one vote. In the event of a tied vote, the Chairperson shall have a casting vote.
- 7.3 The Committee shall present the annual report and accounts.
- 7.4 Any Member may stand for election as a Committee member.
- 7.5 Members shall elect between three and five Committee members to serve for a five year term. Save for the Facilitator, they 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.
- 7.6 Members in General Meeting may vote to dismiss a Committee member for any reason before the Committee member's term of office expires.

8. COMMITTEE MEETINGS

- 8.1 The Committee must hold at least three meetings each year. At their first meeting after the AGM they will elect a Chair, Treasurer and Secretary. The Treasurer and either the Chairperson or the Secretary must be unconnected. The Committee may act by majority decision with a casting vote by the Chairperson in the event of a tied vote.
- 8.2 The Committee must act according to the provisions of this Constitution, in good faith at all times, and acknowledge their general duty of care.

- 8.3 At least three Committee members must be present at the meeting to be able to take decisions. Minutes shall be kept for every meeting.
- 8.4 The Committee may make reasonable additional rules to help run the Charity. These rules must not conflict with this constitution or the law.
- 8.5 The Committee shall review the activities of the Charity every three years, to ensure that the Charity continues to achieve its purpose and mission effectively.
- 8.6 The Committee shall review their own performance annually, ahead of the Annual General Meeting, to ensure that the Charity has fulfilled its obligations under the Constitution, and to discharge any legal obligations to which it is subject.

9 DUTIES OF THE CHAIRPERSON

The Chairperson (also known as the Facilitator) shall chair the meetings of the Charity.

The Chairperson shall act as the figurehead for the Charity, representing it at functions and meetings, and in communication with the Media.

The Chairperson shall also take the lead to ensure that Committee decisions are implemented.

The Chairperson shall also take urgent action when there is no time to call a Committee meeting, such action to be ratified at the next meeting of Committee.

10 DUTIES OF THE TREASURER

The Treasurer shall be primarily responsible for stewardship of the Charity's finances. The Treasurer's role is to keep the Charity's books of account and to advise the Committee about financial matters and, in particular, on their financial responsibilities.

The Treasurer will ensure that:

- funds are only disbursed when approved by two unconnected Committee members;

- appropriate checks are carried out on the provenance of donations and bona-fides of beneficiaries is undertaken where required by Anti Money Laundering laws;
- the Committee are presented with appropriate financial reports at Trustee meetings;
- appropriate accounting disciplines are undertaken timely, e.g. reconciliation of bank accounts;
- annual accounts are produced, and independently verified as required by the Members in general meeting, for production to the Annual General Meeting of Members.

11 DUTIES OF THE SECRETARY

The Secretary's primary roles are:

- to keep the register of Members up to date, and
- to organise and minute meetings of Members and Committee;
- to deal with all Charity correspondence.

12 MONEY AND PROPERTY

12.1 Money and property must only be used for the Charity's purposes.

12.2 The Committee must keep accounts. The most recent annual accounts can be seen by anybody, including members of the public, on request.

12.3 The Committee may not receive any money or property from the Charity, except to refund reasonable out of pocket expenses.

12.4 Money must be held in the Charity's bank account. All payments must be authorised by two unconnected Committee members.

12.5 The Committee have a duty to ensure that the financial position of the Charity is satisfactory and prudent.

13 GENERAL MEETINGS

If the Committee consider it is necessary to change the constitution, or wind up the charity, they must call a General Meeting so that the membership can make the decision. Committee must also call a General Meeting if they receive a written request from the majority of members. All members must be given fourteen 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 a charity.

The Committee may also call a General Meeting to consult the membership.

14 DISSOLUTION OF THE CHARITY

If, at a General Meeting as prescribed in Clause 13, the members determine to wind up the Charity, any money or property remaining after payment of debts must be given to a Charity with similar purposes to this one.

15 PATRON

A Patron may be elected or removed from that office by the Members of the Charity at any General Meeting. The position of the Patron shall be of an honorary nature and shall not carry with it the right to vote at any meeting of the Members.

This Constitution was adopted at the AGM held on [TBC] at [TBC], Guernsey.



SHARON LAVINA TREACY



JULIETTE JEAN CHRISTIAN



SAMANTHA JANE MAINDONALD



NAOMI LEACH

