

EWSA CIO Notes June 2017

Non standard clauses within the CIO constitution for Exeter Water Sports

3 Object The object of the CIO is the promotion of community participation in water sports by the provision of facilities for, in particular rowing, canoeing, sub-aqua diving and dragon boating.

9 (2) (b) Charity trustees

No individual may be appointed as a charity trustee of the CIO: if he or she is under the age of 18 years;

Accordingly there is no need for template clause 9(2)(d) requiring at least one trustee to be aged 18 years or over.

Reason: The trustees consider that it is necessary for all members of the trustee board to be adults.

Nominated trustees

Clause 10 sets out the role of the appointing bodies in nominating trustees.

Clause 10 (2)(c) states that in selecting individuals for appointment as nominated charity trustees, the appointing body must have regard to the skills, knowledge and experience needed for the effective administration of the CIO.

Reason: this is to ensure that appropriate individuals are selected by the appointing bodies.

Clause 10(2)(f) states that the person appointed must be a member of the board of directors or committee of the appointing body.

Reason: this is to ensure that senior members of the appointing bodies are appointed to the CIO.

Clause 12(1)(c) states that a charity trustee ceases to hold office if he or she ceases to be a member of the board of directors or committee of the appointing body that appointed them

Clause 12(1)(d) states that a charity trustee ceases to hold office if he or she is required to stand down as a charity trustee by the appointing body that appointed them;

Reason: these two clauses are required so that the appointing bodies may continue to appoint their nominated trustees to the CIO.

The following clauses include a reference to the appointing bodies: 6 (2)(a) and 9 (3)(a)

15 (3)(a) quorum is four trustees

Reason: this is considered to be a suitable number for the management of the CIO.

Clause 28 This constitution shall continue to have effect where an appointing body has been replaced by its successor body

Reason: This clause enables the constitution to be valid where any of the appointing bodies may have a successor body, eg after an incorporation.

Small changes

- 10 (2) (e) removal of the words “or clerk”.
- 12 (1)(f) reference to CIO, not company
- 12(1)(f) reference to charity trustee not director
- 21 (1) removal of reference to seal
- 21(3) removal of clause relating to a seal.