

Dog Assistance In Disability (Dog A.I.D.)  
Constitution



Dog A.I.D. Office CVS Building, Arthur St. Chads Moor, Cannock, Staffs, WS11 5HD

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## **Name**

The name of the organisation is Dog Assistance in Disability, (known as Dog A.I.D. for short), hereinafter called (the charity)

## **1. Area of Benefit**

The area of benefit will encompass the local authority of Cannock and Cannock Chase and extend to the whole of the United Kingdom.

## **2. Administration**

Subject to the matters set out below the charity and its property shall be administered and managed under the law of England and Wales and in accordance with this constitution by the members of the Executive Committee, constituted by clause 8 of this constitution ('the Executive Committee').

## **3. Objectives**

The Charity's objectives are:

- a) The training and instruction of dogs to act as efficient and safe companions and Assistance Dogs for people with physical disabilities; and to train and educate people with physical disabilities in the proper safe use of dogs; and to provide such additional services and facilities for the relief of people with physical disabilities as the organisation shall from time to time deem fit.
- b) To receive applications from persons desiring to undergo tuition with a view to qualifying as trainers or instructors with specialised knowledge of physical disabilities; to maintain a register of such applicants.

- c) To provide at the organisation's expense the tuition of any selected person upon apprenticeship terms or otherwise, whether by means of classes, correspondence courses, provision of a library, study tours or groups and courses of instruction operated by the organisation or by other suitable bodies and to establish, hire, acquire, and maintain buildings, accommodation, equipment, personnel and such ancillary facilities as the organisation shall deem necessary for the provision of such tuition.

## 4. Powers

In furtherance of the objectives but not otherwise the Executive Committee may exercise the following powers:

- a) Power to receive applications from persons desiring to undergo tuition with a view to qualifying as trainers or instructors with specialised knowledge of physical disabilities; to maintain a register of such applicants, to provide at the organisation's expense the tuition of any selected persons upon apprenticeship terms or otherwise, whether by means of classes, correspondence courses, provision of a library study tours or groups and courses of instruction operated by the organisation or by other suitable bodies and to establish, hire, acquire, and maintain buildings, accommodation, equipment, personnel and such ancillary facilities as the organisation shall deem necessary for the provision of such tuition.
- b) Power to raise funds and to invite and receive contributions provided that in raising funds the Executive Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law;
- c) Power to buy, take on lease or in exchange any property necessary for the achievement of the objectives and to maintain and equip it for use.

- d) Power, subject to any consent required by law, to sell, lease or dispose of all or any part of the property of the charity;
- e) Power subject to any consents required by law to borrow money and to charge all or any part of the property of the charity with repayment of the money so borrowed;
- f) Power to employ such staff, (who shall not be members of the Executive Committee), as are necessary for the proper pursuit of the objectives and make all reasonable and necessary provision for the payment of pensions and superannuation to for staff and their dependants.
- g) Power to co-operate with other charities, voluntary bodies, organisations and statutory authorities operating in furtherance of the objectives or of similar charitable purposes in the United Kingdom and overseas and to exchange information and advice with them;
- h) Power to establish or support any charitable trusts, associations or institutions formed for all or any of the objectives;
- i) Power to appoint and constitute such advisory committee as the Executive Committee may think fit;
- j) Establish where necessary local branches, (whether autonomous or not).
- k) Promote and carry out, or assist in promoting and carrying out, research, surveys and investigations and publish the useful results of thereof.
- l) Arrange and provide for, or join in arranging and providing for, the holding of exhibitions, meetings, lectures, classes, seminars and training courses.
- m) Collect and disseminate information on all matters affecting the objectives and exchange such information with other bodies having similar objectives whether in this country or overseas.
- n) Cause to be written and printed or otherwise reproduced and circulated, gratuitously or otherwise, such papers, books, periodicals, pamphlets or other

- documents or films or recorded tapes (whether audio or visual or both) as shall further the objectives.
- o) Invest the money of the charity not immediately required for the objectives in or upon such investments, securities or property as may be thought fit, subject nevertheless to such conditions (if any) as may for the time being be imposed or required by law.
  - p) Power to do all such other lawful things as are necessary for the achievement of the objectives.

## **5. Membership**

- a) Membership of the Charity shall be open to any person over the age of 18 years, interested in furthering the objectives and who have paid the annual subscription laid down from time to time by the Executive Committee.
- b) Every member shall have one vote.
- c) Voting may be done in person or by postal vote.
- d) Junior membership shall be open to those under the age of 18 years who are interested in furthering the objectives. Junior members shall not be entitled to vote.
- e) Honorary members shall be appointed at the discretion of the said executive Committee. Honorary members shall not be entitled to vote.
- f) The Executive Committee may by unanimous vote and for good reason terminate the membership of any individual; provided that the individual concerned shall have the right to be heard by the Executive Committee, accompanied by a friend, before a final decision is made.

## **6. Honorary Officers**

At the Annual General Meeting of the charity the members shall elect from amongst themselves a chairman, a

secretary and a treasurer, who shall hold office from the conclusion of that meeting.

## 7. The Executive Committee

- a) The Executive committee shall consist of not less than 3 members and up to 10 members being
  - i) the honorary officers specified in clause 7;
  - ii) up to 7 members elected at the annual general meeting who shall hold office from the conclusion of that meeting:
- b) The Executive Committee may in addition appoint not more than 2 co-opted members if, as a result, more than one third of the members of the Executive Committee would be co-opted members. Each appointment of a co-opted member shall be made at a special meeting of the Executive Committee called under clause 11 and shall take effect from the end of that meeting unless the appointment is to fill a place which has not then been vacated in which case the appointment shall run from the date when the post becomes vacant.
- c) All the members of the Executive Committee shall retire from office together at the end of the annual general meeting next after the date on which they came into office but they may be re-elected or re-appointed.
- d) The proceedings of the Executive Committee shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in the appointment or qualification of a member.
- e) Nobody shall be appointed as a member of the Executive Committee who is aged under 18 years or who would, if appointed be disqualified under the provisions of the following clause.
- f) No person shall be entitled to act as a member of the Executive Committee whether on a first or on any subsequent entry into office until after signing in the minute book of the Executive Committee a declaration

of acceptance and of willingness to act in the trusts of the Charity.

## **8. Determination of Membership of Executive Committee**

A member of the Executive Committee shall cease to hold office if he or she:

- a) Is disqualified from acting as a member of the Executive Committee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision);
- b) Becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;
- c) Is absent without permission of the Executive Committee from all their meetings held within a period of six months and the Executive Committee resolve that his or her office be vacated; or
- d) Notifies to the Executive Committee a wish to resign (but not if at least 3 members of the Executive Committee will remain in office when the notice of resignation is to take effect).

## **9. Executive Committee Members not to be personally interested.**

- a) Subject to the provision of sub-clause (b) of this clause no member of the Executive Committee shall acquire any interest in property belonging to the Charity (otherwise than as a trustee for the Charity) or receive remuneration or be interested (otherwise than as a member of the Executive Committee) in any contract entered into by the Executive Committee.
- b) Any member of the Executive Committee for the time being who is a solicitor, accountant or other person engaged in a profession may charge and be paid all the usual professional charges for business done by him or her or his or her firm when instructed by the other members of the Executive Committee to act in a professional capacity on behalf of the Charity: provided that at no time shall a majority of the members of the Executive Committee benefit under this provision and that a member of the Executive Committee shall withdraw from any meeting at which his or her own instruction or remuneration, or that of his or her firm, is under discussion.

## **10. Meetings and proceedings of Executive Committee**

- a) The Executive Committee shall hold at least two ordinary meetings each year. A special meeting may be called at any time by the chairman or by any two members of the Executive Committee upon not less than 4 days notice being given to the other members of the Executive Committee of the matter to be discussed

but if the matters include an appointment of a co-opted member then not less than 21 days notice must be given.

- b) The chairman shall act as chairman at meetings of the Executive Committee. If the chairman is absent from any meeting, the members of the Executive Committee present shall choose one of their numbers to be chairman of the meeting before any business is transacted.
- c) There shall be a quorum where at least one third of the number of members of the Executive Committee for the time being or three members of the Executive Committee, whichever is the greater, are present at the meeting
- d) Every matter shall be determined by a majority of votes of the members of the Executive Committee present and voting on the question but in the case of equality of votes the chairman of the meeting shall have a second or casting vote.
- e) The Executive Committee shall keep minutes, in books kept for the purpose, of the proceedings at meetings of the Executive Committee and any sub-committee.
- f) The Executive Committee may from time to time make and alter rules for the conduct of their business, the summoning and conduct of their meetings and the custody of documents. No rule may be made which is inconsistent with the constitution.
- g) The Executive Committee may appoint one or more sub-committees consisting of three or more members of the Executive Committee for the purpose of making any inquiry or supervising or performing any function or duty which in the opinion of the Executive Committee would be more conveniently undertaken or carried out by a sub-committee: provided that all acts and proceedings of any sub-committee shall be fully and promptly reported to the Executive Committee.

## 11. Receipts and Expenditure

- a) The funds of the Charity, including all donations contributions and bequests, shall be paid into an account operated by the Executive Committee in the name of the Charity at such bank as the Executive Committee shall from time to time decide. All cheques drawn on the account must be signed by at least two members of the Executive Committee.
- b) The funds belonging to the Charity shall be applied only in furthering the objectives.

## 12. Property

- a) Subject to the provision of clause (b), the Executive Committee shall hold the title to
  - i) all land held by or in trust for the Charity which is not invested in the Official Custodial for Charities; and
  - ii) all investments held by or on behalf of the Charity; to be invested either in a corporation entitled to act as a custodian trustee or in not less than three individuals appointed by them as holding trustees may be removed by the Executive Committee at their pleasure and shall act in accordance with the lawful directions of the Executive Committee. Provided they act only in accordance with the lawful directions of the Executive Committee, the holding trustees shall not be liable for the acts and defaults of its members.
- b) If a corporation entitled to act as custodian trustee has not been appointed to hold the property of the Charity, the Executive Committee may permit any investments held by or in trust for the Charity to be held in the name of a clearing bank, trust corporation or any stockbroking company which is a member of the International Stock Exchange (or any subsidiary of any such stockbroking company) as nominee for the Executive Committee and

may pay such a nominee reasonable and proper remuneration for acting as such.

### **13. Accounts**

The Executive Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to:

- a) The keeping of accounting records for the Charity;
- b) The preparation of annual statements of account for the Charity;
- c) The auditing or independent examination of the statements of account of the Charity; and
- d) The transmission of the statement of account of the Charity to the Commission.

### **14. Annual Report**

The Executive Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of the Act) with regard to the preparation of an annual report and its transmission to the Commission.

### **15. Annual Return**

The Executive Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of the Act) with regard to the preparation of annual return and its transmission to the Commission.

## 16. Annual General Meeting

- a) There shall be an annual general meeting of the Charity which shall be held in the month of July in each year or as soon as is practical thereafter.
- b) Every annual general meeting shall be called by the Executive Committee. The secretary shall give at least two and a half months (76 days) notice of the annual general meeting to all the members of the Charity.
  - i) Any proposal for the consideration for the AGM shall be received by the Executive Committee 62 days before the AGM.
  - ii) All such proposals shall be sent to members by 55 days before the AGM.
  - iii) Any comments on these proposals shall be received by the Executive Committee by 31 days before the AGM
  - iv) Any comments on these proposals shall be sent out to members by 24 days before the AGM
  - v) All the members of the Charity shall be entitled to attend and vote at the meeting. All postal votes shall be received by the Executive Committee seven days before the AGM.
- c) Before any other business is transacted at the first AGM the persons present shall appoint a chairman of the meeting. The chairman shall be the chairman of subsequent AGMs but if he or she is not present, before any other business is transacted, the persons present shall appoint a chairman of the meeting.
- d) The Executive Committee shall present to each AGM the report and accounts of the Charity for the preceding year.
- e) Nominations for election to the Executive Committee must be made by members of the Charity in writing and must be in the hands of the secretary of the Executive Committee at least 62 days before the AGM. Should

nominations exceed vacancies, election shall be by ballot.

- f) Should no nominations be received and vacancies remain, nominations may be taken at the annual general meeting. If more than one nomination is made for a vacancy then election will be by ballot.

## **17. Special General Meetings**

The Executive Committee may call a special general meeting of the Charity at any time. If at least ten members request such a meeting in writing stating the business to be considered and the secretary shall call such a meeting. At least 28 days notice must be given. The notice must state the business to be discussed.

## **18. Procedure at General Meetings**

- a) T  
he secretary or other person specially appointed by the Executive Committee shall keep a full record of proceedings at every general meeting of the Charity.
- b) There shall be a quorum when at least one tenth of the number of members of the Charity for the time being or ten members of the Charity, whichever is the greater, give their vote at any general meeting. Members may either vote in presence or via a postal vote.

## **19. Notices**

Any notice required to be served on any member of the Charity shall be in writing and shall be served by the secretary or the Executive Committee on any member either personally or by sending it through the post in a prepaid letter addressed to such member at his or her last

known address in the United Kingdom, and any letter so sent shall be deemed to have been received within ten days of posting.

## **20. Alterations to the Constitution**

- a) Subject to the following provisions of this clause the Constitution may be altered by a resolution passed by not less than two thirds of the members voting at a general meeting. The notice of the general meeting must include notice of the resolution, setting out the terms of the alteration proposed.
- b) No amendment may be made to clause (1), clause (2), clause (10), clause (23) or this clause without the prior consent in writing of the Commissioners.
- c) No amendment may be made which would have the effect of making the Charity cease to be a Charity in law.
- d) The Executive Committee should promptly send to the Commission a copy of any amendment made under this clause.

## **21. Local Branches**

The Executive Committee shall have the power to establish local branches for the furtherance of the said objectives. Each branch so established shall comply with and be subject to the following regulations:

- a) The branch shall act in pursuance of the said objectives and of the policy of the Charity and shall be subject to such conditions as may from time to time be laid down by the Committee.
- b) The title of the branch shall be subject to the prior approval of the Committee. No branch shall be entitled

- to use the expression Dog A.I.D (Assistance in Disability) unless at least one member of the branch's governing body is a full member of the Charity.
- c) The branch will be deemed to have adopted the model rules for branches as prescribed from time to time by the Committee unless it has, with prior approval of the Committee, adopted other rules.
  - d) The branch may publish literature solely in the name of the branch for local purposes but such literature shall not contain any statement contrary to the said objectives or to the policy of the Charity.
  - e) Representations of whatever kind to other bodies and/or individuals may only be made by the branch through or with the prior approval of the Committee.
  - f) All legacies bequeathed to the Charity shall be received by the treasurer or other appropriate officer of the Charity but, subject to any special trusts by which such legacies may be affected, the Committee shall have the power to direct that any legacy or the income there from shall be paid to a particular branch.
  - g) The branch shall be empowered by the Committee to receive donations and any money received or raised by it may be expended by the branch in its area solely for the furtherance of the said objectives.
  - h) Subject to these regulations, the branch may generally manage its own affairs and be solely responsible for its own debts and liabilities and shall not pledge the credit of the Charity or that of the Committee or of any individual member of the Committee.

## **22. Dissolution**

- a) If the Executive Committee decides that it is necessary or advisable to dissolve the Charity it shall call a meeting of all members of the Charity who have the power to vote, of which meeting not less than 21 days

- notice (stating the terms of the Resolution to be proposed) shall be given.
- b) If the proposal is confirmed by a two-thirds majority of those present and voting the Executive Committee shall have the power to realise any assets held by or on behalf of the Charity.
  - c) Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institutions having objectives similar to the objectives of the Charity as the Charity may determine or failing that shall be applied for some other charitable purpose.
  - d) A copy of the statement of accounts, or account and statement, for the final accounting period of the Charity must be sent to the Commission.

This constitution was adopted on the 14<sup>th</sup> day of June 2003.  
An amendment was made September 2007.  
Amendments were made July 2011  
Amendments were made September 2011