

January 2012

Approved First Amendment to the 1952 Deed of Trust

This Deed of Variation (Deed or Amendment) makes reference to the Original Deed and Declaration of Trust made on the Tenth Day of January 1952.

**All references to 'Minister of Education' to change to 'Charity Commission'.
All members of the management committee are charity trustees for the purposes of charity law.**

Clause 3 Amended to read - The general management and control of the Trust premises and the arrangements for their use shall be vested in a Committee of Management (hereinafter called the Committee) consisting of not more than ten members appointed by their respective organisations in the manner defined under clause 6, and in addition, four members to represent interests in the said Parish not represented by any organisation to be elected at each Annual General Meeting PROVIDED ALWAYS that no person so elected shall be eligible to be a member or continue to be a member of the Committee whose usual place of residence is outside the area bounded by on the west by the Parish boundary on the north by the footpath running from Ringwould Lynch to the bottom of Grams Road Walmer on the east by a line drawn from the bottom of Grams Road aforesaid to the south east corner of Walmer Castle and on the south by the sea, or according to any boundary changes imposed by The Parish Council, Dover District Council, or Parliament.

Organisations shall each have the right to appoint one member to the Committee as defined under clause 6 on the occasion of each annual appointment of members.

Members so appointed may live outside the boundaries defined above.

Clause 4 - Amended to read There shall be an Annual General Meeting to be convened by the Committee in the month of March in each year by one week's notice to be affixed to some conspicuous part of the Trust Premises or other conspicuous place or places in the Parish of the inhabitants of the age of eighteen years or upwards of either sex of the Village of Kingsdown aforesaid and its immediate vicinity for the purpose of receiving the Report and Accounts of the Committee and for accepting the resignations of members of the Committee and for the purpose of electing four members under clause 3 hereof and for taking such action as it may decide under clause 8 hereof provided nevertheless that if in any year an Annual General Meeting shall not be convened and held in the month of March the Annual General Meeting for that year shall be held as soon as practicable after the month of March, and such meeting shall be convened by such persons as shall be nominated for the purpose by the Charity Commission.

Clause 6 - Amended to read – All members of the Committee shall retire annually at the Annual General Meeting. Every organisation entitled to appoint a member of the Committee shall make the appointment according to the ordinary practice of their appointing body. Any such appointment must be made and notified in writing to the Committee secretary at the time of the appointment, and confirmed again in writing to the Committee secretary within one month before the Annual General Meeting. There shall be a quorum when at least five people are present at an annual general meeting.

Clause 10 Amended to read - No person shall be entitled to act as a member of the Committee whether on a first or any subsequent entry into office until after signing in the minute book or other written document of the committee a declaration of acceptance and willingness to act in the trusts of the Charity. The Committee may from time to time make and alter Rules and Regulations for the conduct of its business and for the summoning, conduct and recording in a Minute Book or other written document, and keeping an electronic copy of its meetings and in particular with reference to:-

- a) The terms and conditions upon which the Trust premises may be used for entertainments meetings social gatherings and other purpose and the sum (if any) to be paid for such use.
- b) The appointment of an Auditor, Treasurer and such other unpaid officers as it may consider necessary and the fixings of their respective terms of office.
- c) The engagement and dismissal of such paid officers and servants for the Trust Premises as it may consider necessary.
- d) The number of members who shall form a quorum at its meetings provided that the number of members who shall form a quorum shall never be less than a third of the total number of members of the Committee.
- e) The Committee will have the power to appoint, constitute and provide clear terms of reference for, such sub-committees as the committee may think fit. Such sub-committees shall be answerable to the Committee and all their acts and proceedings must be fully and promptly reported to the Committee. The Committee will have the power to delegate to any one or more of the members of the Committee any business of the Charity which is within the professional or business competence of such member or members. The Committee must agree the terms of reference of any such delegation and include them in the minutes of the meeting of the Committee at which the decision to delegate is made. The Committee must exercise reasonable supervision over any such member or members acting on their behalf under this provision and must ensure that all their acts and proceedings are fully and promptly reported to the Committee.

SIGNED SEALED AND DELIVERED

The amendments to the 1952 Deed of Trust were minuted as approved, agreed, and voted on at a meeting of the Committee held on 10th January 2012.