Guidance Note: Adapted rity Commission Model CIO Constitutions

The first part of this note belo Docs version of the Charity Commission's Model constitu CIO.

The second part below relate ersion of the Charity Commission's Model constitu *n*" CIO.

Found CIO.04

Introduction
The CIO Constitution (Founda s subfolder is based on, and adapted from, the Charity Co itution (Foundation) Model ("Model") which is also in this

For ease of reference, all of th that Model and that adapted version are marked up in that

The following is intended to e ch difference and reasons why it might suit a charity bett original Model.

Notes Clause by Clause
3. These words have bee y are only relevant to a CIO in Northern Ireland or s intended only for a charity established in Englan

6. The Model contains de , subject to certain limitations, allow truste position with the charity by:
   a) being paid for s ices; or
   b) being paid inter e trustee; or
   c) receiving rent fo the trustee; or
   d) taking part in th r trading in the same way as the public.

   These "benefit" provisi understand and apply, and in any event many cha ed them because they do not intend to have such stees or to allow any of them to receive such a bene

   The additions and dele ade in this adapted version of this clause take acc ny charities will not need have such dealings wit changes result in a much simpler clause which c stee may neither receive a

benefit of any of the ab[...]ted at "a)" to "d)" nor any other benefit, but with [...].

Under the adapted cla[...]eive a benefit as a "*beneficiary*"; in other w[...]y provides certain types of benefit to its charitable [...]e may also be such a beneficiary if the chairt[...]he same way as an ordinary beneficiary. There is a[...]the amended clause to limit such benefits to a min[...]o cases where the benefit is only available generall[...]iciaries. As an example, where a disability char[...]are services to disabled beneficiaries, a disable[...]eive such services.

8. The winding up clause[...]n provides a simple provision which will suit most cha[...]in that it does not impose on members any liability t[...]er liability) on winding up of the charity. In contrast,[...]er of options which would require some contribut[...]a winding up.

9(2)(d) This adaptation adds t[...]to require all trustees to be over the age of 18, a re[...]charities will wish to impose.

9(3) This simplifies the Mod[...]the option to have no limit on the maximum number [...]ld office at any one time, and, secondly, by remo[...]e special classes of trustee (e.g ex officio or nomi[...]oody. This adapted version provides instead simpl[...]and a stated maximum number of trustees. Th[...]es.

10 This adapted version p[...]rement for trustees to be appointed (by resolutio[...]m term. The more complicated Model ver[...]since it allows for ex officio or nominated trustees,[...]evant to many charities.

12 Apart from making som[...]or drafting changes, this adapted version of the[...]ar process for removal of trustees (a process no[...]) so that charities can more easily ascertain how th[...]of a trustee.

17 This adapted version o[...]ontain the Model's provisions relating to a[...]nembership (in addition to the class of voting mer[...]rities will not have non-voting members. Further, the[...]to how members may vote has been simplified by[...]n the facility for members' written resolutions - m[...]eed such a means for voting. Other changes in this C[...]afting changes only.

20   The provisions for use   moved from this version on
        the assumption that m   or wish to use a seal.

29   The Appendix included   r a poll but this version does
        not include any provisi   he definition of "poll" in this
        version of the template   moved because it is
        superfluous in this ada

Appendix   Inclusion of the   tional. We have removed it in
        its entirety from the ada   ny charities will not need to
        make use of the faciliti   acility for proxy and postal
        voting by members, ar   mmunications between
        members, trustees and

Associ   CIO.05

Introduction
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adapted from, the Charity Co   tution (Association) Model
("Model") which is also in this

For ease of reference, all of th   that Model and that adapted
version are marked up in that

The following is intended to e   ch difference and reasons
why it might suit a charity bett   original Model.

Notes Clause by Clause
3.   These words have bee   y are only relevant to a CIO
        in Northern Ireland or S   s intended only for a charity
        established in England

6   The same explanation   in the notes about the
        Foundation Model abo

8.   The same explanation   in the notes about the
        Foundation Model abo

9(1)9a) The changes slightly s   n of the clause so that only
        an individual can be a   s in "9" reflect that limitation
        on type of member.

9(5)   The deletion assumes   class of "non-voting"
        members in addition to   See the explanation at "17" in
        the notes about the Fo

10   The deletions simplify [...] ethods. See the explanation at "17" in the notes ab[...] del above

10.3   The provision about re[...] een deleted since it is already adequately cov[...] document.

11.5(b) The deletion reflects th[...] d version only permits individuals to be memb[...]

11.6(a) The deletion reflects th[...] d version neither permits proxy or postal votes, [...] s of members.

11.6(b) For simplicity, the facili[...] een removed.

11.7   The deletion reflects th[...] d version only permits individuals to be memb[...]

12.2(d) This adaptation adds t[...] to require all trustees to be over the age of 18, a re[...] charities will wish to impose.

12.3   See the explanation u[...] about the Foundation Model above .

13   To simplify the provisio[...] stees and as to how many trustees, and when trus[...] the option in the Model for ex officio and nominate[...] emoved. This version will be adequate for many cha[...]

15   The adapted version p[...] s to remove a member rather than for the members t[...] any charities better.

21.   The provisions for use [...] moved on the assumption that most CIOs will not[...] seal.

30   The Appendix included[...] r a poll but this version does not include any provisi[...] he definition of "poll" in this version of the template[...] moved because it is superfluous in this ad[...]

Appendix   Inclusion of the [...] tional.We have removed it in its entirety from the ad[...] ny charities will not need to make use of the faciliti[...] acility for proxy and postal voting by members, an[...] mmunications between members, trustees an[...]