



# BORDER TERRIER WELFARE

## CONSTITUTION AND RULES

8.11.2020

### 1. NAME

The name of the Association is Border Terrier Welfare ("the Association").

### 2. OBJECTS

The Association's (charity's) objects (the Objects) are:

For the benefit of any member of the public to relieve the suffering of and sickness in the breed of dog known as the Border Terrier by providing shelter and rehoming for these dogs and assisting in veterinary care where owners are in need of financial help and by making grants to research organisations who have undertaken to prevent, treat or cure diseases that occur in Border Terriers.

### 3. POWERS

The Trustees shall apply the income and property of the Association solely towards the promotion of the Objects of the Association.

In furtherance of such objects the Association may:

- 3.1 employ and pay any person or persons to provide professional advice and assistance that the Association may from time to time require;
- 3.2 procure to be written and print, publish, issue and circulate gratuitously or otherwise such papers or other documents or films or recorded tapes as shall further such objects;
- 3.3 accept gifts or raise money for such objects as shall be thought fit;
- 3.4 procure contributions to the Association by personal or written appeals, public meetings or otherwise;
- 3.5 invest the money of the Association not immediately required for such objects in or on 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;
- 3.6 do all such other lawful things as are necessary for the attainment of such objects.

#### 4. AMENDMENT

1. This Constitution may be amended providing that;
  - (a) no amendment may be made that would have the effect of making the Association cease to be a charity at law;
  - (b) no amendment may be made to alter the Objects if the change would not be within the reasonable contemplation of the members of or donors to the charity;
  - (c) any resolution to amend this Constitution is passed by not less than two thirds of the members present and voting at a general meeting.
2. A copy of any resolution amending this Constitution must be sent to the Commission within twenty-one days of it being passed.

#### 5. DISSOLUTION

- (1) If the members resolve to dissolve the Association (the Charity) the Trustees will remain in office as charity trustees and be responsible for winding up the affairs of the Association in accordance with this clause.
- (2) The Trustees must collect in all the assets of the Association (the Charity) and must pay or make provision for all the liabilities of the Association.
- (3) The Trustees must apply any remaining property or money:
  - (a) directly for the Objects
  - (b) by transfer to any charity or charities for purposes the same as or similar to the Association.
  - (c) in such other manner as the Charity Commissioners for England and Wales ("the Commission") may approve in writing in advance.
- (4) The members may pass a resolution before or at the same time as the resolution to dissolve the Association (the Charity) specifying the manner in which the Trustees are to apply the remaining property or assets of the charity and the Trustees must comply with the resolution if it is consistent with the paragraphs (a) - (c) inclusive in subclause (3) above.
- (5) In no circumstances shall the net assets of the Association (the Charity) be paid to or distributed among the members of the Charity (except to a member that is itself a charity).
- (6) The Trustees must notify the Commission promptly that the charity has been dissolved. If the Trustees are obliged to send the charity's accounts to the Commission for the accounting period which ended before its dissolution, they must send to the Commission the charity's final accounts.

## 6. MEMBERSHIP

- 6.1 Owners of rescued and rehomed Border Terriers and all other known supporters of the Association shall be invited to attend the Annual General Meeting of the Association.
- 6.2 The Charity shall cause a record to be kept of all known owners of rescued and rehomed Border Terriers and all supporters of the Association.
- 6.3 All owners and supporters who attend the Annual General Meeting shall have full voting rights.

## 7. HONORARY OFFICERS

- 7.1 At the Annual General Meeting mentioned below the Association shall elect a Chairman, a Treasurer, a Secretary and such other honorary officers as the Association shall from time to time decide whose functions shall be:
  - 7.1.1 Chairman: supervision of the affairs of the Association.
  - 7.1.2 Treasurer: supervision of the financial affairs of the Association and preparation of accounts.
  - 7.1.3 Secretary: calling of Annual General Meeting and maintenance of register of minutes and record of all supporters of the Association.
- 7.2 The Chairman and the honorary officers of the Association shall, subject to below, hold office until the conclusion of the Annual General Meeting of the Association next after their election but shall be eligible for re-election.
- 7.3 Any honorary officer may be requested to resign by the unanimous request of all the other honorary officers. If the officer so requested to resign fails to do so the Chairman shall be entitled to suspend that officer from any further involvement with the objects of the Association subject to the consent of the remaining officers. The provisions of this clause shall also apply to the members of the Committee as detailed in clause 8 below.
- 7.4 The Chairman and the honorary officers shall be ex officio members of the Association and executive committee and upon election shall sign a form consenting to their election and agreeing to be bound by these rules.

## 8. EXECUTIVE COMMITTEE

- 8.1 Subject as mentioned below the policy and general management of the affairs of the Association shall be directed by an executive committee ("the Committee")
- 8.2 The members of the Committee shall be the honorary officers and up to seven other members plus any co-opted members as deemed necessary.
- 8.3 Election to the Committee shall be at the Annual General Meeting.
- 8.4 In addition to those so elected and to those serving by virtue of clause 7.4 the Committee may co-opt further members who shall serve until the conclusion of the next Annual General Meeting after individual co-option provided that the number of

co-opted members shall not exceed one-third of the total number of the Committee. Co-opted members shall be entitled to vote at meetings of the Committee.

8.5 A quorum for a meeting of the Committee shall be two honorary officers and one other member.

8.6 The Committee shall meet at least twice in every calendar year, virtual means accepted.

## 9. ANNUAL GENERAL MEETING

9.1 In each year the Association shall hold an Annual General Meeting which shall not be more than 15 months after the holding of the preceding Annual General Meeting.

9.2 The Annual General Meeting shall be called, where possible, on 14 clear days notice and the notice of the Annual General Meeting shall include the names of those persons proposed to be elected as honorary officers and Committee members as published on the BTW website.

9.3 The business of the Annual General Meeting shall be:

9.3.1 to approve the Minutes of the previous Annual General Meeting

9.3.2 to receive the Officers' reports

9.3.3 to elect the honorary officers and committee members for the forthcoming year.

9.3.3.1 The position of honorary officer shall be open for election by ballot at each Annual General Meeting and the person proposing to stand as an honorary officer must be nominated and seconded in writing to the secretary at least 12 days prior to the Annual General Meeting. The person accepting such nomination must inform the secretary 30 days prior to the Annual General Meeting that they are prepared to accept the nomination. The election of the honorary officers shall be by ballot.

9.3.3.2 The position of committee member shall be by proposal at the Annual General Meeting and voted on by a show of hands.

9.3.4 to decide on the level of honorarium to be paid to the Officers.

9.3.5 to consider any resolution or other item of which at least 12 days notice has been given to the Secretary.

9.3.6 to deal with any other business as the Chairman shall decide.

9.4 At the Annual General Meeting the decision of the Chairman upon any question of order, voting, adjournment of the meeting or interpretation of the rules of the Association shall be final and binding.

9.5 In the event of an equality of votes on any proposal, the Chairman shall have the casting vote.

9.6 The quorum for the Annual General Meeting shall be at least 20 Association supporters and three Committee members.

- 9.7 The Secretary of the Association shall take minutes of all matters discussed and voted upon at the Annual General Meeting, which Minutes shall be the property of the Association.
- 9.8 Supporters or Committee members wishing to put forward any resolution shall give notice of such proposal to the Secretary at least 12 days prior to the Annual General Meeting being held. Such resolutions shall be put on the agenda of the Annual General Meeting but must be seconded at the Annual General Meeting prior to any debate. The vote on such a resolution will be on a show of hands and passed by a majority of those voting.

## 10. EXTRA ORDINARY GENERAL MEETING

- 10.1 An Extra Ordinary General Meeting of the Association may be called at any time by the Committee or may be requisitioned by at least 20 supporters of the Association.
- 10.2 The resolution or resolutions to be proposed shall be given in writing to the Secretary who shall within seven days of receipt send a notice to all committee members and supporters giving not less than 30 days notice of such an Extra Ordinary General Meeting and specifying the resolution or resolutions proposed.
- 10.3 The quorum for an Extra Ordinary General Meeting shall be at least 20 supporters of the Association plus five committee members.

## 11. FINANCE

- 11.1 The Association's financial year shall end on 30th June.
- 11.2 The committee shall be empowered to open such bank and building society accounts as the committee shall deem appropriate from time to time.
- 11.3 The Treasurer will have internet access to the bank account(s) and is authorised to initiate all payments. All cheques and other withdrawal slips from any bank or building society account held in the name of the Association shall be signed or processed online in accordance with the bank mandate which may require one or more authorised signatories to effect.
- 11.4 Any officer or committee member who is a signatory on a bank or building society account of the Association who either resigns or is requested to resign in accordance with these rules, shall immediately provide all assistance and sign any documents that may be required in order to change the signature mandate for such bank or building society accounts maintained by that Association. The officer or committee member concerned will not make any objection whatsoever to the bank or building society signatory mandates being altered to exclude them from being a signatory.
- 11.5 The financial assets of the Association shall consist of donations received being either general donations or donations in respect of individual dogs that have been rehomed, profits from the sale of goods, investment income, interest and the value of any stock held.

- 11.6 Any funds of the Association that are deemed by the Committee to be surplus to the Association's financial needs for the foreseeable future may be invested in such manner as shall be decided by the Committee. The Committee cannot be held personally responsible if an investment is made in good faith and that investment depreciates or loses value.

## 12. GENERAL

- 12.1 Any notice may be served on the Secretary by sending it through the post in a pre-paid letter addressed to the Secretary at his or her last known address or alternatively via email. Any letter or email so sent shall be deemed to have been received within 10 working days of posting/emailing.
- 12.2 The committee shall have power to adopt and issue standing orders for the conduct of the affairs of the Association provided that those standing orders shall not be inconsistent with the provisions of this Constitution.
- 12.3 In order to maintain the independence of the Association, no honorary officer or committee member shall be elected if they are an officer of any breed club bearing the Border Terrier name. Any honorary officer or committee member who shall during his or her term of office be elected as an officer of any of the breed clubs bearing the Border Terrier name shall resign their position with the Association at the next Annual General Meeting and shall be ineligible for re-election.
- 12.4 Dogs shall only be passed on as pets and all pedigrees and registration papers and documents shall be retained by the Association. The Association does not buy or sell dogs but merely requests donations from the new and previous owner as a contribution to the funds of the Association.
- 12.5 It is essential that only fully inoculated dogs are passed on to new owners and in some exceptional cases dogs may require medical treatment before being given to such new owners. The cost of such medical treatment is to be borne by the Association.
- 12.6 Before any dog can be given to a new owner, a signed release form in the manner prescribed by the Association from time to time must be obtained from the previous owner. A signed takeover form in the manner determined by the Association from time to time must also be obtained from the new owner. It is the responsibility of the Association representative handling the rehoming to ensure that the two forms are obtained and sent immediately to the Archive Secretary.
- 12.7 Any representative who is approached by a potential new owner must ask them to complete a request form which should then either immediately be sent to the Database Manager or input to the database by the representative. If the prospective new owner is acceptable to the Association, the request form will be kept until a suitable Border Terrier becomes available.