

SDCRC For consideration Amendment to Constitution at AGM

Please find attached a resolution for consideration at the AGM. This is simply a “tidying up” exercise. Clause 10.3 of the constitution is unnecessary and confusing because the club is a Scottish Charitable Incorporated Organisation (SCIO).

SCIO’s can own and manage property in their own name. Unincorporated associations cannot, which is why it is customary for two or three of the members to be nominated to hold the association’s assets.

Clause 10.3 says that the Board is obliged to elect a minimum of 3 Holding Trustees and cause the club’s assets to be vested in their name. This is completely unnecessary and also undesirable because the Board (and not the Holding Trustees) is solely responsible for the management of the club’s assets and finances.

As the resolution proposes a change to the constitution, it will require a two-thirds majority of those voting at the AGM to approve it (see clause 48.1).

It is proposed that clause 10.3 of the constitution , which deals with Holding trustees, should be deleted.