

**THE RIFLES AND THE ROYAL GLOUCESTERSHIRE, BERKSHIRE
AND WILTSHIRE REGIMENTAL ASSOCIATION**

**THE FINDINGS AND RECOMMENDATIONS OF THE EXECUTIVE COMMITTEE ON CHANGES TO
THE 1999 CONSTITUTION OF THE ASSOCIATION PROPOSED BY COLONEL T M DALY**

As will be seen from the accompanying copy of Colonel Daly's proposals, he has made nearly 40 amendments or additions to the draft new Constitution that was proposed at the Annual General Meeting last October. They have been very carefully considered by the Executive Committee today, but it is considered impractical to explain the significance of, and comment on, them all. The Committee's findings below therefore deal just with his significant proposals.

1. The un-numbered first Clause ("Status" (explaining the purpose of the Constitution) is superfluous, as being obvious from the remaining contents of the document.
2. The proposed addition to Clause 2(c) and other proposals requiring the Trustees to obtain approval at an AGM to a number of their intentions are impracticable, as they would necessitate a significant time delay and be an unnecessary fetter on the Trustees' discretion.
3. In Clause 3, the second amendment in the heading (concerning the timing of the adoptions of the new Constitution and the new Scheme for The Rifles and RGBW Regimental Charities) is unnecessary, as it supposes an order of events that will not apply.
4. The Charity Commission, having been specifically consulted on the point by the Trustees, has said in writing that the proposed Clauses 3(a) to 3(f) (which set out in great detail the duties of the Trustees, the composition and qualifications of the Board, and the manner in which they should deal with the financial aspects of the management of the Association) – because they are all covered by the general law relating to trustees and the Charity Commission's rules for, and advice to, trustees – "are not usually included in documents governing registered charities, and that they would be unnecessary and inappropriate in the new Constitution". Consequently they have not been included in the final draft.
5. The Committee noted that all charity trustees are bound by the *Guide to Trustees: 'The Essential Trustee'* published by the Charity Commission (CC3). There is no need to replicate the guidance in this publication in our new Constitution
6. A substantial number of the proposed amendments to Clauses 31—33 (relating to Annual General and Extraordinary General Meetings) are helpful, as are some other minor suggestions, and they have accordingly been incorporated in the revised draft. Any not incorporated are considered by the Committee to be unnecessary or inappropriate.

The Executive Committee have themselves made a number of uncontentious revisions to the draft Constitution put to the Annual General Meeting of the Association on 8 October 2016. To make Members' consideration of the revised draft easier, it will be simply printed in black, without the very large number of changes proposed by Colonel Daly or those made by the Executive Committee highlighted in colour— and all Members should consider whether the document as a whole is now appropriate as the basis of the management of the Association. The existing 1999 Constitution does not allow further amendments to be proposed from the floor at the Meeting (Clause 47).

That draft and these Findings will be published on the Association website, and emailed to all Members on the Association database, with the Calling Notice and Agenda for the Extraordinary General Meeting to be held on 18 February 2017.

RECOMMENDATION OF THE EXECUTIVE COMMITTEE

The Executive Committee recommend the acceptance of these Findings and adoption of the revised draft of the Constitution approved by them today at the forthcoming Extraordinary General Meeting on 18th February 2017.

S J OXLADE,
Chairman of the Association
(and, in the absence of The President,
of the Executive Committee)
1 February 2017
