



**Rehoming Animal Telephone Service**

Registered Charity No. 803364

## **Rules and Constitution of: The Re-homing Animal Telephone Service**

### Whereas

- a) There is a need to provide a permanent home and care for unwanted and lost animals in the areas hereinafter mentioned and generally to care for animal especially those that are neglected by their owners.
- b) In response to the foregoing need, it is intended to establish a rescue service and provide temporary homes for animals and the other assistance hereinafter mentioned.
- c) An Unincorporated Association have consented to elect an Executive Committee comprising of certain officers who shall direct the policy and management of the Association subject to provisions of the Constitution and any resolutions of a General Meeting of the Association and subject to the provisions hereinafter contained.

Now this Constitution witnesseth and it is hereby declared as follows:

1. The Unincorporated Association hereby constituted shall be called "Re-Homing Animal Telephone Service" (RATS).
2. In this Deed the following expressions where the context admits have the following meanings:
  - a) "The Society" means the Unincorporated Association hereby established.
  - b) "The Society Fund" means the sums of monies managed by the Executive Committee or their representatives and all donations, subscriptions, contributions, bequests, monies, investments and other property paid, given or transferred to and accepted by the Executive Committee and subject to the other provisions of this Deed.
  - c) "The Executive Committee" means the Executive Committee comprising of certain Officers and Members elected by the Ordinary Membership of the Society as more particularly described in the First Schedule hereto.
3. The objects of the Society ("the objects") shall be to relieve the suffering and distress of animals of all species in need of care and attention.

4. In furtherance of the objects, but not otherwise, the Executive Committee may exercise the following powers:
  - a) To establish and maintain kennels, rescue homes, sanctuaries and other places for the treatment of sick or ill-treated animals or for the reception of unwanted or abandoned animals.
  - b) To make arrangements for the adoption and future responsibility of animals on such conditions as the Society consider advantageous to the interests of such animals provided that no animals owned by the Society shall be disposed of for the purpose of commercial, scientific or the research.
  - c) To neuter animals for the purpose of reducing abandonment unless advised by a veterinary surgeon that such action would not be in the best interest of the animal's welfare.
  - d) To treat and, if appropriate, destroy sick animals on veterinary advice. No animal shall be destroyed by RATS unless:
    - i) Due to terminal illness on the advice of a veterinary surgeon.
    - ii) Persistently vicious, and then only on the advice of a veterinary surgeon, and provided there is no other possible course of action.

If an animal is to be put to sleep on a veterinary surgeon's advice, the written consent of three Committee Members shall be obtained unless the resultant delay would cause the animal unnecessary suffering, and then the advice of the veterinary surgeon only will be taken.
  - e) To co-operate with and support either financially or otherwise other charitable authorities and organisations having similar objects.
  - f) To educate and advise generally and issue publications and propaganda about the proper care of animals and especially to advertise the responsibilities that stem from owning any animal and the damage that can be done by taking on these responsibilities too lightly.
  - g) To do all such other things as shall further the above mentioned objects of the Society.
5. The area of benefit of the Society shall be the Counties of Bedfordshire and Hertfordshire and such other areas as the Executive Committee may from time to time nominate.
6. The Executive Committee shall hold the capital and income of the Society's funds to deal with and dispose of the same for all or anyone or more of the aforementioned objects of the Society at such time or times and in such a manner in all respects as the Executive Committee may from time to time direct and shall be entitled to be indemnified out of the Society's Funds all liabilities in respect of such dealings and dispositions.
7. The Executive Committee shall be elected in a manner hereinafter appearing and which shall be constituted and its meetings regulated in accordance with the provisions in that behalf contained in the first schedule hereto.

8.
  - a) The Executive Committee shall in the year one thousand nine hundred and eighty five and from thence on in each subsequent year convene a meeting of the Ordinary members (hereinafter called the Annual General Meeting) for the purpose of:
    - i) Receiving a report from the Executive Committee on the affairs of the Society and a Statement of Accounts of the Society for the year ended on the previous 31<sup>st</sup> day of December.
    - ii) Electing a new Committee comprising of a minimum of six Members and a maximum of twelve. Each Member when appointed shall hold office for one year.
    - iii) Transacting such other business as the Executive Committee thinks fit.
  - b) An Extraordinary Meeting of the Ordinary Membership to the Society may be called at any time by the Executive Committee or by any ten persons entitled to vote at an Annual General meeting of the Ordinary Membership to the Society.
  - c) All such meetings of the Ordinary Membership to the Society shall be regulated in accordance with the Rules and Standing Orders in that behalf contained in the Second Schedule hereto.
9. Without prejudice to the generosity of any of the foregoing provisions and in furtherance of the foregoing objects, the Executive Committee shall have the following powers exercisable from time to time and in such manner as the Executive Committee may, in its absolute discretion, think fit:
  - a) Power to collect and receive all donations, subscriptions, contributions, bequests and money forming part of the Trust Fund.
  - b) Power to issue appeals for donations and periodical reports of the activities of the Society.
  - c) Power to decide to what extent and for what purpose or purposes monies are to be applied under this Deed and in whatever manner the same are to be applied.
  - d) Power to direct the realisation of the whole or any part of the capital of the Society's Fund for all or any of the purposes of this Deed but ensuring so far as possible that all payments are made out of the interest and income before resorting to the whole or any part of such capital.
  - e) Power to defray out of the capital or income of the Society's Fund the expenses of administering the Society including the cost of acquiring on whatever terms the Executive Committee shall consider reasonable, one or more premises from which to conduct the Society.
  - f) Power to appoint Sub-Committees, which may include Members who are not Members of the Committee with a view to furthering the purpose of the Society.
10. All sums of cash at any time belonging to the Society Fund and not needed as a balance for working purposes shall be invested in accordance with the provisions in that behalf hereinafter set out.

11.
  - a) The Executive Committee may invest any monies requiring investment or upon any investment for the time being authorised by law for the investment of trust funds or in the purchase of freehold or leasehold land in Great Britain or in or upon the debentures (as defined by the Companies Act 1948) or preferred or preference or ordinary or deferred shares (excluding partly paid up shares) or stock of any company having a paid up capital of not less than one million pounds. The Executive Committee has the power from time to time to vary all or any of such investments for shares of a like nature as often as the Executive Committee shall consider expedient.
  - b) The Executive Committee may, from time to time, borrow money on such reasonable terms as to repayment interest and otherwise as they may think fit upon the security of the whole or any part or parts of any real property comprising part of the Society Fund for the purposes and objects of the Society.
12. Proper books of account shall be kept by or on behalf of the Executive Committee an entries made therein of all receipts and payments and for these accounts to be prepared and examined in line with the current Charities Act 2006.
13. The Executive Committee shall not be bound to act personally in all aspects of the Society, but can accept volunteers for any work from those who have relevant knowledge or experience or are considered the relevant job description. Those persons must be current Members of the Society. The Executive Committee shall also be at liberty to use the services of an agent to do the work of any or all of the following – namely Auditor, Lawyer and Bookkeeper, provided such an agent has the relevant professional or other training. The Society shall pay the cost of the remuneration charges and expenses incurred by the Executive Committee’s decision in the use of the said agent. The Executive Committee shall not be responsible, either jointly or individually, in any way for the defaults of any such agent or volunteer or any loss whatsoever arising from the use of the said agent or volunteer.
14. If at any time the Executive Committee shall decide that the purposes of the Fund could be more beneficially and conveniently attained in conjunction with some other similar society or organisation, the Executive Committee shall call a meeting (the notice of which shall state the terms of the resolution which shall be proposed thereat) of all persons entitled to vote at an Annual General Meeting of the Society. If such a decision shall be confirmed by a majority of the persons at such a meeting and voting thereat, the Executive Committee may apply the cash investments and other property held on account of the Fund accordingly and may amalgamate or cause to be amalgamated the Society with such other similar society or organisation if, and so far as, amalgamation shall be legally possible.
15. The Society may be dissolved by a resolution passed by a two-thirds majority of those present and voting at a Special General Meeting convened for the purpose, of which 21 days’ notice shall have been given to the Members. Such a resolution may give instructions for the disposal of any assets held by or in the name of the Society, provided that if any property remains after the satisfaction of all debts and liabilities such property shall not be paid to or distributed among the Members of the Society, but shall be given or transferred to such other charitable institution or institutions having objects similar to some or all of the objects of the Society as the Society may determine and if in so far as effect cannot be given to this provision then to some other charitable purpose.

16. The Society will review and adhere to guidance from the Charity Commission, the Fundraising Regulator and any other appropriate bodies related to animal rescue activities set out in the Constitution.

# **Rules and Constitution of: The Re-homing Animal Telephone Service**

## **FIRST SCHEDULE**

1. The Executive Committee (hereinafter called the Committee) shall consist of:
  - a) Chair
  - b) General Secretary
  - c) Finance [formerly Treasurer, Legacy Officer and Membership Renewals]
  - d) Membership Communications
  - e) Retail Management
  - f) Kennels Management
  - g) Animal Welfare Oversight
  - h) Up to 5 Committee Members.

If, when all these posts have been filled, less than twelve Committee members have been elected, the number may be made up to twelve by the election of further eligible Members.

The President is entitled to attend all Committee Meetings in an advisory capacity, but is not entitled to vote at the Committee Meetings.

2. The number of Members of the Committee shall not be less than six nor more than twelve at any one time.
3. Any member of the Committee who is adjudged bankrupt, or who makes a composition or arrangement with his creditors, or who is incapacitated from acting, or who communicates to the Committee a wish to resign shall thereupon cease to be a Member.
4. The Committee shall hold a minimum of ten meetings each year and may hold such other Ordinary Meetings as may be required. A Special Meeting may be summoned by the Chair or any fifteen Members upon at least seven clear days' notice being given to all other Members of the matters to be discussed.
5.
  - a) There shall be a quorum when any four Members of the Committee are present at a meeting thereof.
  - b) If the sole purpose of any meeting is to pass a resolution to call a meeting of the Members of the Society, then provided that notice in accordance with the provisions hereof has been given to all Members of the Committee are present at a meeting thereof.
6.
  - a) If the office of Chair, Secretary or Finance shall become vacant during the period of office the Committee shall elect some Member of the Committee to fill the vacancy thereby arising.
  - b) If a Member of the Committee resigns or his place on the Committee becomes vacant, another Ordinary member can be elected at the next General Meeting to fill the vacancy, should be Committee so desire to serve until the next Annual General Meeting.

7. At meetings of the Committee, every matter shall be determined by the majority of Members present and voting on the question provided that in case of equality of votes the Chair of the meeting shall have a second or casting vote.
8. If the Chair shall not be present within ten minutes after the time appointed for a meeting, the Members present shall, before any other business is transacted, choose one of their number to preside as Chair at the meeting.
9. Any resolution of the Committee may be rescinded or varied from time to time by the Committee or resolution carried at a General Meeting of the Ordinary Members.
10. The Committee shall provide and keep a Minute Book in which shall be entered the proceedings of the Committee and which shall be signed by the Chair of the meeting at the conclusion of such a meeting or at some future meeting if the minutes have been duly confirmed and when so signed shall, except for manifest error, be conclusive evidence of what was done at the meeting.
11. The Committee may, from time to time, delegate any of its powers to Sub-Committees as is provided for in this Deed. Any such Sub-Committee shall keep minutes of its meeting and shall, in the execution of the powers so delegated, conform to any regulations from time to time by the Committee, provided that all acts and proceedings of such Sub-Committees are reported back to the Committee as soon as possible.
12. Within the limits defined by this Deed, the Committee shall have power from time to time to make, alter and decide any of the Foregoing and Standing Orders.
13. The Committee shall be responsible for approving all membership applications to the Society and shall have the power to cancel membership of those not complying with the Society's rules and Standing Orders or whose conduct is detrimental to the Society.
14. Duties and responsibilities of Officials to be as follows:
  - a) Chair  
To preside at General and Committee Meetings and use a second or casting vote as necessary. As the Senior Official, endeavour to co-ordinate the work of others and to advise concerning the Association policy and urgent business.
  - b) General Secretary  
To convene General Meetings in accordance with the Rules and Committee Meetings as required. To record minutes of such meetings, to retain for future reference all minute book and official documents and to generally conduct the business of the Association as instructed.
  - c) Finance Officer

**Formerly known as "Treasurer, Legacy Officer and Membership Renewals" the revised role requires the post holder:**

To keep accurate account of all Association funds, to pay bills as approved by the appropriate members of the Committee, to present a brief Statement of accounts at Committee Meetings and to prepare the Annual Statement of Accounts.

In order to ensure that the financial business of the charity is not impacted by the resignation or other impediment to the signing of cheques or the maintenance of other official legally required financial records (e.g. HMRC authorisations for Gift Aid collecting agencies on behalf of the charity), the noted post holder will be required to maintain paperwork in order that a minimum of THREE committee members be counter signatories to appropriate items and a minimum of TWO committee members be counter signatories to Online Banking activities. These should be noted in any official minutes of the charity or the official audited accounts, once per year, and noted in the minutes when the authorisation list changes.

To deal with any and all work arising from notification of legacies, including correspondence and paying in of legacy-based cheques.

To ensure the appropriate administration of any fundraising or fund collection systems, be they event driven or charity collecting tins held in various shops and other third party premises. The role must ensure each and every tin is emptied in a timely manner and appropriately reported.

To ensure the appropriate administration of all forms relating to trustees and volunteers and the roles to which they must be signed into, including but not only cash handling.

To issue membership renewal forms, to collect Membership fees and to keep the Membership Register up to date, as well as follow-up any late payments from members. Annual membership renewal is deemed to be January 1<sup>st</sup> of each year.

d) Membership Communications

To receive suitable address labels and correspondence to enable the post holder to distribute four Newsletters annually to all Members. Chair to ensure Newsletter is created.

e) Retail Management

To provide oversight, guidance, procedures and ongoing support to any retail outlet the charity deems necessary.

f) Kennels Management

To provide oversight, guidance, procedures and ongoing support to the kennels the charity deems necessary.

g) Animal Welfare Oversight

To provide oversight, guidance, procedures and reporting regarding any aspects of animal management the charity deems necessary.

# **Rules and Constitution of: The Re-homing Animal Telephone Service**

## **SECOND SCHEDULE**

### **Rules and Standing Orders of the Meetings of Members**

1. Unless stated otherwise all forms of Membership will be annually renewable, normally on January 1st of each year or the anniversary of the member[s] joining. Any subsequent renewal of membership should occur within 30 days of the due date of renewal. Any member not renewing in a subsequent year will have been deemed to have resigned automatically from the Association and will no longer receive membership benefits nor be able to represent the charity at committee.
2. There shall be seven forms of Membership:
  - a) Ordinary Single Member  
An Ordinary Single Member is an annually renewal membership and will receive a copy of the newsletter and is entitled to serve on the Committee and vote at General Meetings.
  - b) Ordinary Joint Member  
Ordinary Joint Membership is available for two persons living at the same address, and is an annually renewal membership. One copy of membership correspondence, newsletter etc will be sent. Both Members will be entitled to serve on the Committee and vote at General Meetings.
  - c) Ordinary Family Member  
Ordinary Family Membership is available for up to two adults and two children living at the same address, and is an annually renewal membership. One copy of membership correspondence, newsletter etc will be sent. The adult Members will be entitled to serve on the Committee and vote at General Meetings.
  - d) Ordinary Junior Member  
Ordinary Junior Membership is available to children under the age of sixteen and is an annually renewal membership. Junior Members will receive a copy of the newsletter but will not be able to serve on the Committee and will not be entitled to vote at General Meetings.
  - e) Life Member  
Life Members will receive a copy of the newsletter and will be entitled to serve on the Committee and vote at General Meetings.
  - f) Honorary Life Member  
Honorary Life members will be elected by the Committee. To be eligible for Honorary Life Membership, the person must have worked exceptionally hard for the Association over a period of at least five years. Honorary Life Members will receive a copy of the newsletter and will be entitled to serve on the Committee and vote at General Meetings.
  - g) Associate Member  
Associate Members will be elected by the Committee. These will be companies, organisations or individuals who regularly help RATS or who have

made a substantial donation to the Association. Associate Members will receive a copy of the newsletter but will not be able to serve on the Committee and will not be entitled to vote at General Meetings. Associate membership will be valid for a period of twelve months.

3. At all meetings of the Society's Membership, every matter shall be determined by the majority of eligible voting Members present and voting on the question.
4. Alteration to this Constitution shall receive the assent of two thirds of the Members present and voting at an Annual General Meeting or a Special General Meeting. A resolution for the alteration of the Constitution must be received by the Secretary of the association at least 21 days' before the meeting at which the resolution is to be brought forward. At least 14 days' notice of such a meeting must be given by the Secretary to the Membership and must include notice of the alteration proposed. Provided that no alteration shall be made to Clause 3, Clause 15 or this Clause until the approval in writing of the Charity Commissioners or other authority having charitable jurisdiction shall have been obtained, and no alteration shall be made which would have the effect of causing the Association to cease to be a charity in law.
5. There shall be a quorum when any ten ordinary members or one tenth of the Membership are present at a meeting.
6. The amount of subscription fees for Ordinary, Joint, Junior and Life Membership shall be set at the Annual General Meeting.
7. In the event that a physical Annual General Meeting cannot be called for an appropriate period, due to government or other restrictions the committee will ensure that a postal vote and online meeting may be substituted to ensure all members can vote and submit questions regarding the status and wellbeing of the association. This clause would only be enacted in extreme cases and incorporates all intentions noted in clauses 3, 4, 5 and 6.