



Catholic Church,  
P.O. Box 123,  
Zimba,  
Southern Province,  
Zambia.

Philpotstown,  
Balreask,  
Navan,  
Co. Meath,  
Ireland.

## ***Constitution of Spiritan Zambia Orphan Fund***

### **1. Name:**

Spiritan Zambia Orphan Fund

### **2. Main Object:**

The main object for which The Spiritan Zambia Orphan Fund is established is to provide for the relief of poverty and advance education in Zambia through the provision of financial assistance towards:

1. Funding the education of Zambian Orphans and through the medium of support programmes for their benefit.
2. The provision of food programmes in the case of vulnerable individuals.
3. The construction, furnishing and equipping as necessary of schools, health centres and buildings used for community development initiatives.
4. The construction as necessary of boreholes for provision of drinking water.

Provided always that the income and property of the body is applied for charitable purposes only within the meaning of Section 207 Taxes Consolidation Act 1997.

### **3. Powers:**

To the extent that the same are essential or ancillary to the promotion of the main object of the body as heretofore set out, the body may exercise the following powers:

- a) **Executive Committee:** Chairperson, Secretary, Public Relations Officer, Treasurer and Assistant Treasurer.
- b) **Committee:** Any individuals interested in working to achieve the aims of the Spiritan Zambia Orphan Fund Executive Committee and who are appointed trustees at a meeting of The Committee.

### **Duties of Officers:**

#### **Chairperson**

It shall be the right and duty of the Chairperson:

- a) To preside at and conduct all meetings of the Committee.
- b) To call a special General Meeting of the Committee when required to do.
- c) To call a special meeting of the Committee.
  1. At his / her own discretion.
  2. At the request of the other Officers.
  3. At the request of a simple majority of the Committee.
- d) To call a meeting of the Executive Committee.
- e) To speak for and on behalf of the Committee.
- f) To act as Chief Executive of the Committee.

### **Secretary**

It shall be the duty of the Secretary:

- a) To keep minutes of all Committee Meetings.
- b) To enter into such correspondence for or on behalf of the Committee as directed by the Chairperson.
- c) To keep in safe custody all Committee records.
- d) Should the Chairperson be unable or unwilling to act as required by Article 4 (Rules, Note 2) below, to call a meeting of the Committee.

### **Treasurer**

It shall be the right and duty of the Treasurer:

- a) To receive, accept, record and lodge all monies, properties of effects given to, accruing to or earned by the Committee.
- b) To arrange transfer of funds to Zambia as required and to expend monies or assets when, as, and to the extent authorized by the Committee.
- c) To keep accurate records of all financial affairs of the Committee.
- d) To submit such records, receipts etc. as may be required by the Auditors.
- e) To furnish a current statement of account to the Committee at the request of the Chairperson.

### **Assistant treasurer**

It shall be the right and duty of the Assistant Treasurer:

- a) To assist the Treasurer in his/her duties.
- b) To receive, accept, record and lodge all monies, properties or effects given to, accruing to or earned by the Committee.
- c) To arrange transfer of funds to Zambia as required and to expend monies or assets when, as, and to the extent authorized by the Committee.
- d) To keep accurate records of all financial affairs of the Committee.
- e) To submit such records, receipts etc. as may be required by the Auditors.
- f) To furnish a current statement of account to the Committee at the request of the Chairperson.

### **Public Relations Officer**

It shall be the right and duty of the Public Relations Officer:

- a) To publicize any fundraisers, e.g. in papers or through posters, etc. as necessary.
- b) To publicly acknowledge amounts raised at fundraising events.

### **4. Rules:**

- The Committee shall endeavor to maintain continuous contact with its members and shall endeavor at all times to keep the members informed of all plans, activities and progress.
- The Committee shall meet as often as may be necessary to do so but at least four times a year.
- The Chairperson at any meeting shall, in the event of equality of voting, have a second or casting vote.

- No person shall hold any one office for more than three consecutive annual terms if there is another Committee member who is willing to take over the post and who is elected by the majority of the Committee members.
- The Committee shall have power to fill by election from its own membership any vacancy incurred in the panel of Officers.
- The Committee shall have power to appoint a member to fill any casual vacancy on the Committee before the next Annual General Meeting.
- It shall be the duty of the Executive Committee to:
  - a) Interpret and enforce the Committee rules.
  - b) Deal with matters that may occur between meetings of the Committee. All decisions taken at such meetings must be reported to the next meeting of the Committee.
- The Treasurer shall submit to the Annual General Meeting, and subsequently to any interested party such as the Revenue Commissioners on request, an annual account of all monies received/expended in the name of the Committee.
- Notice of General Meetings shall be sent to each Committee Member so as to ensure that the members will have ample notification of date, time and place of meetings.
- All members of the Committee are entitled to attend and take part in the business of the General Meeting;
- The Annual General Meeting of the Committee shall be held on a date in January of each year.
- The present trustees have been appointed for 1 year or until they retire. Future trustees shall be appointed by the Committee members and may be removed in accordance with the regulations laid down for amendments to Constitution in Article 7.

## **5. Incomes and Property:**

The income and property of the body shall be applied solely towards the promotion of its main object as set forth in this Constitution. No portion of the body's income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit, to the members of the body. No Officer shall be appointed to any office of the body paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the body. However, nothing shall prevent any payment in good faith by the body of:

- a) Reasonable and proper remuneration to any member of the body (not being an Officer) for any services rendered to the body.
- b) Interest at a rate not exceeding 5% per annum on money lent by Officers or other members of the body to the body.
- c) Reasonable and proper rent for premises demised and let by any member of the body (Including any Officer) to the body.
- d) Reasonable and proper out-of-pocket expenses incurred by any Officer in connection with their attendance to any matter affecting the body.
- e) Fees, remuneration or other benefit in money or money's worth to any Company of which an Officer may be a member holding not more than one hundredth part of the issued capital of such Company.

**6. Winding-up:**

If upon the winding up or dissolution of the body there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the body. Instead, such property shall be given or transferred to some other charitable institution or institutions having main objects similar to the main objects of the body. The institution or institutions to which the property is to be given or transferred shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the body under or by virtue of Clause 5 hereof. Members of the body shall select the relevant institution or institutions at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object.

**7. Additions/Alterations/Amendments:**

No addition, alteration or amendment shall be made to or in the provisions of this Constitution for the time being in force unless the Revenue Commissioners shall have previously approved the same in writing. If written approval from the Revenue Commissioners is received in writing then the Annual General Meeting shall have the power to alter or amend this Constitution. Written notice of such proposed additions/alterations/amendments must be submitted to the Secretary not later than thirty days before the date of the Annual General Meeting.

**8. Keeping of Accounts**

Annual audited accounts must be kept and made available to the Revenue Commissioners on request

**Chairperson**

Signed:..... Date:.....

*Joseph Beggy*

**Secretary**

Signed:..... Date:.....

*Michael Kelly*

**Treasurer**

Signed:..... Date:.....

*Teresa Kelly*

**Public Relations Officer**

Signed:..... Date:.....

*Monica Mc Mahon*