

**Constitution  
of  
Scottish Community Alliance**

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**of**  
**SCOTTISH COMMUNITY ALLIANCE**

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## **GENERAL**

### **Type of organisation**

- 1 The organisation will, upon registration, be a Scottish Charitable Incorporated Organisation (SCIO).

### **Scottish principal office**

The principal office of the organisation will be in Scotland.

### **Name**

- 2 The name of the organisation is “ Scottish Community Alliance SCIO” (hereafter referred to as the Alliance).

### **Purposes**

- 3 The advancement of citizenship or community development (including rural or urban regeneration and the promotion of civic responsibility, volunteering, the voluntary sector or the effectiveness or efficiency of charities).

### **Powers**

- 4 The Alliance has power to do anything which is calculated to further its purposes or is conducive or incidental to doing so.
- 5 No part of the income or property of the Alliance may be paid or transferred (directly or indirectly) to the members - either in the course of the Alliance’s existence or on dissolution - except where this is done in direct furtherance of the Alliance’s charitable purposes.

### **Liability of members**

- 6 The members of the Alliance have no liability to pay any sums to help to meet the debts (or other liabilities) of the Alliance if it is wound up; accordingly, if the Alliance is unable to meet its debts, the members will not be held responsible.
- 7 The members and charity trustees have certain legal duties under the Charities and Trustee Investment (Scotland) Act 2005; and clause 6 does not exclude (or limit) any personal liabilities they might incur if they are in breach of those duties or in breach of other legal obligations or duties that apply to them personally.

## **General structure**

- 8 The structure of the Alliance consists of:-
  - 8.1 The Membership - who have the right to attend members' meetings (including any annual general meeting) and have important powers under the constitution; in particular, the members appoint individuals to serve on the Board and take decisions on changes to the constitution itself.
  - 8.2 The Board – who meet in between members' meetings and generally control the activities of the organisation; for example, the Board is responsible for monitoring and controlling the financial position of the organisation.
- 9 The people serving on the Board are referred to in this constitution as CHARITY TRUSTEES.

## **MEMBERS**

### **Qualifications for membership**

- 10 Membership is open to any national membership, intermediary or network of communities of interest or place-based network which supports the key principles that inform the work of the Alliance:
  - 10.1 Subsidiarity.
  - 10.2 Self Determination.
  - 10.3 Local by Default.
  - 10.4 Equality and Fairness.
- 11 It will be for each member network to nominate an individual person to be their representative at meetings of the Alliance
- 12 Those individuals named as the first members of the organisation, as required by the legislation, will cease to be members with effect from the time that the bodies mentioned at clause 10 are admitted to membership.
- 13 Employees of the Alliance are not eligible to be nominated to represent members at membership meetings.

### **Application for membership**

- 14 Any constituted national network organisation that meets the qualifications for membership and wishes to become a member must

sign a written application for membership; the application will then be considered by the Board at its next meeting.

- 15 The Board may, at its discretion, refuse to admit any applicant to membership.
- 16 The Board must notify each applicant promptly (in writing or by e-mail) of its decision on whether or not to admit their network to the membership.

### **Membership subscription**

- 17 Membership subscription may be levied from time to time as determined by the Board with the agreement of the members at the AGM of the Alliance.

### **Register of members**

- 18 The Board must keep a register of members, setting out
  - 18.1 for each current member:
    - 18.1.1 the name and address of the network organisation; and
    - 18.1.2 the date on which it was registered as a member of the Alliance;
  - 18.2 for each former member - for at least six years from the date on it ceased to be a member:
    - 18.2.1 the network organisation's name; and
    - 18.2.2 the date on which the network organisation ceased to be a member.
- 19 The Board must ensure that the register of members is updated within 28 days of any change:
  - 19.1 which arises from a resolution of the Board or a resolution passed by the members of the Alliance; or
  - 19.2 which is notified to the Alliance.
- 20 If a member or charity trustee of the Alliance requests a copy of the register of members, the Board must ensure that a copy is supplied within 28 days, providing the request is reasonable; if the request is made by a member (rather than a charity trustee), the Board may provide a copy which has the addresses blanked out.

## **Withdrawal from membership**

21 Any network organisation that wants to withdraw from membership must give a written notice of withdrawal to the Alliance, signed by officers of the network organisation; the network organisation will cease to be a member as from the time when the notice is received by the Alliance.

## **Transfer of membership**

22 Membership of the Alliance may not be transferred by a member.

## **Re-registration of members**

23 The Board may, at any time, issue notices to the members requiring them to confirm that they wish to remain as members of the Alliance and allowing them a period of 28 days (running from the date of issue of the notice) to provide that confirmation to the Board.

24 If a member fails to provide confirmation to the Board (in writing or by e-mail) that it wishes to remain as a member of the Alliance before the expiry of the 28-day period referred to in clause 21, the Board may expel the network organisation from membership.

25 A notice under clause 23 will not be valid unless it refers specifically to the consequences (under clause 24) of failing to provide confirmation within the 28-day period.

## **Expulsion from membership**

26 Any network organisation may be expelled from membership by way of a resolution passed by not less than two thirds of those present and voting at a members' meeting, providing the following procedures have been observed:-

26.1 at least 21 days' notice of the intention to propose the resolution must be given to the member concerned, specifying the grounds for the proposed expulsion;

26.2 the member concerned will be entitled to be heard on the resolution at the members' meeting at which the resolution is proposed.

## **DECISION-MAKING BY THE MEMBERS**

### **Members' meetings**

27 The Board must arrange a minimum of one meeting of members (an annual general meeting or "AGM") in each calendar year.

28 The gap between one AGM and the next must not be longer than 15 months.

29 Notwithstanding clause 27, an AGM does not need to be held during the calendar year in which the Alliance is formed; but the first AGM must still be held within 15 months of the date on which the Alliance is formed.

30 The business of each AGM must include:-

30.1 a report by the Chair on the activities of the Alliance.

30.2 consideration of the annual accounts of the Alliance.

30.3 the election/re-election of charity trustees, as referred to in clauses 58 to 60.

31 The Board may arrange a special members' meeting at any time.

#### **Power to request the Board to arrange a special members' meeting**

32 The Board must arrange a special members' meeting if they are requested to do so by a notice (which may take the form of two or more documents in the same terms, each signed by one or more members) by members who amount to 5% or more of the total membership of the Alliance at the time, providing:

32.1 the notice states the purposes for which the meeting is to be held; and

32.2 those purposes are not inconsistent with the terms of this constitution, the Charities and Trustee (Investment) Scotland Act 2005 or any other statutory provision.

33 If the Board receive a notice under clause 32, the date for the meeting which they arrange in accordance with the notice must not be later than 28 days from the date on which they received the notice.

#### **Notice of members' meetings**

34 At least 14 clear days' notice must be given of any AGM or any special members' meeting.

35 The notice calling a members' meeting must specify in general terms what business is to be dealt with at the meeting; and

35.1 in the case of a resolution to alter the constitution, must set out the exact terms of the proposed alteration(s); or

35.2 in the case of any other resolution falling within clause 47 (requirement for two-thirds majority) must set out the exact terms of the resolution.

36 The reference to "clear days" in clause 34 shall be taken to mean that, in calculating the period of notice,

- 36.1 the day after the notices are posted (or sent by e-mail) should be excluded; and
- 36.2 the day of the meeting itself should also be excluded.

- 37 Notice of every members' meeting must be given to all the members of the Alliance, and to all the charity trustees; but the accidental omission to give notice to one or more members will not invalidate the proceedings at the meeting.
- 38 Any notice which requires to be given to a member under this constitution must be: -
  - 38.1 sent by post to the member, at the address last notified by the network organisation to the Alliance; *or*
  - 38.2 sent by e-mail to the member, at the e-mail address last notified by the network organisation to the Alliance.

### **Procedure at members' meetings**

- 39 No valid decisions can be taken at any members' meeting unless a quorum is present.
- 40 The quorum for a members' meeting is four members, present in person or virtually.
- 41 If a quorum is not present within 15 minutes after the time at which a members' meeting was due to start - or if a quorum ceases to be present during a members' meeting - the meeting cannot proceed; and fresh notices of meeting will require to be sent out, to deal with the business (or remaining business) which was intended to be conducted.
- 42 If members' meetings cannot be held in person, then the meeting may be held wholly or in part, virtually by telephone, videolink, Skype, Zoom, Teams and other internet VOIP or teleconferencing mechanisms. Members who are unable to attend any general meeting, may also attend the meeting remotely.
- 43 The Chair of the Alliance should act as Chairperson of each members' meeting.
- 44 If the Chair of the Alliance is not present within 15 minutes after the time at which the meeting was due to start (or is not willing to act as Chair), the charity trustees present at the meeting must elect (from among themselves) the person who will act as Chair of that meeting.

### **Voting at members' meetings**

- 45 Every member has one vote, which must be given personally or using virtual means.

46 All decisions at members' meetings will be made by majority vote - with the exception of the types of resolution listed in clause 47.

47 The following resolutions will be valid only if passed by not less than two thirds of those voting on the resolution at a members' meeting (or if passed by way of a written resolution under clause 51):

- 47.1 a resolution amending the constitution;
- 47.2 a resolution expelling a person from membership under article 26;
- 47.3 a resolution directing the Board to take any particular step (or directing the Board not to take any particular step);
- 47.4 a resolution approving the amalgamation of the Alliance with another SCIO (or approving the constitution of the new SCIO to be constituted as the successor pursuant to that amalgamation);
- 47.5 a resolution to the effect that all of the Alliance's property, rights and liabilities should be transferred to another SCIO (or agreeing to the transfer from another SCIO of all of its property, rights and liabilities);
- 47.6 a resolution for the winding up or dissolution of the Alliance.

48 If there is an equal number of votes for and against any resolution, the Chair of the meeting will be entitled to a second (casting) vote.

49 A resolution put to the vote at a members' meeting will be decided on a show of hands - unless the Chair (or at least two other members present at the meeting) ask for a secret ballot.

50 The Chair will decide how any secret ballot is to be conducted, and he/she will declare the result of the ballot at the meeting.

### **Written resolutions by members**

51 A resolution agreed to in writing (or by e-mail) by all the members will be as valid as if it had been passed at a members' meeting; the date of the resolution will be taken to be the date on which the last member agreed to it.

### **Minutes**

52 The Board must ensure that proper minutes are kept in relation to all members' meetings.

53 Minutes of members' meetings must include the names of those present; and (so far as possible) should be signed by the Chair of the meeting.

## **Composition of the Board**

54 The Board shall comprise the following individual persons (a majority of more than 50%) of whom shall always be Charity Trustees that are themselves Members), namely:

- 65.1 up to 8 individual persons elected as Charity Trustees by the Ordinary Members who must themselves be Ordinary Members (referred to as Elected Charity Trustees);
- 65.2 up to 2 individual persons co-opted in terms of Clause 64, so as to ensure a spread of skills and experience within the Board (referred to as Co-opted Charity Trustee).

## **Eligibility**

55 A person will not be eligible for election or appointment to the Board unless they are a nominated representative of a member of the Alliance except in the case of Co-opted Charity Trustees.

56 A person will not be eligible for election or appointment to the Board if they are: -

- 56.1 disqualified from being a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005; or
- 56.2 an employee of the Alliance.

## **Initial charity trustees**

57 The individuals who signed the charity trustee declaration forms which accompanied the application for incorporation of the Alliance shall be deemed to have been appointed by the members as charity trustees with effect from the date of incorporation of the Alliance.

## **Election, retiral, re-election of Elected Charity Trustees**

58 At each AGM, the members may elect any nominated representative of a member (unless they are debarred from membership under clause 55) to be a charity trustee. A member organisation may endorse a member of staff as their nominated representative.

59 The Board may at any time appoint any nominated representative of a member (unless they are debarred from membership under clause 55) to be a charity trustee.

60 At each AGM:

- 60.1 Charity Trustees shall serve for a three (3) year term but shall be eligible for re-election.
- 60.2 A retiring Charity Trustee shall retain office until the close or adjournment of the meeting.
- 60.3 A retiring Elected Charity Trustee shall be eligible for re-election for a further two terms of office.
- 60.4 A Charity Trustee can serve a further and final one year period in office but must vacate following the tenth year in office.
- 60.5 Any Elected Charity Trustee may be elected by vote of the Ordinary Members.

### **Appointment Of Co-Opted Charity Trustees**

- 61 In addition to their powers, the board may at any time appoint any non-member of the Alliance to be a Charity Trustee either on the basis that they have specialist experience and/or skills which could be of assistance to the board.
- 62 Any person out with the membership who wishes to become a co-opted Charity Trustees must sign, and lodge with the company, a written application to be decided upon by the Board.
- 63 At each AGM, all of the Co-Opted Charity Trustees appointed under Articles shall retire from office – but shall then be eligible for re-appointment under that clause.
- 64 A Co-opted Charity Trustee can be removed from office at any time by a simple majority of the Board and must not hold an appointment for more than ten (10) years.
- 65 For the avoidance of doubt, a Co-opted Charity Trustee may participate fully in all Board meetings which they attend and are eligible to vote at them.

### **Termination of office**

- 66 A charity trustee will automatically cease to hold office if: -
  - 66.1 they become disqualified from being a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005;
  - 66.2 they become incapable for medical reasons of carrying out their duties as a charity trustee - but only if that has continued (or is expected to continue) for a period of more than six months;
  - 66.3 they cease to be a nominated representative of a member of the Alliance, with the exception of Co-Opted Charity Trustees;

- 66.4 they become an employee of the Alliance;
- 66.5 they give the Alliance a notice of resignation, signed by them;
- 66.6 they are absent (without good reason, in the opinion of the Board) from more than three consecutive meetings of the Board - but only if the Board resolves to remove them from office;
- 66.7 they are removed from office by resolution of the Board on the grounds that they are considered to have committed a material breach of the code of conduct for charity trustees (as referred to in clause 84);
- 66.8 they are removed from office by resolution of the Board on the grounds that they are considered to have been in serious or persistent breach of their duties under section 66(1) or (2) of the Charities and Trustee Investment (Scotland) Act 2005; or
- 66.9 they are removed from office by a resolution of the members passed at a members' meeting.

67 A resolution under paragraph 66.7, 66.8 or 66.9 shall be valid only if: -

- 67.1 the charity trustee who is the subject of the resolution is given reasonable prior written notice of the grounds upon which the resolution for his/her removal is to be proposed;
- 67.2 the charity trustee concerned is given the opportunity to address the meeting at which the resolution is proposed, prior to the resolution being put to the vote; and
- 67.3 (in the case of a resolution under paragraph 66.7 or 66.8) at least two thirds (to the nearest round number) of the charity trustees then in office vote in favour of the resolution.

### **Register of charity trustees**

68 The board must keep a register of charity trustees, setting out

- 68.1 for each current charity trustee:
  - 68.1.1 their full name and address;
  - 68.1.2 the date on which they were appointed as a charity trustee; and
  - 68.1.3 any office held by them in the Alliance;
- 68.2 for each former charity trustee - for at least 6 years from the date on which they ceased to be a charity trustee:

- 68.2.1 the name of the charity trustee;
- 68.2.2 any office held by them in the Alliance; and
- 68.2.3 the date on which he/she ceased to be a charity trustee.

69 The Board must ensure that the register of charity trustees is updated within 28 days of any change:

- 69.1 which arises from a resolution of the Board or a resolution passed by the members of the Alliance; or
- 69.2 which is notified to the Alliance.

70 If any person requests a copy of the register of charity trustees, the Board must ensure that a copy is supplied to him/her within 28 days, providing the request is reasonable; if the request is made by a person who is not a charity trustee of the Alliance, the Board may provide a copy which has the addresses blanked out - if the SCIO is satisfied that including that information is likely to jeopardise the safety or security of any person or premises.

**Office-bearers**

71 The charity trustees must elect a chair, secretary and a treasurer and may elect (from among themselves) further office bearers if they consider that appropriate.

72 At all times, the staff member appointed as the Director of the Alliance shall be the secretary of the Alliance. The secretary need not be a Charity Trustee.

73 Each year at the AGM of the Alliance, the members will agree on who they wish to act as Chair of the Alliance. The Chair need not necessarily be a named representative of a member of the Alliance. Irrespective of whether the Chair is a named representative of a member of the Alliance, they are deemed to be a full member of the Board and therefore a trustee of the charity.

74 All of the office bearers shall serve for a three (3) year term but shall be eligible for re-election. The retiring office bearers shall retain office until the close or adjournment of the meeting.

74.1 A retiring office bearer shall be eligible for re-election for a further two terms in office and may serve a further and final one year period in office but must vacate following the tenth year in office.

75 A person elected to any office will automatically cease to hold that office: -

- 75.1 if they cease to be a charity trustee; or

75.2 if they give to the Alliance a notice of resignation from that office, signed by them.

## **Powers of the Board**

- 76 Except where this constitution states otherwise, the Alliance (and its assets and operations) will be managed by the Board; and the Board may exercise all the powers of the Alliance.
- 77 A meeting of the Board at which a quorum is present may exercise all powers exercisable by the Board.
- 78 The members may, by way of a resolution passed in compliance with clause 47 (requirement for two-thirds majority), direct the Board to take any particular step or direct the Board not to take any particular step; and the Board shall give effect to any such direction accordingly.

## **Charity trustees - general duties**

- 79 Each of the charity trustees has a duty, in exercising functions as a charity trustee, to act in the interests of the Alliance; and, in particular, must:-
  - 79.1 seek, in good faith, to ensure that the Alliance acts in a manner which is in accordance with its purposes;
  - 79.2 act with the care and diligence which it is reasonable to expect of a person who is managing the affairs of another person;
  - 79.3 in circumstances giving rise to the possibility of a conflict of interest between the Alliance and any other party:
    - 79.3.1 put the interests of the Alliance before that of the other party;
    - 79.3.2 where any other duty prevents him/her from doing so, disclose the conflicting interest to the Alliance and refrain from participating in any deliberation or decision of the other charity trustees with regard to the matter in question;
  - 79.4 ensure that the Alliance complies with any direction, requirement, notice or duty imposed under or by virtue of the Charities and Trustee Investment (Scotland) Act 2005.
- 80 In addition to the duties outlined in clause 79, all of the charity trustees must take such steps as are reasonably practicable for the purpose of ensuring: -

- 80.1 that any breach of any of those duties by a charity trustee is corrected by the charity trustee concerned and not repeated; and
- 80.2 that any trustee who has been in serious and persistent breach of those duties is removed as a trustee.
- 81 Provided they have declared his/her interest - and has not voted on the question of whether or not the Alliance should enter into the arrangement - a charity trustee will not be debarred from entering into an arrangement with the Alliance in which he/she has a personal interest; and (subject to clause 79 and to the provisions relating to remuneration for services contained in the Charities and Trustee Investment (Scotland) Act 2005), he/she may retain any personal benefit which arises from that arrangement.
- 82 No charity trustee may serve as an employee (full time or part time) of the Alliance; and no charity trustee may be given any remuneration by the Alliance for carrying out his/her duties as a charity trustee.
- 83 The charity trustees may be paid all travelling and other expenses reasonably incurred by them in connection with carrying out their duties; this may include expenses relating to their attendance at meetings.

### **Code of conduct for charity trustees**

- 84 Each of the charity trustees shall comply with the code of conduct (incorporating detailed rules on conflict of interest) prescribed by the Board from time to time.
- 85 The code of conduct referred to in clause 84 shall be supplemental to the provisions relating to the conduct of charity trustees contained in this constitution and the duties imposed on charity trustees under the Charities and Trustee Investment (Scotland) Act 2005; and all relevant provisions of this constitution shall be interpreted and applied in accordance with the provisions of the code of conduct in force from time to time.

## **DECISION-MAKING BY THE CHARITY TRUSTEES**

### **Notice of Board meetings**

- 86 Any charity trustee may call a meeting of the Board or ask the Chair to call a meeting of the Board.
- 87 At least 7 days' notice must be given of each Board meeting, unless (in the opinion of the person calling the meeting) there is a degree of urgency which makes that inappropriate.

### **Procedure at Board meetings**

88 No valid decisions can be taken at a Board meeting unless a quorum is present; the quorum for board meetings is three charity trustees, present in person.

89 If at any time the number of charity trustees in office falls below the number stated as the quorum in clause 88, the remaining charity trustee(s) will have power to fill the vacancies or call a members' meeting - but will not be able to take any other valid decisions.

90 Board Meetings may be held virtually wholly or in part. The board may participate in board meetings by video or telephone conference or electronic media that enable all board members to hear each other. Board members participating through any of these media shall be deemed present for the purposes of obtaining a quorum.

91 The Chair of the organisation should act as Chair of each Board meeting.

92 If the Chair is not present within 15 minutes after the time at which the meeting was due to start (or is not willing to act as Chair), the charity trustees present at the meeting must elect (from among themselves) the person who will act as Chair of that meeting.

93 Every charity trustee has one vote, which must be given personally.

94 All decisions at Board meetings will be made by majority vote.

95 If there is an equal number of votes for and against any resolution, the Chair of the meeting will be entitled to a second (casting) vote.

96 The Board may, at its discretion, allow any person to attend and speak at a Board meeting notwithstanding that he/she is not a charity trustee - but on the basis that he/she must not participate in decision-making.

97 A charity trustee must not vote at a Board meeting (or at a meeting of a sub-committee) on any resolution which relates to a matter in which he/she has a personal interest or duty which conflicts (or may conflict) with the interests of the Alliance; he/she must withdraw from the meeting while an item of that nature is being dealt with.

98 For the purposes of clause 97: -

98.1 an interest held by an individual who is "connected" with the charity trustee under section 68(2) of the Charities and Trustee Investment (Scotland) Act 2005 (husband/wife, partner, child, parent, brother/sister etc) shall be deemed to be held by that charity trustee;

98.2 a charity trustee will be deemed to have a personal interest in relation to a particular matter if a body in relation to which he/she is an employee, director, member of the management

committee, officer or elected representative has an interest in that matter.

## **Minutes**

- 99 The Board must ensure that proper minutes are kept in relation to all Board meetings and meetings of sub-committees.
- 100 The minutes to be kept under clause 99 must include the names of those present; and (so far as possible) should be signed by the Chair of the meeting.
- 101 The Board shall (subject to clause 100) make available copies of the minutes referred to in clause 99 to any member of the public requesting them.
- 102 The Board may exclude from any copy minutes made available to a member of the public under clause 101 any material which the Board considers ought properly to be kept confidential - on the grounds that allowing access to such material could cause significant prejudice to the interests of the organisation or on the basis that the material contains reference to employee or other matters which it would be inappropriate to divulge.

## **ADMINISTRATION**

### **Delegation to sub-committees**

- 103 The Board may delegate any of their powers to sub-committees; a sub-committee must include at least one charity trustee, but other members of a sub-committee need not be charity trustees.
- 104 The Board may also delegate to the Chair of the Alliance (or the holder of any other post) such of their powers as they may consider appropriate.
- 105 When delegating powers under clause 103 or 104, the Board must set out appropriate conditions (which must include an obligation to report regularly to the Board).
- 106 Any delegation of powers under clause 103 or 104 may be revoked or altered by the Board at any time.
- 107 The rules of procedure for each sub-committee, and the provisions relating to membership of each sub-committee, shall be set by the Board.

### **Operation of accounts**

- 108 Subject to clause 107, the signatures of two out of three signatories appointed by the Board will be required in relation to all operations (other than the lodging of funds) on the bank and building society

accounts held by the Alliance; at least one out of the two signatures must be the signature of a charity trustee.

109 Where the Alliance uses electronic facilities for the operation of any bank or building society account, the authorisations required for operations on that account must be consistent with the approach reflected in clause 108.

### **Accounting records and annual accounts**

110 The Board must ensure that proper accounting records are kept, in accordance with all applicable statutory requirements.

111 The Board must prepare annual accounts, complying with all relevant statutory requirements; if an audit is required under any statutory provisions (or if the Board consider that an audit would be appropriate for some other reason), the Board should ensure that an audit of the accounts is carried out by a qualified auditor.

### **MISCELLANEOUS**

#### **Winding-up**

112 If the Alliance is to be wound up or dissolved, the winding-up or dissolution process will be carried out in accordance with the procedures set out under the Charities and Trustee Investment (Scotland) Act 2005.

113 Any surplus assets available to the Alliance immediately preceding its winding up or dissolution must be used for purposes which are the same as - or which closely resemble - the purposes of the Alliance as set out in this constitution.

#### **Alterations to the constitution**

114 This constitution may (subject to clause 115) be altered by resolution of the members passed at a members' meeting (subject to achieving the two thirds majority referred to in clause 47) or by way of a written resolution of the members.

115 The Charities and Trustee Investment (Scotland) Act 2005 prohibits taking certain steps (eg change of name, an alteration to the purposes, amalgamation, winding-up) without the consent of the Office of the Scottish Charity Regulator (OSCR).

#### **Interpretation**

116 References in this constitution to the Charities and Trustee Investment (Scotland) Act 2005 should be taken to include: -

116.1 any statutory provision which adds to, modifies or replaces that Act; and

116.2 any statutory instrument issued in pursuance of that Act or in pursuance of any statutory provision falling under paragraph 108.1 above.

117 In this constitution: -

117.1 "charity" means a body which is either a "Scottish charity" within the meaning of section 13 of the Charities and Trustee Investment (Scotland) Act 2005 or a "charity" within the meaning of section 1 of the Charities Act 2006, providing (in either case) that its objects are limited to charitable purposes;

117.2 "charitable purpose" means a charitable purpose under section 7 of the Charities and Trustee Investment (Scotland) Act 2005 which is also regarded as a charitable purpose in relation to the application of the Taxes Acts.