

THE CHARITY COMMISSION FOR ENGLAND AND WALES

Under the power given in the Charities Act 2011

Orders that from today, the

15 January 2018

this

SCHEME

will alter or affect the existing trusts of the charity

known as

THE LORD KITCHENER MEMORIAL HOLIDAY CENTRE (230090)

at

Lowestoft, Suffolk

Nia Jones

**A member of staff of the Charity Commission authorised to act on behalf of the
Charity Commission**

1. Definitions

In this scheme:

"the charity" means the charity identified at the beginning of this Scheme.

"the Commission" means the Charity Commission for England and Wales.

"the governing document" means the Scheme dated 2 April 2014.

2. Administration

The charity is to be administered in accordance with the governing document as altered by this Scheme.

3. Alteration of governing document

The governing document will take effect with clause 4 deleted and replaced with:

The object of the charity is:

The relief of persons in need by reason of age, poverty or disability who have served in the naval, military or air forces of the Crown (including the Commonwealth) or the merchant navy or ex-service members of the Emergency Services or the husbands, wives or partners, widows or widowers of the same in particular through the provision of holiday accommodation.

4. Questions relating to the Scheme

The Commission may decide any question put to it concerning:

- (1) the interpretation of this Scheme; or
- (2) the propriety or validity of anything done or intended to be done under it.

THE CHARITY COMMISSION FOR ENGLAND AND WALES

Under the power given in the Charities Act 2011

Orders that from today

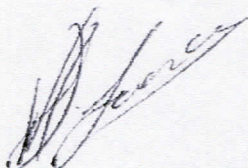
2 April 2014

this

SCHEME

will govern the charity known as

LORD KITCHENER MEMORIAL HOLIDAY CENTRE (230090)



David Hughes-Jones

A member of staff of the Charity Commission authorised to act on behalf of the Charity Commission.

Reference Number: 16/1415

Case Number: C-370583

1. Definitions

In this scheme:

"the Charity" means the Lord Kitchener Memorial Holiday Centre.

"the trustees" means the trustees of the Charity acting under this scheme and

"trustee" means one of the trustees.

"the Commission" means the Charity Commission for England and Wales.

"the former trusts" means the Schemes of the Commission dated 7 January 1919, 6 February 1920, 22 June 1945, 19 December 1947, 4 December 1973, 6 February 1980 and 25 October 2006.

ADMINISTRATION

2. Administration

(1) The charity is to be administered in accordance with this Scheme.

(2) This Scheme replaces the former trusts of the charity.

3. Name of the Charity

(1) The name of the Charity is Lord Kitchener Memorial Holiday Centre.

(2) The trustees may, by resolution, vary the name of the Charity. The trustees must obtain the prior written approval of the Commission.

OBJECTS

4. Object of the Charity

The object of the Charity is

"The relief of persons in need by reason of age, poverty or disablement who have served in the naval, military or air forces of the Crown (including the Commonwealth) or the merchant navy or the husbands, wives or partners, widows or widowers of the same in particular through the provision of holiday accommodation."

POWERS OF THE TRUSTEES

5. Powers of the trustees

In addition to any other powers which they have, the trustees may exercise the following powers in furtherance of the objects of the Charity:

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- (1) To make grants, loans and other payments upon such terms and conditions as the trustees think fit.
- (2) To raise funds. (The trustees must not undertake any permanent trading activity.)
- (3) To buy, take on lease or in exchange, hire or otherwise acquire any property for use for the objects of the Charity and to maintain and equip it for use.
- (4) To sell, lease or otherwise dispose of all or any part of the Charity's property. In exercising this power the trustees must comply as appropriate with sections 117 of the Charities Act 2011, unless the sale is excepted from these restrictions by sections 119 to 121 and section 127 of that Act. The proceeds of sale must be invested with the income to be applied for the object of the charity.
- (5) To co-operate with any other person, company, charity, voluntary body and statutory or governmental authority. The trustees may exchange information and advice with them.
- (6) To support financially or otherwise any charity, association or institution formed for any or all of the charitable purposes set out in clause 3.
- (7) To employ, engage, or retain the services of such persons (who must not be trustees) as the trustees think may be necessary or desirable on such terms as the trustees think fit including remuneration and reasonable provisions for the payment of pensions to employees, their families and other dependants.
- (8) To insure against public liability and, if appropriate, employers' liability and to insure the buildings of the Charity to their full value against fire and all other usual risks (except to the extent that the buildings are insured against any of these risks by a tenant).
- (9) To delegate the performance of any act, including the exercise of any power or discretion, to any person or persons (including one or more trustees), provided that:
 - i. Any such delegation is subject to such conditions as the trustees may from time to time impose;
 - ii. All acts of any delegate must be reported promptly to the trustees; and
 - iii. No delegate may incur expenditure except in accordance with a budget which has been approved in advance by the trustees.
- (10) To purchase trustee indemnity insurance. (The trustees must comply with the requirements of the Charities Act 2011.)
- (11) To obtain and pay for such goods and services as are necessary for the running of the Charity.

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- (12) To open and operate such bank and other accounts as the trustees consider necessary and to invest funds and to delegate the management of funds to the extent permitted by the Trustee Act 2000.
- (13) To make rules and regulations consistent with this scheme for the management of the Charity (including rules and regulations relating to the induction of the trustees).
- (14) To set aside income as a reserve against future expenditure but only in accordance with a written policy about reserves.
- (15) To do all such other lawful things as necessary for the furtherance of the object.

TRUSTEES

6. Trustees

The body of trustees, when complete, shall consist of five competent persons appointed for a term of five years by a resolution of the trustees passed at a special meeting.

7. Co-opted trustees

The appointment of a co-opted trustee must be made by the trustees by resolution at a meeting, for which four days notice must be given, for a term of five years.

8. New Trustees

The trustees must give to each new trustee, on their first appointment:

- a. a copy of this scheme and any amendments made to it;
- b. a copy of the Charity's latest report and statement of accounts.

9. Register of trustees

The trustees must keep a register of the name and address of every trustee and the dates on which their terms of office begin and end. Every trustee must sign the register before acting as a trustee, whether on their first appointment or on any later re-appointment.

10. Trustees not to have a personal interest

- a. No trustee may receive any benefit in money or in kind from the Charity except:
 - i. for the provision of goods and services provided that:
 - 1. he or she is not present at any part of a trustee meeting when the proposed supply or continuing supply is discussed or decided by the other trustees; and

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2. the other trustees are satisfied that the proposed supply or continuing supply will be in the interests of the Charity; and
 3. not more than 50% of persons holding office as trustee receive any such benefit in any financial year;
- ii. for the purchase of trustee indemnity insurance out of the funds of the Charity provided that the decision to purchase and the terms of such insurance comply with the requirements of the Charities Act 2011 as amended from time to time;
 - iii. in the capacity as a beneficiary of the Charity;
 - iv. in other circumstances with the prior written approval of the Commission.
- b. No trustee may acquire or hold any interest in property of the Charity (except in order to hold it as a trustee of the Charity).
 - c. A trustee may pay from Charity property (or receive reimbursement from Charity property for) reasonable expenses properly incurred by him or her when acting on behalf of the Charity.

11. Termination of trusteeship

A trustee will cease to be a trustee if he or she:

- a. is disqualified from acting as a trustee by section 178 and 179 of the Charities Act 2011; or
- b. is absent without the permission of the trustees from two consecutive meetings of the trustees and the trustees resolve that his or her office be vacated; or
- c. gives not less than 1 month's notice in writing of his or her intention to resign (but only if at least 3 trustees will remain in office when the notice of resignation is to take effect).

MEETINGS OF TRUSTEES

12. Chairman

- a. At their first meeting, the trustees present shall elect one of their number as Chairman of the trustees.
- b. The trustees present at a meeting must elect one of their number to chair the meeting if the chairman is not present or the office of chairman is vacant.

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13. Meetings

- a. The first meeting after the date of this scheme must be called by the Chairman or, if he or she does not do so within 7 months from that date, by any 2 trustees.
- b. The trustees must hold at least 2 meetings in each 12 month period.
- c. Meetings require at least 10 days' notice but a meeting may be called by shorter notice if it is so agreed by a majority of the trustees.
- d. The Chairman, or any 2 trustees, may call a meeting at any time.
- e. The trustees may invite such persons as they think fit to attend the whole or any part of the meeting in an advisory capacity.
- f. At one meeting in each 12 month period the trustees must:
 - i. review the draft trustees' annual report and accounts; and
 - ii. approve the report and accounts for adoption and authorise the Chairman to sign the report on the trustees' behalf.

14. Quorum

No business may be transacted at a meeting unless at least 3 trustees are present.

15. Voting

- a. Subject to the power contained in clause 5(13) of this scheme, every matter must be decided by majority decision of the trustees present and voting at a duly convened meeting of the trustees.
- b. The chairman of the meeting may cast a second or casting vote only if there is a tied vote.

16. Recording of meetings

The trustees must keep a proper record of their meetings. The record must be retained by the Regimental Adjutant who must allow the trustees access to it.

CHARITY PROPERTY

17. Use of income and capital

- a. The trustees must firstly apply:
 - i. the Charity's income; and
 - ii. if the trustees think fit, expendable endowment; and

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- iii. when the expenditure can properly be charged to it, its permanent endowment

in meeting the proper costs of administering the Charity and of managing its assets (including the repair and insurance of its buildings).

- b. After payment of these costs, the trustees must, subject to the power contained in clause 5(14) of this scheme, apply the remaining income in furthering the objects of the Charity.
- c. The trustees may also apply for the objects of the Charity:
 - i. expendable endowment; and
 - ii. permanent endowment, but only on such terms as the Commission may direct in advance.

GENERAL PROVISIONS

18. Questions relating to the scheme

The Commission may decide any question put to it concerning:

- a. the interpretation of this scheme; or
- b. the propriety or validity of anything done or intended to be done under it.