

CARRICKMACROSS CANCER SOCIETY – CONSTITUTION

(Revised 1992, 2014 & 2020)

Charity Regulatory Authority No. 20025861. Charity No. 10217

1. The name of the Society is the “Carrickmacross Cancer Society”.
2. The area of benefit is the town of Carrickmacross and surrounding areas.
3. The main object of Carrickmacross Cancer Society is
 - (i) to relieve sickness and poverty, by primarily, but not exclusively, assisting people living with cancer, in the area of benefit, through provision of practical and financial help.

Powers:

4. In furtherance of the main object the body shall have the following powers:
 - (i) to pay travel expenses of patients to attend hospital appointments and appointments at other treatment centres.
 - (ii) to pay the expenses of patient treatment not covered by health insurance or Social Welfare, at the Committee’s discretion and at the patient’s or a family member’s request.
 - (iii) to help to meet other necessary expenses resulting directly from the illness – expenses not covered by health insurance or Social Welfare or other agencies – at the committee’s discretion.
 - (iv) to organise and, if necessary, financially support, events i.e. seminars, workshops, self-help groups, counselling etc. to help people who are ill and/or family members or other people who care for them.
 - (v) to pay for respite care and/or additional home nursing care for the terminally ill on the recommendation of a public health nurse, palliative care team or other suitably qualified health care providers.

(vi) to donate, as funds permit, sums of money to hospice care, palliative care or psychological support centres that treat/help people who are ill and/or their family members/carers from the area of benefit, provided such centres operate in keeping with the Main Object of the Society.

5. Rules

Membership of the Society shall be confined to persons who serve on the Executive Committee and on the Board of Trustees.

5.1 The Executive Committee

- (i) The Executive Committee shall consist of not fewer than 5 persons and not more than 8 persons.
- (ii) Membership of the Executive Committee shall be by selection. When a vacancy occurs on the Executive Committee, the continuing members of the Committee shall select a person with appropriate skills and qualities to fill the position.
- (iii) The Executive Committee shall be responsible for the day-to-day running of the Society.
- (iv) The Executive Committee shall appoint from among its members a chairperson, honorary secretary, honorary treasurer, honorary public relations officer, and any other officer deemed necessary.
- (v) The Executive Committee shall conduct the business of the Society in accordance with the provisions of the documents, **The Code of Conduct and Role of the Executive Committee** (Appendix 1), and **Day-to-Day Management by the Executive Committee of Carrickmacross Cancer Society** (Appendix 2).
- (vi) The Executive Committee shall meet at least 3 times per year.
- (vii) In general, decisions of the Executive Committee shall be reached by consensus. Where this is not possible, a vote may be called, either by a show of hands or by a poll. Each member present shall have one vote. No proxies are allowed. In the event of a tie, the Chairperson shall have a casting vote.
- (viii) Where a 'related party transaction' is to take place, the member of the Executive Committee concerned shall absent himself/herself from the decision that involves a related party, for example, where a relative of an Executive Committee member applies to Carrickmacross Cancer Society for financial assistance to alleviate hardship brought about while living with cancer.

- (ix) Where there is doubt concerning conflict of interest, the matter shall be referred to the Trustees for decision.
- (x) The Executive Committee shall report to the Trustees on financial and other matters pertaining to the proper running of the Society in a manner that does not breach client confidentiality.
- (xi) The Executive Committee shall meet jointly with the Trustees at least once per year, when the annual financial report is submitted by the independent accountant. Other joint meetings may be convened as deemed necessary.
- (xii) The Executive Committee shall convene an Annual Information Meeting for the general public in the Society's area of benefit, i.e. Carrickmacross and surrounding areas. The business of the meeting shall include the presentation of reports by the Chairperson, the Secretary, and the Treasurer.
- (xiii) The Executive Committee shall publish the date and venue of the Annual Information Meeting at least 7 days in advance.

5.2 The Board of Trustees

- (i) The Board of Trustees shall consist of not fewer than three persons.
- (ii) Trustees shall be recruited for their skill sets from the community of the area of benefit by the continuing and/or outgoing Trustees, in consultation with the Executive Committee.
- (iii) Trustees shall remain in office for a period not exceeding nine years.
- (iv) The Trustees shall be responsible for ensuring that Carrickmacross Cancer Society is carrying out its charitable purpose.
- (v) The Trustees shall select one of their number to serve as Convenor of the Board of Trustees.
- (vi) The Trustees shall conduct their business in accordance with the provisions of the document, **The Code of Conduct and Role of the Trustees** (Appendix 3).
- (vii) The Trustees shall ensure that monies of the Society not required for current expenditure are invested and managed in such manner as will most effectively provide funds for the advancement of the Society's charitable purpose.
- (viii) The Trustees shall meet separately from the Executive Committee at least 3 times per year. All Trustees must be present. No proxies are allowed.
- (ix) The Trustees shall receive reports from the Executive Committee.

- (x) Matters that cannot be resolved by the Executive Committee shall be referred to the Trustees for decision.
- (xi) The Trustees shall meet jointly with the Executive Committee at least once per year, when the annual financial report is submitted by the independent accountant. Other joint meetings may be convened as deemed necessary.
- (xii) The Trustees shall attend the Annual Information Meeting.

6. Income & Property

The income and property of the Society shall be applied solely towards the promotion of main object(s) as set forth in this Deed of Trust / Constitution / Rules. No portion of the Society'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 members of the Society. No charity trustee* shall be appointed to any office of the Society paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the Society. However, nothing shall prevent any payment in good faith by the Society of:

- a) reasonable and proper remuneration to any member or servant of the Society (not being a charity trustee) for any services rendered to the Society;
- b) interest at a rate not exceeding 1% above the Euro Interbank Offered Rate (Euribor) per annum on money lent by charity trustees or other members of the Society to the Society;
- c) reasonable and proper rent for premises demised and let by any member of the Society (including any charity trustee) to the Society;
- d) reasonable and proper out-of-pocket expenses incurred by any charity trustee in connection with their attendance to any matter affecting the Society;
- e) fees, remuneration or other benefit in money or money's worth to any Company of which a charity trustee may be a member holding not more than one hundredth part of the issued capital of such Company;
- f) Nothing shall prevent any payment by the Society to a person pursuant to an agreement entered into in compliance with section

89 of the Charities Act, 2009 (as for the time being amended, extended or replaced).

*charity trustee as defined by section 2(1) of the Charities Act, 2009

7. Additions, alterations or amendments

The organisation must ensure that the Charities Regulator has a copy of its most recent governing instrument. If it is proposed to make an amendment to the governing instrument of the organisation which requires the prior approval of the Charities Regulator, advance notice in writing of the proposed changes must be given to the Charities Regulator for approval, and the amendment shall not take effect until such approval is received.

8. Winding-up

If upon the winding up or dissolution of the Society there remains, after satisfaction of all debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the Society. 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 Society. The institution or institutions to which the property is to be given or transferred shall prohibit the distribution of their income and property among their members to an extent at least as great as is imposed on the Society under or by virtue of Clause 6 here of. Members of the Society 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 with the agreement of the Charities Regulator. Final accounts will be prepared and submitted that will include a section that identifies and values any assets transferred along with the details of the recipients and the terms of the transfer.

9. Keeping Accounts

Annual audited accounts shall be kept and made available to the Revenue Commissioners on request and to The Charity Regulator as required.

Signed: Pat Drury. Dated: 6th August 2020
Honorary Chairperson

Signed: Pauline O'Hagan . Dated: 6th August 2020
Honorary Secretary

Signed: Pauline Fox . Dated: 6th August 2020
Honorary Treasurer

Appendix 1

The Code of Conduct & Role of the Executive Committee

Members of the Executive Committee shall be selected for their discretion and ability to maintain a strict code of client confidentiality.

The Executive Committee:

- (i) Shall be responsible for the day-to-day management of the Society
- (ii) Shall elect a chairperson, secretary, treasurer, and public relations officer from within its membership (Other office holders may be elected as deemed necessary)
- (iii) Shall offer financial and/or practical assistance to people living with cancer, or other illness at their discretion, in the area of benefit. (No medical assistance or alternative treatment is offered by the executive members)
- (iv) Shall act with absolute client confidentiality.
- (v) Shall comply with the Terms of Carrickmacross Cancer Society written Constitution.
- (vi) Shall ensure that Carrickmacross Cancer Society is carrying out its charitable purposes.
- (vii) Shall act in the best interests of Carrickmacross Cancer Society
- (viii) Shall act with reasonable care and skill
- (ix) Shall ensure that Carrickmacross Cancer Society has adequate annual public liability insurance as well as insurance to cover the members and equipment of the Society.
- (x) Shall ensure that the funds of the Society are lodged/invested in reputable financial institutions (Allied Irish Bank, Carrickmacross Credit Union, An Post Savings Certificates/Bonds).
- (xi) Shall ensure that the Society has sufficient funds to meet its commitments.
- (xii) Shall not pay money by way of remuneration, salary etc. to any member of the Executive except out of pocket expenses.
- (xiii) Shall hold an annual public information meeting to issue reports.

Appendix 2

Day-to –day Management by the Executive Committee of CCS

- (i) Clients apply to Carrickmacross Cancer Society Executive Committee either directly or through their doctor, nurse or palliative care team.
- (ii) A simple application form is issued to the client to be returned either to the Secretary or to the Treasurer
- (iii) Applications may be made for a taxi service, counselling, financial assistance with bills, help with household chores or for the loan of CCS equipment.
- (iv) The Secretary and Treasurer assess the application and grant whatever financial and/or practical assistance seems fair and reasonable.
- (v) The Executive Committee meets, on a rotating basis, in each other's houses.
- (vi) The minutes of the previous meeting are read, formally adopted and signed by the chairperson.
- (vii) Correspondence is read/noted and acted on as deemed reasonable
- (viii) A financial review takes place at every meeting as well as a review of the numbers in receipt of financial and practical assistance.
- (ix) The Executive Committee organises a venue and volunteers to publicly sell daffodils /pins on the National Daffodil Day.
- (x) The Executive Committee members make themselves available for photo shoots to receive presentations of fundraising by the general public and by the "Friends of Carrick Cancer".
- (xi) The Executive Committee organises a venue and a guest speaker for the annual Public Information Meeting.
- (xii) The Chairperson, Secretary and Treasurer prepare and issue reports to the general public at the Annual Meeting. Photos and a report are published in the regional newspaper and on CCS Website.
- (xiii) The Executive Committee prepares an annual report and financial statements for the Accountant to be submitted to the Charity Regulator.

Appendix 3

Code of Conduct & Role of the Trustees.

A minimum of three Trustees shall be recruited, for their skill sets, from the Community of the Area of Benefit and shall remain in office for a period not exceeding nine years.

The Trustees:

- (i) Shall comply with the Terms of Carrickmacross Cancer Society written Constitution.
- (ii) Shall ensure that Carrickmacross Cancer Society is carrying out its charitable purposes.
- (iii) Shall act in the best interests of Carrickmacross Cancer Society
- (iv) Shall act with reasonable care and skill
- (v) Shall ensure that appropriate investment decisions are made by Executive Committee
- (vi) Shall ensure that Carrickmacross Cancer Society is registered on the Charity Regulator's Register of Charities.
- (vii) Shall ensure Carrickmacross Cancer Society keeps proper books of Account.
- (viii) Shall ensure Carrickmacross Cancer Society prepares and furnishes Financial Accounts to the Charity Regulator.
- (ix) Shall ensure Carrickmacross Cancer Society prepares and furnishes an Annual Report to the Charity Regulator
- (x) Shall maintain confidentiality regarding clients in receipt of help from Carrickmacross Cancer Society
- (xi) Shall, if they have reasonable cause for believing there is theft or fraud within Carrickmacross Cancer Society, immediately inform the Charity Regulatory Authority.
- (xii) Shall ensure that Carrickmacross Cancer Society complies with directions issued by the Charity Regulatory Authority.
- (xiii) Shall ensure that Carrickmacross Cancer Society has adequate annual public liability insurance as well as insurance to cover the members and equipment of the Society.