

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES

Under the power given in the Charities Act 1993 Order that from today, the 24th May 2001 the following Scheme will govern the charity known as:

ESSEX COUNTY FOOTBALL ASSOCIATION **BENEVOLENT FUND (227116)**

In the County of Essex

Commissioners' References:

Sealing: 106(s)/01

Case No: 173266

SCHEME

1. Definitions

In this scheme:

"the charity"	means the charity identified at the beginning of this scheme.
"the former trusts"	of the charity are declared in a deed of trust dated 15th May 1931.
"the trustee"	means the trustee of the charity acting in accordance with this scheme.
"the Association"	means the incorporated Essex County Football Association Limited.
"Directors"	means the Directors for the time being of the Association.

ADMINISTRATION

2. Administration

The charity is to be administered in accordance with this scheme. This scheme replaces the former trusts of the charity.

3. Name of the charity

The name of the charity is Essex County Football Association Benevolent Fund.

OBJECTS

4. Objects of the charity

The objects of the charity are:

- (1) To assist necessitous persons who are either:
 - (a) members of clubs which are affiliated to the Association or which are members of competitions run in connection with and under any rules or regulations of the Association who may be injured while playing football or acting as a referee or in some official capacity or on their way to or from a football match in which they intend to play or have played or in connection with which they intend to act or have acted as a reserve or as a referee or in some other official capacity; or
 - (b) the dependants of any such person in the event of such person dying as a result of such injury.
- (2) To assist poor or necessitous persons who have rendered assistance to the Association or to football;
- (3) To make grants to hospitals and other charitable institutions (but not to relieve public expenditure).

POWERS OF THE TRUSTEE

5. Powers of the trustee

In addition to any statutory or other powers which it has by virtue of it being a trustee, the trustee may exercise the following powers in furtherance of the objects of the charity:

- (1) Power to make grants to qualifying individuals and hospitals and other charitable institutions. (The trustee may accept as valid a receipt from someone appearing or claiming to be a properly authorised officer or other representative of such a hospital or institution.)
- (2) Power to co-operate with other charities, voluntary bodies and statutory authorities. The trustee may exchange information and advice with them.
- (3) Power to raise funds (The trustee must not undertake any substantial permanent trading activity.)
- (4) Power to appoint staff (who must not be Directors) and pay them reasonable remuneration, including pension provision for them and their dependants.
- (5) Power to acquire or hire property and to maintain and equip it for use (The property must be needed to further the objects of the charity.)
- (6) Power to sell, lease or otherwise dispose of all or any part of the charity's property (The trustee must comply with the restrictions on disposal imposed by section 36 of the Charities Act 1993, unless the sale, lease or disposal is excepted from these restrictions by section 36(9)(b) or (c) or section 36(10) of that Act.)
- (7) Power to borrow money and to charge the property of the charity as security for any loan (The trustee must comply with the restrictions on mortgaging imposed by section 38 of the Charities Act 1993).
- (8) Power to delegate the performance of any act, including the exercise of any power or discretion, to a committee consisting of at least two of the Directors (The trustee must exercise reasonable supervision over any such committee and the committee must promptly report their acts and proceedings to the trustee. The constitution and conduct of any committee may otherwise be determined at the discretion of the trustee.)
- (9) Power 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).
- (10) Power to make rules and regulations consistent with this scheme for the management of the charity and the assessment of applications for assistance.
- (11) Power to do anything else within the law which promotes or helps to promote the objects of the charity.

TRUSTEE

6. Trustee

The Association is the trustee of the charity.

CHARITY PROPERTY

7. Use of income and capital

(1) The trustee must first apply:

- (a) the charity's income; and
- (b) if the trustee thinks fit, its capital;

in meeting the proper costs of administering the charity and of managing its property.

(2) After payment of these costs, the trustee must apply the remaining income in furthering any or all of the objects of the charity.

(3) The trustee may also apply capital of the charity for the objects of the charity.

AMENDMENT OF SCHEME

8. Amendment of scheme

(1) Subject to the provisions of this clause, the trustee may amend the provisions of this scheme.

(2) Any amendment must be made by a resolution of the trustee.

(3) The trustee must not make any amendment which would:

- (a) vary this clause;
- (b) vary clause 1 (Definitions);
- (c) vary clause 4 (Objects.)

(4) The trustee must obtain the prior written approval of the Commissioners before making any amendment which would vary the name of the charity.

(5) The trustee must:

- (a) promptly send to the Commissioners a copy of any amendment made under this clause; and
- (b) keep a copy of any such amendment with this scheme.

GENERAL PROVISIONS

9. Questions relating to the Scheme

The Commissioners may decide any question put to them concerning:

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

BECOME AN ANNUAL SUBSCRIBER

Competitions and Clubs during a season have calls made upon them by charitable organisations but they should remember that 'charity begins at home', and in this connection the Council again commend the claims of YOUR (County) Benevolent Fund, which has been the means of helping a deserving case.

The Council appeal to all Clubs to become annual subscribers to the fund. Donations should be forwarded to Essex County FA, The County Office, Springfield Lyons Approach, Chelmsford, CM2 5LB.