

## Proposed Changes to the Constitution

### **Resolution 1 - Clause 4**

#### **Current**

- 4 The organisation is established for charitable purposes only, and in particular, the objects are:
  - 4.1 advance public participation in amateur sport by promoting the game of football through the provision of recreational facilities and activities and improve the fitness and health of the persons for whom the facilities/activities are primarily intended;
  - 4.2 To advance community development by providing a safe environment to encourage and promote the development of football, health, self esteem, health and friendship within the community of Glasgow and its environs;
  - 4.3 To provide facilities and equipment and it will be available to anyone irrespective of race, colour, religion, sex, sexuality or disabilities, promoting a respect for diversity and encourage people to take pride in themselves and their team mates through the game of football.

#### **Proposed**

4. The organisation is established for charitable purposes only, and in particular, the objects are:
  - 4.1 To advance public participation in amateur sport by promoting sport through the provision of recreational facilities and activities and improve the fitness and health of the persons for whom the facilities/activities are primarily intended;
  - 4.2 To advance community development by providing a safe environment to encourage and promote the development of sport, health, self-esteem and friendship for the benefit of North Lanarkshire with a particular focus on Viewpark, Bellshill and surrounding areas;
  - 4.3 To provide facilities and equipment and it will be available to anyone irrespective of race, colour, religion, sex, sexuality or disabilities, promoting a respect for diversity and encourage people to take pride in themselves and their teammates through sport.
  - 4.4 To welcome and support participation by individuals from neighbouring local authority areas, including South Lanarkshire and Glasgow where this furthers the organisations charitable purposes and benefits the communities identified in clause 4.2.

#### **Rationale**

The proposed amendments update the Organisation's charitable purposes to better reflect its current activities, area of operation and the communities it serves. The revised wording clarifies that the Organisation's primary focus is North Lanarkshire, particularly Viewpark, Bellshill and surrounding areas, while recognising participation from neighbouring local authority areas including South Lanarkshire and Glasgow.

The amendments also broaden the focus from football to amateur sport, reflecting the Organisation's commitment to promoting wider participation in sport, health and wellbeing. Overall, the changes provide greater clarity regarding the Organisation's purposes, beneficiaries and area of benefit, while supporting its strategic objectives and Community Asset Transfer aspirations.

## **Resolution 2 - Clause 6**

### **Remove**

No part of the income or property of the organisation may be paid or transferred (directly or indirectly) to the members - either in the course of the organisation's existence or on dissolution - except where this is done in direct furtherance of the organisation's charitable purposes.

### **Rationale**

The existing clause is proposed for removal as the restriction on the distribution of the organisation's income and property is already contained elsewhere within the Constitution. The amendment removes unnecessary duplication and replaces it with an explicit power enabling the organisation to acquire, lease, manage, improve and dispose of property in furtherance of its charitable purposes. This will improve clarity within the Constitution and ensure the organisation has the powers required to manage and develop assets for community benefit.

## **Resolution 3 - Clause 6**

### **Add**

The organisation shall have the power to acquire, lease, manage, improve and dispose of heritable and moveable property where this supports the advancement of its charitable purposes.

### **Rationale**

The proposed amendment provides the Organisation with explicit powers to acquire, lease, manage, improve and dispose of property in furtherance of its charitable purposes. This ensures the Constitution contains the powers required to manage and develop community assets, including through Community Asset Transfer opportunities, and better reflects the Organisation's current and future operational needs.

## **Resolution 4 - Clause 9**

### **Add**

9.1 The organisation shall not have fewer than 20 members at anytime

If the number of members falls below 20 the Board may conduct only essential business other than taking steps to ensure the admission of sufficient Ordinary Members to achieve the minimum number.

### **Rationale**

The proposed amendment introduces a minimum membership requirement to ensure the Organisation remains community-led, representative and accountable. Maintaining at least 20 members supports good governance, demonstrates ongoing community support and engagement, and strengthens the Organisation's suitability for community ownership and Community Asset Transfer. The restriction on the Board conducting only essential business if membership falls below this level provides an appropriate safeguard until membership is restored.

## **Resolution 5 - Clause 40**

### **Current**

40. The quorum for a members' meeting is 4 members, present in person.

### **Proposed**

40. The quorum for an AGM shall be the greater of;

40.1 eleven members; or

40.2 10% of the Members,

present either in person or by proxy.

No business shall be dealt with at any AGM unless a quorum is present

### **Rationale**

The proposed amendment increases the AGM quorum to ensure decisions are made with broader member participation and reflect a representative proportion of the membership. The revised quorum strengthens accountability, member engagement and good governance, while the inclusion of proxy voting supports greater accessibility and participation in decision-making.

## **Resolution 6 - Clause 108**

### **Current**

108. If the organisation 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.

### **Proposed**

**108.** The organisation may be wound up or dissolved only on the passing of a Special Resolution for that purpose in accordance with clause 46.5, and subject to written consent being obtained from OSCR.

### **Rationale**

The proposed amendment provides greater clarity on the process for winding up the Organisation by requiring a Special Resolution of the members and the prior written consent of OSCR. This strengthens governance, transparency and accountability, while helping to protect the Organisation's charitable assets and community benefit.

## **Resolution 7 - Clause 109**

### **Current**

109. Any surplus assets available to the organisation 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 organisation as set out in this constitution.

### **Proposed**

109. If, on the winding-up of the organisation, any property or assets remains after satisfaction of all its debts and liabilities, such property shall be given or transferred to such other community body or bodies or charitable group, which has purposes which resemble closely the purposes of the organisation, as may be:

- 109.1 determined by not less than two thirds of the Ordinary Members of the organisation voting (in person or by proxy) at a General Meeting called specifically (but not necessarily exclusively) for the purpose, and
- 109.2 Approved by OSCR (and its successors)

**Rationale**

The proposed amendment provides a clear process for the distribution of any remaining assets on winding up, requiring approval by members and OSCR. This strengthens accountability and ensures that assets continue to be used for charitable and community benefit purposes by organisations with similar aims.