

# **West Suffolk Mind**

**A Local Mental Health Association  
Affiliated to  
Mind  
National Association for Mental Health**

## **Constitution**

**10<sup>th</sup> October 2005**

**CONSTITUTIONAL REQUIREMENTS FOR LOCAL MENTAL HEALTH  
ASSOCIATIONS SEEKING AFFILIATION TO MIND (NAMH)\***

**(Constitutional Clauses to be read in conjunction with the explanatory notes)**

**1. NAME**

The name of the Association shall be West Suffolk Mind. It shall meet not less than once a year.

**2. AREA**

The Area of Association shall be East Anglia and in particular West Suffolk.

**3. OBJECTIVES**

The objects of the Association shall be to promote the preservation and the safeguarding of mental health and the relief of persons suffering from mental distress in association with Mind (National Association for Mental Health) in accordance with the aims and objects of Mind.

**4. MEMBERSHIP**

The Association shall have a membership. It may determine its own categories of membership and rate or rates of subscription. Membership shall be open to individuals and such membership shall be full membership. Any full member shall be entitled to vote at all General Meetings of the Association. The Association shall without giving any reason therefore be entitled to refuse any applications for membership or to refuse renewal of any existing membership or request the resignation of any member and if such resignation is not received to terminate such membership. If any membership is terminated the Association shall refund to the member concerned such part of such member's subscription as may be appropriate.

**5. AFFILIATION**

The Association shall be and shall remain affiliated to MIND (*unless or until a decision to disaffiliate is taken by either party*) and shall make such initial affiliation payment and annual levy to MIND in such form and of such amount as shall be determined from time to time by MIND in consultation with the recognised Local Associations representative body. The Association shall be entitled to participate in the affairs of MIND to such degree and through such representation as may be determined by the Council of Management of MIND.

**6. RULES**

The Association shall have and shall adopt Rules governing the day to day conduct of the Association. The Rules shall not conflict with the provisions of the Constitution. The Rules and any amendments thereto shall only be adopted or amended by a majority vote at a General Meeting of the Association.

## **7. FINANCE**

The Association shall at all times have a bank account. All monies received by the Association shall be paid into such account. Accounts of the Association shall be prepared annually and shall be audited by an Independent Auditor. The Association may accept any payments including subscriptions, donations, grants and receipts from trading activities.

The funds and property of the Association (*other than current bank accounts*) and of any trusts or obligations accepted and executed by the Association shall be vested in three or more Trustees who shall be appointed at a General Meeting of the Association or in cases where the prior approval of MIND has been obtained in MIND as sole Trustee. Such funds, property, trusts and obligations shall be administered by the Executive Committee of the Association on behalf of the Association. Any vacancies in the number of Trustees shall be filled by the appointment of new Trustees at the next General Meeting. Pending the filling of any such vacancy the remaining Trustees or Trustee may in all matters act as Trustees or Trustee of the Association. A General Meeting shall have power to remove any of the Trustees and vacancies thus occurring may be filled at the same meeting. The Trustees shall have power to invest money subject to the approval of the said Executive Committee and to the terms of any specific trust or obligation.

## **8. GENERAL MEETINGS**

Three weeks prior notice of any General Meeting of the Association shall be given to all Members of the Association and to MIND. An Annual General Meeting shall be held as soon as possible after 1<sup>st</sup> April in each year. An annual report and statements of accounts shall be presented to the Annual General Meeting and copies thereof shall be provided to MIND. At each Annual General Meeting the Association shall elect:

- a) *the officers of the Association who shall include a Chairman, a Treasurer, a Secretary and such other officers as the Association thinks fit*
- b) *an independent Auditor*
- c) *an Executive Committee to carry out the policy of the Association.*

A representative nominated by MIND shall be entitled to receive committee papers and take part in General Meetings and meetings of the Executive Committee of the Association but shall not be entitled to vote thereat. Notices of any motions to be discussed at any General Meeting of the Association must reach the Secretary two weeks before the date of the meeting and must be circulated to members of the Association and to MIND at least three days before the General Meeting. The Executive Committee of the Association or any ten members of the Association shall have the right to call a General Meeting of the Association.

## **9. MEDICAL ADVISERS**

The Association through the Executive Committee shall at all times have and shall appoint one or more Medical Advisers. Such Medical Advisers must be appropriately qualified.

## **10. WINDING UP**

If at any time the Association shall be dissolved, the members may in General Meetings determine that any surplus funds or property of the Association held for its general purposes may be applied for such charitable purposes in connection with the preservation and safeguarding of mental health and the relief of persons suffering from mental disorders or in default of such determination for such like charitable purposes as shall be determined by the Trustees of the Association and as regards any funds or property held

upon charitable trusts administered by the Executive Committee then upon dissolution of the Association as aforesaid those funds and property shall be dealt with and applied in such manner and for such charitable purposes as the High Court of Justice, Chancery Division or the Charity Commissioners for England and Wales shall determine and direct.

**11. ALTERATION**

No amendments shall be made to the objects specified in Clause 3 without the permission of the Charity Commissioners and no amendment shall be made to the remainder of the Constitution which would cause it to cease to be a charity in law. The amendments must be agreed at a General Meeting and will need a majority vote of two thirds of those members present and entitled to vote. All such amendments shall be submitted and be subject to the approval of MIND.

Signed.....  
*(Chairman)*

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*(Secretary)*

Dated.....