

LOCAL POLISH CATHOLIC MISSION

IN.....

TERMS OF REFERENCE

1.0 INTERPRETATION

1.1 In these Terms of Reference:-

"the Charity" means The Polish Catholic Mission, a company limited by guarantee, Company No. 06211791, Charity No. 1119423

"Church Member" means a person who has entered their details on the Register kept by the Priest in charge and who attends Mass at the Local Polish Catholic Mission on a regular basis and the decision as to whether any person is qualified as a Church Member shall be that of the Priest in charge

"the Local Administrative Council" means the local finance committee established by the Priest in charge (with the endorsement of the Rector and the Trustees) to advise on the running of the Local Polish Catholic Mission and to assist the Priest in charge in his work

"the Local Polish Catholic Mission" means Polish Catholic Community in

"the Memorandum and Articles" means the Memorandum and Articles of Association of the Charity

"a Member of the Local Administrative Council" means a member of the local finance committee constituted by these Terms of Reference

"the Priest in charge" means the Priest for the time being appointed by the Rector to be the Priest in charge of the Local Polish Catholic Mission

“the Rector” means the Rector of the Polish Catholic Mission in England and Wales as defined in the Memorandum and Articles of Association

“Roman Catholic” shall indicate communion with the See of Rome

“these Terms of Reference” means the Terms of Reference

“the Trustees” means the Trustees of the Charity

1.2 Words importing the feminine gender shall include the masculine gender and vice versa

1.3 The Interpretation Act 1978 applies to the interpretation of these Terms of Reference as it applies to the interpretation of an Act of Parliament

1.4 In so far as these Terms of Reference is not consistent with the Memorandum and Articles, the Memorandum and Articles shall prevail

2.0 **PURPOSE OF THESE TERMS OF REFERENCE**

2.1 The purpose of these Terms of Reference is to set out the powers of the Local Administrative Council in relation to the day to day conduct of the Local Polish Catholic Mission whilst also setting out the relationship between the Members of the Local Administrative Council, the Rector and the Trustees of the Charity.

2.2 The Trustees are the directors of the Charity which is a company limited by guarantee. The Trustees are also the charity trustees for the purposes of the Charities Act 1993 and the trustees are the company members for the purposes of the Companies Act 1985

2.3 The Trustees have delegated certain functions to the Local Administrative Council as set out in these Terms of Reference. The Local Administrative Council shall at all times be accountable to the Trustees and shall comply with such reasonable directions as the Trustees may make from time to time. The Trustees are ultimately accountable for all matters concerning the Charity, including the authorised actions of the Local Administrative Council

3.0 **LOCAL ADMINISTRATIVE COUNCIL**

3.1 The Local Administrative Council shall consist only of Church Members for whom the Local Polish Catholic Mission has been established

3.2 The Local Administrative Council shall when complete consist of not more than 12 and not less than 4 persons. The Priest in charge ex officio shall be a Member of the Local Administrative Council

3.3 The Priest in charge shall appoint Members of the Local Administrative Council (provided that they have been endorsed by the Rector and Trustees) for terms of one, two or three years, the intention being that approximately one third of the Members of the Local Administrative Council shall retire each year

3.4 Appointment of Chairman

3.4.1 The Chairman of the Local Administrative Council shall be appointed by the Priest in charge from among the Members of the Local Administrative Council

3.4.2 Each term of office of any Chairman shall not exceed three years but may on expiry of such term be reappointed

3.5 Resignation/Removal of Member/s of the Local Administrative Council

Any Member of the Local Administrative Council who:

- is absent from all meetings of the Local Administrative Council for a period of one year except for a reason approved by the Members of the Local Administrative Council;
- is adjudicated a bankrupt;
- is incapacitated from acting;

- resigns by notice in writing to the Members of the Local Administrative Council; or
- is removed by resolution of the Trustees

shall thereupon cease to be a Member of the Local Administrative Council

3.6 Vacancies

3.6.1 Any vacancy arising under paragraph 3.5 shall as soon as possible be notified to the Priest in charge and any person eligible to be a Member of Administrative Council may be appointed by the Priest in charge to fill a vacancy

3.6.2 A Member of the Local Administrative Council appointed to fill a casual vacancy shall hold office only for the unexpired term of office of the Member of the Local Administrative Council in whose place he is appointed

3.7 The Local Administrative Council shall be responsible for advising in the day to day operation of the Parish under the general direction of the Priest in charge but shall nevertheless be accountable to the Trustees in all matters and comply with such reasonable directions as the Trustees may make from time to time

4.0 **MEETINGS OF THE LOCAL ADMINISTRATIVE COUNCIL**

4.1 Frequency of Meetings

4.1.1 The Local Administrative Council shall hold meetings at least 3 times in each year and a special meeting may at any time be summoned by any 3 Members of the Local Administrative Council or by the Chairman upon 14 days' notice being given to the other Members of the Local Administrative Council of the matters to be discussed

4.1.2 Meetings will be held at the place stipulated in the notice convening the meeting

4.1.3 Any or all of the Trustees may attend any meetings of the Local Administrative Council

4.2 If the Chairman is absent from any meeting the Local Administrative Council Members present shall before any other business is transacted choose one of their number to chair the meeting

4.3 There shall be a quorum when 3 Members of the Local Administrative Council are present at a meeting and every matter shall be determined by a majority of the Members of the Local Administrative Council present and voting on the question

4.4 In the case of equality of votes the Chairman of the meeting shall have a second or casting vote

4.5 The proceedings of the Local Administrative Council shall not be invalidated by any failure to appoint or any defect in the appointment or qualification of any Member of the Local Administrative Council

4.6 Any resolution of the Local Administrative Council may be rescinded or varied at a subsequent meeting if due notice of the intention to rescind or vary the same has been given in writing to all the Members of the Local Administrative Council

4.7 Adjournment

4.7.1 If fifteen minutes after the time appointed for a meeting a sufficient number of Members of the Local Administrative Council to form a quorum is not present then without prejudice to the right of those present to discuss but not vote on any matter the meeting shall stand adjourned *sine die* and a special meeting shall be summoned as soon as conveniently may be

4.7.2 Any meeting may be adjourned by resolution

5.0 **ACCOUNTS ESTIMATES AND EXPENDITURE**

5.1 The Local Administrative Council shall provide management accounts to the Trustees in such forms and at such times as the Trustees may require

5.2 The Local Administrative Council shall submit to the Trustees such reports and information as the Trustees shall from time to time require

6.0 ANNUAL MEETING OF THE LOCAL POLISH CATHOLIC MISSION

The Local Administrative Council shall, unless the Trustees otherwise agree, hold an annual meeting of Church Members at which the reports, management accounts and other information submitted to the Trustees are explained and the activities of the Local Polish Catholic Mission past and future are reviewed.

7.0 MINUTES

The Local Administrative Council shall keep a Minute Book to record minutes of their meetings and shall send copies of Minutes to the Trustees if asked.

8.0 LOCAL ADMINISTRATIVE COUNCIL MEMBERS' EXPENSES

The Members of the Local Administrative Council may be paid their expenses for attending meetings of the Local Administrative Council

9.0 ALTERATION AND ADDITION

9.1 These Terms of Reference may be added to, amended or rescinded by the Trustees provided that no such addition, amendment or rescission shall contravene the Memorandum and Articles

9.2 For the avoidance of doubt the Local Administrative Council may not in such capacity make any amendment or addition to or rescission of these Terms of Reference

Adopted at a meeting of the Trustees held at

on 2007

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Chairman of Trustees

