

THE CHARITY COMMISSION FOR ENGLAND AND WALES

Under the power given in the Charities Act 2011

Orders that from today, the

this

SCHEME

will alter or affect the existing trusts of the charity

known as

**GOVERNORS OF THE CHARITY FOR RELIEF OF THE POOR WIDOWS AND
CHILDREN OF CLERGYMEN (COMMONLY KNOWN AS CLERGY SUPPORT TRUST)
(207736)**

**A member of staff of the Charity Commission authorised to act on behalf of the
Charity Commission**

1. Definitions

In this Scheme:

“the charity” and “Corporation” means the charity identified at the beginning of this Scheme.

“the Commission” means the Charity Commission for England and Wales.

“the existing trusts” means the Royal Charter granted in 1678 amended by the Scheme dated 3 February 1971 brought into effect by an Order in Council dated 5 April 1971 and amended by the Scheme dated 26 September 2012 brought into effect by the Order in Council dated 17 October 2012 and as amended by Resolution dated 3 September 2013 as amended by Scheme dated 19 October 2017 brought into effect by an Order in Council dated 15 November 2017 [and as amended by Resolution dated 14 November 2019].

“the Royal Charter” means the Royal Charter granted in 1678.

“the Order in Council” means the Order in Council dated 17 October 2012.

“Assistant” means a member of the Court of Assistants, who shall also be a charity trustee as defined in the Charities Act.

“the Court” or “the Court of Assistants” means the body responsible for directing the affairs of the Corporation constituted in accordance with this Charter.

“the Governors” means the members of the Corporation.

“the Charter amendments of the Scheme” means those provisions of the Scheme that, when effective, will alter or affect the Royal Charter and the Order in Council.

2. Administration

(a) The charity is to be administered in accordance with its existing trusts as altered or affected by this Scheme.

(b) The provisions of this Scheme will take effect if and when Her Majesty in Council thinks fit to amend the provisions of the Royal Charter and the Order in Council in such manner as will permit the Charter amendments of the Scheme to have effect.

AMENDMENTS

3. Alteration to the existing trusts

The following clause shall be added to the existing trusts:

Application of income and property

5.1 An Assistant

5.1.1 shall be entitled:

- (a) to be paid reasonable out-of-pocket expenses properly incurred when acting on behalf of the Corporation;
 - (b) to an indemnity in respect of any liabilities properly incurred in the running of the Corporation (including the costs of a successful defence to criminal proceedings);
- 5.1.2 may benefit from insurance cover, including indemnity insurance, purchased at the expense of the Corporation in accordance with this Charter or any other power conferred by law.
- 5.2 Subject thereto, no Assistant may receive any payment or other material benefit, directly or indirectly, from the Corporation unless:
- 5.2.1 the payment is expressly permitted in Article 5.3 below and the conditions set out in Article 5.4 are followed; or
 - 5.2.2 the Corporation obtains the prior written approval of the Charity Commission.
- 5.3 An Assistant may directly or indirectly:
- 5.3.1 receive a benefit in the capacity of a beneficiary of the Corporation;
 - 5.3.2 receive fees, remuneration or other benefit in money or money's worth under a contract for the supply of goods or services (including goods supplied in connection with the provision of such services) to the Corporation in accordance with Article 5.4;
 - 5.3.3 receive interest on money lent to the Corporation at a reasonable and proper rate not exceeding either 2% per annum below the base lending rate prescribed for the time being by a clearing bank in London selected by the Court or 3%, whichever is the greater;
 - 5.3.4 receive reasonable and proper rent for premises demised or let to the Corporation.
- 5.4 The authority in Article 5.3 above is subject to the following conditions being satisfied:
- 5.4.1 the remuneration or other sums paid to or for the benefit of the Assistant do not exceed an amount which is reasonable in all the circumstances;
 - 5.4.2 prior to any payment being made to the Assistant or for his or her benefit (other than in his or her capacity as a beneficiary) an appropriate written contract is concluded with the Assistant (or relevant person) on behalf of the Corporation containing the full details of his or her duties and obligations to the Corporation, the amount of remuneration payable to him or her and all other relevant terms and conditions and copies of all such contracts are retained by the Corporation for inspection by any authorised person;
 - 5.4.3 the other Assistants are satisfied that it is in the interests of the Corporation to contract with that Assistant (or relevant person) rather

than with someone who has no connection with the Corporation. In reaching that decision the Court shall balance the advantage of contracting with the Assistant (or relevant person) against the disadvantages of doing so (including the loss of the Assistant's services as a result of dealing with the Assistant's conflict of interests in accordance with this Charter);

- 5.4.4 a majority of the Assistants then in office are not benefiting from such payments or benefits;
- 5.4.5 the provisions of Article 6 of this Charter are observed in relation to any discussions or decisions of the Court concerning that Assistant's interest, his or her performance, remuneration or any variation of his or her remuneration;

and, in this Article, where Article 5.3 applies in respect of an Assistant indirectly, a relevant person is a person (other than the Assistant) who proposes to be engaged, enter into a contract with, lend money to or demise or let premises to the Corporation under Articles 5.4.2, 5.4.3, 5.4.4 or 5.4.5 as the case may be.

4. Commission Scheme dated 26 September 2012

The Commission Scheme dated 26 September 2012 brought into effect by the Order in Council dated 17 October 2012 is amended to state as follows:

18 Administrative amendments to this Charter

- 18.1 The Court may resolve that any provision of the trusts of the Corporation relating to any powers exercisable by the Court in the administration of the Corporation, or regulating the procedure to be followed in any respect in connection with the administration of the Corporation, should be modified in such manner as is specified in these Articles 18.1 to 18.4.
- 18.2 Any resolution of the Court under these Articles 18.1 to 18.4 must be approved by a further resolution which is passed at a general meeting of the Corporation either –
 - 18.2.1 by a majority of not less than two thirds of the Governors entitled to attend and vote at the meeting who vote on the resolution, or
 - 18.2.2 by a decision taken without a vote and without any expression of dissent in response to the question put to the meeting.
- 18.3 Where the required resolution has been passed the powers and procedures of the Corporation are to be taken to have been modified in accordance with the terms of the resolution and effective from the date of the further resolution passed at the general meeting in accordance with Article 18.2.1 or 18.2.2.
- 18.4 The Court must promptly send to the Privy Council and the Charity Commission a copy of the amendment made under

these Articles 18.1 to 04 and keep a copy of any such amendment with the Charter.

GENERAL

5. Questions relating to the Scheme

The Commission may decide any question put to it concerning:

- (a) the interpretation of this Scheme; or
- (b) the propriety or validity of anything done or intended to be done under it.