

FOLL EGM Q&As

Q	A	Notes
Why change?	<ol style="list-style-type: none"> 1. FOLL is an Association of individuals that has no legal identity of its own. Trustees are responsible for what they do in its name. 2. FOLL cannot own land or accept a permanent endowment in its own right (individual trustees could). 3. Additional responsibilities bring additional risks, which would fall on trustees individually if FOLL was to remain unchanged. 4. “Incorporation” permits us to hold land etc and protects trustees (in the way that a limited company provides protection for its directors). 	
What is a CIO?	<p>A Charitable Incorporated Organisation is a charity which has a legal identity of its own. It can own land and accept permanent endowments. It, rather than its trustees, is responsible for its liabilities (provided the trustees are not negligent).</p> <p>However, the Charities Commission requires the trustees of incorporated charities to submit more extensive annual reports on its activities and finances.</p>	
What’s in the name?	<p>We cannot stay as FOLL because the Charities Commission requires the CIO to be a new charity with a different name.</p> <p>Lavell’s Wetland Trust – we chose a name than reflects our continuing involvement with Lavell’s Lake but also recognises that we are becoming more than just a “friends of” group helping the Council.</p>	
What are the main changes between the FOLL and LWT constitutions?	<ol style="list-style-type: none"> 1. Following the Charity Commission’s recommended structure, it specifies how we operate in more detail than our existing constitution (and is ten times longer!). 2. But the charitable objects and membership provisions are essentially the same. 	
What happens to my membership?	<ol style="list-style-type: none"> 1. Memberships will transfer seamlessly from FOLL to LWT. 2. There will be no change in subscriptions at this time. 3. Bird news subscribers will continue to receive news, but from LWT. 	
Do I have to change the way I pay?	<p>Members will still be able to pay in the same ways as now – by standing order / bank transfer, by PayPal, by cheque or by cash. But some members will need to change things.</p> <ol style="list-style-type: none"> 1. If you pay be either Standing Order or Bank Transfer you will need to update your SO details to pay LWT, not FOLL. 2. Cheques should be made payable to Lavell’s Wetland Trust (LWT) 3. We will continue to use the same PayPal account – we have been told by PayPal that we can re-assign it to LWT. 	

	We will update everybody when the LWT account is open and full details will be posted on the LWT website.	
How will LWT be managed?	<ol style="list-style-type: none"> 1. The existing FOLL committee members will continue to manage LWT. 2. Five of the committee (essentially those responsible for administration) form the initial trustees, Fraser Cottington, Jane Campbell, Phil Kinch, Les Blundell, Renton Righelato. 3. At its first AGM, which will be in April/May/June next year, all five of the start-up trustees have to resign (but can offer themselves for re-election) and further trustees can be elected up to a maximum of twelve. 	
Why have all the existing FOLL committee members not been made trustees of LWT?	<ol style="list-style-type: none"> 1. The administrative responsibilities of trustees of a CIO are more onerous than those of an unincorporated charity and we felt that it was undesirable and unnecessary to impose them on everyone involved in the committee. More trustees can be appointed, if required. 2. As now, other members with key roles in LWT will participate in the committee (though as non-voting members). 	
Do I need to do a new Gift Aid declaration form for LWT?	No. We have approached HMRC and they have confirmed that the Gift Aid declarations that members have made in respect of FOLL will remain valid for LWT.	
What will happen to FOLL next?	FOLL will actually continue to exist for some time after 1 st August. There are things we still need to do, such as submit a final Gift Aid claim and to receive and pass on to LWT the further sums that get paid into the FOLL bank account. This will be overseen by the current FOLL trustees and when it is complete, FOLL charity will be dissolved.	
Will FOLL finish the Lavell's project?	We hope it will be finished by 1 st August. If not, LWT will take on responsibility for finishing it as part of the transfer of obligations, as well as assets, from FOLL.	
What will be the financial year	As now - January to December	
Why are we having our first AGM in May / June / July rather than January as FOLL had?	The January AGM for FOLL is not actually practical. FOLL used to have a year-end of October and its AGM in January – two months in between to prepare the accounts for the meeting. The year-end was changed to December, but the AGM was not put back, leaving only two weeks to do everything which is not realistic	