

Composite copy of the governing scheme dated 29 May 1991, as amended by s280 resolution dated 28 July 2016 and scheme dated 9 February 2021.

CHARITY COMMISSIONERS FOR ENGLAND AND WALES

SCHEME

THE CATENIAN ASSOCIATION BENEVOLENT AND CHILDRENS FUND

DATED 29TH MAY 1991

Sealed 29th May 1991

General charities: 1. The Catenian Association Benevolent Fund; 2. The Catenian Association Childrens Fund

Scheme including appointment of Trustees

CHARITY COMMISSION

In the matter of the following Charities:

1. The Charity called The Catenian Association Benevolent Fund, regulated by a declaration of trust dated the 1st September 1929;
2. The Charity known as The Catenian Association Childrens Fund; and

In the matter of the Charities Act 1960.

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES HEREBY ORDER that the following Scheme be approved and established as the scheme for the regulation of the above-mentioned Charities:-

SCHEME

1. Administration of Charities. The above-mentioned Charities and the property thereof specified in the schedule hereto and all other property (if any) of the Charities shall be administered and managed together as one Charity under the title of The Catenian Association Benevolent and Childrens Fund (hereinafter referred to as the Charity) subject to and in conformity with the provisions of this Scheme by the body of Managing Trustees hereinafter constituted.

2. Custodian Trustee. The body corporate called Catena Trustees Limited shall be the Custodian Trustee of the Charity.

MANAGING TRUSTEES

3. Managing Trustees. (1) The body of Managing Trustees shall consist when complete of nine competent persons who shall be appointed by [the Central Council]¹ of the Catenian Association (hereinafter referred to as the Appointing Council).

4. First Managing Trustees. The following persons shall be the first Managing Trustees and subject to the provisions hereinafter contained for determination of trusteeship shall hold office as if they had been appointed by the Appointing Council under this Scheme, for the following periods respectively:

Harry Yates, of Jardene, 90 Hall Lane, Hindley Wigan, in the County of Lancashire, and
Paul Vincent Delahunty, of 14 Netherwood Road, Northenden, in the County of Greater Manchester,

both for five years from the date of this Scheme;

¹ Amended by s280 resolution dated 28 July 2016

Philip Barnes, of 276 Newchurch Road, Rossendale, in the County of Lancashire, and
Herbert Murnaghan, of "Coach House", West Hill, Oxted, in the County of Surrey,
both for four years from the said date;

Michael James Cusack, of Wayside, Arden Road, Dorridge, Solihull, in the County of West
Midlands, and
Thomas Francis Kenealy, of 45 Orchard Road, Kingswood, in the County of Avon,
both for three years from the said date;

Paul St John Bamford, of Linksfield, 33 Red Lane, Claygate, in the County of Surrey, and
John Fry, of 13 Foxbury Close, Luton, in the County of Bedfordshire,
both for two years from the said date;

Richard Wallace Last, of 33 South Row, Blackheath, in the London Boroughs of Lewisham and
Greenwich,
for one year from the said date.

5. Declaration by Managing Trustees. No person shall be entitled to act as a Managing Trustee whether on a first or on any subsequent entry into office until after signing in the minute book of the Managing Trustees a declaration of acceptance and of willingness to act in the trusts of the Charity.

6. Determination of managing trusteeship. Any Managing Trustee who is absent from all meetings of the Managing Trustees during a period of one year and any Managing Trustee who is adjudged bankrupt or makes a composition or arrangement with his or her creditors or who is incapacitated from acting or who communicates in writing to the Managing Trustees a wish to resign shall cease thereupon to be a Managing Trustee.

7. Vacancies. Upon the occurrence of a vacancy the Managing Trustees shall cause a note thereof to be entered in their minute book at their next meeting and shall cause notice thereof to be given as soon as possible to the Appointing Council. Any competent Managing Trustee may be re-appointed.

MEETINGS AND PROCEEDINGS OF MANAGING TRUSTEES

8. Ordinary meetings. The Managing Trustees shall hold at least two ordinary meetings in each year.

9. First meeting. The first meeting of the Managing Trustees shall be summoned by the said Richard Wallace Last or if he fails for three calendar months after the date of this Scheme to summon a meeting by any two of the Trustees.

10. Chairman. The Managing Trustees at their first ordinary meeting in each year shall elect one of their number to be chairman of their meetings until the commencement of the first ordinary meeting in the following year. The chairman shall always be eligible for re-election. If at any meeting the chairman is not present within ten minutes after the time appointed for holding the same or there is no chairman the Managing Trustees present shall choose one of their number to be chairman of the meeting.

11. Special meetings. A special meeting may be summoned at any time by the chairman or any two Managing Trustees upon not less than four days' notice being given to the other Managing Trustees of

the matters to be discussed. A special meeting may be summoned to take place immediately after an ordinary meeting.

12. Quorum. There shall be a quorum when four Managing Trustees are present at a meeting.

13. Voting. Every matter shall be determined by the majority of votes of the Managing Trustees present and voting on the question. In case of equality of votes the chairman of the meeting shall have a casting vote whether he or she has or has not voted previously on the same question but no Managing Trustee in any other circumstances shall give more than one vote.

14. Minutes and accounts. A minute book and books of account shall be provided and kept by the Managing Trustees. Statements of account in relation to the Charity shall be prepared and transmitted to the Charity Commissioners in accordance with the provisions of the Charities Act 1960, except if and in so far as the Charity is excepted by order or regulations.

15. General power to make regulations. Within the limits prescribed by this Scheme the Managing Trustees shall have full power from time to time to make regulations for the management of the Charity and for the conduct of their business including the summoning of meetings, the appointment of a clerk, the deposit of money at a proper bank and the custody of documents and the appointment of one or more committees (including an Investment Committee) or sub-committees to advise on or carry out such functions as the Managing Trustees may direct which committees or sub-committees may include members who are not Managing Trustees provided always that-

- (i) the number of Managing Trustees serving on such committee or sub-committee shall always exceed the number of those who are not Managing Trustees;
- (ii) no decision of such committee or sub-committee shall be effective unless the votes of the Managing Trustees serving on the committee or sub-committee and voting in favour of such decision exceeds the number of votes (if any) of the Managing Trustees so serving and voting against such decision;
- (iii) this power to appoint committees or sub-committees shall not extend to any decision as to benefit (an Emergency Benefit Committee being provided for in paragraph 19 below);
- (iv) all acts and proceedings of any such committee or sub-committee shall be reported as soon as reasonably possible to the Managing Trustees.

INVESTMENT

16. Powers of investment (1) All investments belonging to the above-mentioned Charities which are at the date of this Scheme invested in Narrower Range Investments within the meaning of the Trustee Investment Act 1961 and any cash or other property realised from a sale of such investments shall henceforth be capable of investment in such Narrower Range Investments.

(2) All investments belonging to the above-mentioned Charities which are at the date of this Scheme invested in Wider Range Investments within the meaning of the Trustee Investment Act 1961 and any cash or other property realised from a sale of such investments shall henceforth be capable of investment in such Wider Range Investments.

Provided that any property whether real or personal or the proceeds of such property or cash not required for immediate working purposes accruing to the Charities other than by way of a sale as aforesaid after the date of this Scheme shall in the absence of any special powers of investment relating to such property be invested:-

- a) As to one-quarter thereof in Narrow Range Investments within the meaning of the Trustee Investment Act 1961, and
- b) As to three-quarters thereof in Wider Range Investments within the meaning of that Act.

BENEFIT OF CHARITY

17. Expenses of management. The Managing Trustees shall first defray out of the income of the Charity all the proper costs, charges and expenses of and incidental to the administration and management of the Charity.

18. Benefit of Charity. [Subject to the payment of the expenses aforesaid, the Managing Trustees shall apply the income of the Charity and, at their discretion, the whole or any part of its capital in:

- a) relieving need amongst members of the Catenian Association, the dependants of members of the Catenian Association, the dependants of former members of the Catenian Association and the dependants of deceased members of the Catenian Association, who are (in each case) in conditions of need, hardship or distress (the "**Primary Class of Beneficiaries**"), by making grants of money or providing loans, whether secured or unsecured and either without interest or at such rate of interest as the Managing Trustees may decide, or providing items, services or facilities calculated to reduce the need, hardship or distress of such persons (whether by payment for or towards or reimbursement of all or part of the cost of such items, services or facilities, or otherwise);
- b) if and to the extent to which the resources of the Charity are not used for the purpose set out in a), relieving need, hardship or distress among other members of the public, by supporting such Roman Catholic charities as the Managing Trustees may select, in particular by making grants of money or providing loans, whether secured or unsecured and either without interest or at such rate of interest as the Managing Trustees may decide; and
- c) if and to the extent to which the resources of the Charity are not used for the purposes set out in a) and b), relieving need, hardship or distress among other members of the public by supporting such other charities as the Managing Trustees may select, in particular by making grants of money or providing loans, whether secured or unsecured and either without interest or at such rate of interest as the Managing Trustees may decide.

PROVIDED ALWAYS that

- (1) Such relief may include the assistance of members of the Primary Class of Beneficiaries to pursue or continue a course of education or training which, but for such assistance (and in the case of a dependant in the absence of funding being available from the family or other sources), the recipient could not without hardship or difficulty afford (including payments for or towards fees, expenses, maintenance or travel).
- (2) Such relief may include assistance with the funeral costs of deceased persons who in life were members of the Primary Class of Beneficiaries.
- (3) The expression "dependant " shall include:
 - a) a wife or former wife or child of a member, former member or deceased member of the Catenian Association (including a foster child or other child treated by the member, former member or deceased member as a child of his family);
 - b) any other person who:
 - (i) in the case of a dependant of a member or former member, is at the time of the payment by the Charity dependent for his or her maintenance either wholly or partly upon the member or former member of the Catenian Association; or
 - (ii) in the case of a dependant of a deceased member, was prior to his death dependent for his or her maintenance either wholly or partly upon the deceased member of the Catenian Association, and;

- c) any other person, who, at any date considered by the Managing Trustees (or a committee of them) to be a relevant date, is or was dependent either wholly or partly for his or her maintenance upon a member, former member or deceased member of the Catenian Association.
- (4) In all cases, the provision of assistance will be at the sole discretion of the Managing Trustees, who shall require to be satisfied wherever relevant that there are no other adequate sources of funding available]².

GENERAL PROVISIONS

19. Appropriation of benefits. The appropriation of the benefits of the Charity shall be made by the Managing Trustees at meetings of their body and not separately by any individual Managing Trustee or Managing Trustees: Provided that the Managing trustees from time to time may appoint two or more members of their body to be a committee for dealing with any cases of emergency but all acts and proceedings of Committees shall be reported in due course to the Trustees.

20. Managing Trustees not to be personally interested. No Managing Trustee shall take or hold any interest in property belonging to the Charity otherwise than as a Managing Trustee for the purposes thereof and no Managing Trustee shall receive remuneration, or be interested in the supply of work or goods at the cost of the Charity.

21. Charity not to relieve public funds. The Trustees shall not apply income of the Charity directly in relief of rates, taxes or other public funds but may apply income in supplementing relief or assistance provided out of public funds.

22. Questions under Scheme. Any question as to the construction of this Scheme or as to the regularity or the validity of any acts done or about to be done under this scheme shall be determined by the Commissioners upon such application made to them for the purpose as they think sufficient.

² Amended by scheme dated 9 February 2021.

SCHEDULE

Charities numbered 1 and 2 above

The following investments standing in the name of Cantena Trustees Limited:-

Wider range

23,000 Granada Group PLC 7.5p Non Transferable Convertible Redeemable Stock.
72,000 British Aerospace PLC 7.75p net Convertible Redeemable Stock.
22,598 Tarmac PLC Ordinary Shares of 50p each.
23,000 British Steel PLC Ordinary Shares of 50p each.
9,000 BTR PLC Ordinary Shares of 25p each.
7,000 RTZ Corporation Ordinary Shares of 10p each.
5,000 Bass PLC Ordinary Shares of 25p each.
8,782 Grand Metropolitan PLC Ordinary Shares of 50p each.
4,500 Unilever PLC Ordinary Shares of 5p each.
14,000 Sainsbury J PLC Ordinary Shares of 25p each.
7,500 Glaxo Holdings PLC Ordinary Shares of 50p each.
7,027 Smithkline Beecham A PLC Ordinary Shares of 25p each.
4,300 Carlton Communications PLC Ordinary Shares of 5p each.
25,194 Hanson PLC Ordinary Shares of 25p each.
6,000 Cable and Wireless PLC Ordinary Shares of 50p each.
15,000 Shell Transport and Trading Company PLC Ordinary Shares of 25p each.
32,000 F and C Pacific Investment Trust PLC Ordinary Shares of 25p each.
2,350 Tandem Computers Shares.
27,000 Great Portland Estates PLC 9.5% Convertible Stock 2002.
53,000 British Aerospace PLC 7.75p net Convertible Redeemable Stock.
22,598 Tarmac PLC Ordinary Shares of 50p each.
15,000 British Steel PLC Ordinary Shares of 50p each.
9,000 BTR PLC Ordinary Shares of 25p each.
10,000 Unilever PLC Ordinary Shares of 5p each.
10,000 Sainsbury J PLC Ordinary Shares of 25p each.
6,000 Glaxo Holdings PLC Ordinary Shares of 50p each.
7,027 Smithkline Beecham A PLC Ordinary Shares of 25p each.
24,418 Hanson PLC Ordinary Shares of 25p each.
4,000 Cable and Wireless PLC Ordinary Shares of 50p each.
15,000 Shell Transport and Trading Company PLC Ordinary Shares of 25p each.
10,000 F and C Pacific Investment Trust PLC Ordinary Shares of 25p each.
2,350 Tandem Computers Shares.

Narrower-range

£30,000 8^{3/4}% Treasury Loan 1997.
£104,000 8% Treasury Loan 2002-2006.

£30,000 Great Portland Estates PLC 9.5% Convertible Stock 2002.

£30,000 Reckitt and Colman PLC 9.5% Convertible Stock 2005.

£30,000 8^{3/4}% Treasury Loan 1997.

£88,000 8% Treasury Loan 2002-2006.

£30,000 Reckitt and Colman PLC 9.5% Convertible Stock 2005.

£50,156.73 cash on deposit account at the Grosvenor Gardens branch of Royal Bank of Scotland pic,
being accumulations of income.

£3,877.40 cash on current account at the said branch of the said bank.

This schedule is made up to the 31st January 1991.

Sealed by Order of the Commissioners this 29th day of May 1991.

NOTE

This note has no legal force as part of the scheme but indicates ways in which income may properly be applied for the relief of people in need.

Relief in Need

1. Charities for relief in need operate in the same field as statutory social services. Trustees who administer such charities should not normally give aid until they are satisfied that the potential beneficiary has obtained all the relevant statutory benefits to which he has a claim and should be careful to avoid abating the statutory benefits. Trustees should accordingly acquaint themselves with the system of social benefits, the effect upon such benefits of grants from charitable sources, and the gaps in statutory provision which can be filled by charitable services or facilities for those in need. Leaflets describing the statutory benefits available for the elderly, disabled, sick, unemployed, those on low incomes and single parent families can be obtained from local offices of the Department of Social Security.

2. By consulting officers in the local Social Security offices and in the Social Services department of the local authority trustees will be able to learn what assistance and services these authorities can give in particular circumstances whether by way of special grants or otherwise and may also discover people living within the charity's area of benefit who have needs which the statutory services do not meet in full. In this way trustees can also ensure that an allowance from the charity or the provision of some item or facility will not affect any statutory benefits.

3. It is for the charity trustees to decide whether need exists in any particular case. The receipt of statutory benefits may be an indication of need but is not a decisive factor in itself. People receiving such benefits may need additional help from charitable funds. But it must be borne in mind that those who are not receiving statutory benefits may also need help.

4. Charity trustees proposing to give immediate aid in cases of emergency should take into account any arrangements made by the statutory authorities to provide essential services in such an emergency and should ascertain, so far as circumstances permit, that emergency relief is not available from public funds.

5. Trustees may either pay directly for the benefits they provide, or give money to beneficiaries to pay for benefits, or they may make arrangements for the benefits to be provided by other organisations in return for subscriptions or donations.

6. The scheme gives the trustees a wide choice in the sort of relief that they can give out from the income of the charity so long as the need is clear. Relief must be given only to assist people who are eligible under the scheme, must be related to the need in each case, and must be reasonable in the circumstances, taking into account any relief available from other sources. Some examples follow and others may occur to trustees:

i) Grants of money in the form of –

(a) weekly allowances for a limited period to meet a particular need,

(b) special payments to relieve sudden distress,

(c) payment of travelling expenses for visiting people in hospital, convalescent homes or similar institutions, or in children's homes, or in prison or other correctional establishments, particularly where more frequent visits are desirable than payments from public funds will allow; and payments to meet consequential expenses of accommodation, refreshments, child-minding etc.,

(d) payments to other charities accommodating those in need in the area of the charity such as almshouses, or homes or hostels for the residence or care of old, infirm, or homeless people,

(e) payments to assist in meeting electricity and gas bills,

(f) payment of television licence fees.

ii) The provision of items either outright or, if expensive and appropriate, on loan such as –

- (a) furniture, bedding, clothing, food, fuel, heating appliances,
 - (b) washing machines for widows with large families or radio or television sets for the lonely, bedridden or housebound.
- iii) Payment for services such as house decorating, insulation and repairs, laundering, meals on wheels, outings and entertainments, child-minding.
- iv) The provision of facilities such as –
- (a) the supply of tools or books or payment of fees for instruction examinations or of travelling expenses so as to help the recipients to earn their living, or
 - (b) arrangements for a recuperative holiday or change of air.

Further examples follow of the sort of additional help that can be given when those in need are also sick, convalescent, disabled, handicapped or infirm, whether mentally or physically

- v) Grants of money in the form of:
- (a) special payments to relieve sickness or infirmity,
 - (b) payment of travelling expenses on entering or leaving hospital convalescent homes or similar institutions, or for out-patient consultation,
 - (c) payment towards the cost of adaptations to the homes of the disabled,
 - (d) payment of telephone installation charges and rentals.
- vi) The provision of items either outright or, if expensive and appropriate, on loan, such as –
- (a) food for special diets, medical or other aids, nursing requisites comforts,
 - (b) invalid chairs for the disabled, handicapped or infirm.
- vii) The provision of services such as bathing, exchange of library books, foot care, gardening, hair washing, shaving, help in the home, nursing aid, physiotherapy in the home, reading, shopping, sitting-in, tape-recording for the housebound, travelling companions.
- viii) The provision of facilities such as arrangements for a period of rest or change of air or to secure the benefits of any convalescent home or other institution or organisation or to provide temporary relief for those having the care of the sick or handicapped person: help for relatives and friends to visit or care for patients: transport.