

Fishbourne Playing Fields Association - Proposed Dissolution Clause

1. Voluntary winding up or dissolution

- 1.1 As provided by the Dissolution Regulations, the CIO may be dissolved by resolution of a general meeting. Any decision to wind up or dissolve the CIO can only be made at a general meeting of the CIO called in accordance with clause **Error! Reference source not found.** (*Notice of general meetings*), of which not less than 14 days' notice has been given to members of the CIO:
 - 1.1.1 by a resolution passed by a 75% majority of those members voting, or
 - 1.1.2 by a resolution passed by decision of members taken without a vote and without any expression of dissent in response to the question put to the general meeting.
- 1.2 Subject to the payment of all the CIO's debts:
 - 1.2.1 any resolution for the winding up of the CIO, or for the dissolution of the CIO without winding up, may contain a provision directing how any remaining assets of the CIO shall be applied;
 - 1.2.2 if the resolution does not contain such a provision, the charity trustees must decide how any remaining assets of the CIO shall be applied;
 - 1.2.3 in either case the remaining assets must be applied for charitable purposes the same as or similar to those of the CIO. **The selection or creation of an appropriate charity to receive the remaining assets will be the responsibility of Fishbourne Parish Council.**
- 1.3 The CIO must observe the requirements of the Dissolution Regulations in applying to the Charity Commission for the CIO to be removed from the Register of Charities, and in particular:
 - 1.3.1 the charity trustees must send with their application to the Charity Commission: .
 - (a) a copy of the resolution passed by the members of the CIO;
 - (b) a declaration by the charity trustees that any debts and other liabilities of the CIO have been settled or otherwise provided for in full; and
 - (c) a statement by the charity trustees setting out the way in which any property of the CIO has been or is to be applied prior to its dissolution in accordance with this constitution;
 - 1.3.2 the charity trustees must ensure that a copy of the application is sent within seven days to every member and employee of the CIO, and to any charity trustee of the CIO who was not privy to the application.
- 1.4 If the CIO is to be wound up or dissolved in any other circumstances, the provisions of the Dissolution Regulations must be followed.