

APPENDIX

SCHEME FOR THE ADMINISTRATION OF THE CHARITY PRESENTLY CALLED THE BOXMOOR ESTATE SITUATED AT HEMEL HEMPSTEAD

TRUSTEES

Trustees

- (a) (a) Subject to clause 7 of this Scheme the body of Trustees when complete shall consist of twelve competent persons who shall be elected in accordance with the provisions of this Scheme.
- (b) The Trustees must be electors as defined in this Scheme.

Transitional Provisions and First Trustees

- (a) (a) The first Trustees for the purposes of this Scheme shall be those Trustees of the Charity holding office on the date that this Scheme is given effect by an Order of the Secretary of State under section 17(2) of the 1993 Act and who shall (subject to clause 9(c)(i) to (v) of this Scheme) hold office for life.
- (b) All vacancies in the trusteeship of the Charity occurring after the date of this Scheme shall be filled by election as hereinafter provided.

Declaration by Trustees

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

Termination of Trusteeship

- (a) (a) At every election held under the provisions of clause 11 of this Scheme, one quarter of the elected Trustees, or if their number is not a multiple of four, the number nearest to one quarter, shall retire from office. The elected Trustees to retire shall be those who have been longest in office since their last appointment or re-appointment; but as between persons who were last appointed or re-appointed on the same day those to retire shall (unless they otherwise agree among themselves) be determined by lot. Subject to clause 11(d) of this Scheme any competent Trustee shall be eligible for re-election.
- (b) For the avoidance of doubt, in calculating the fraction of one quarter in sub-clause (a) above:
 - (i) those Trustees serving for life shall not be required to retire and shall not be included in the total number of Trustees;
 - (ii) those Trustees who have ceased to be Trustees by virtue of sub-clause (c) below shall not be included in the total number of Trustees; and
 - (iii) if the number of Trustees is five or less, one Trustee shall retire; if the number of Trustees is between six and nine inclusive, two Trustees shall retire; and if the number of Trustees is between ten and twelve inclusive, three Trustees shall retire.
- (c) A Trustee shall cease to be a Trustee if he or she:–

Draft Legislation: This is a draft item of legislation and has not yet been made as a UK Statutory Instrument.

- (i) is disqualified from acting as a Trustee of a charity by virtue of section 72 of the 1993 Act;
- (ii) becomes incapable (in the opinion of the Trustees) by reason of illness injury or mental disorder of managing his or her own affairs;
- (iii) is absent without permission of the Trustees from all their ordinary meetings held within a period of six months and the Trustees resolve that his or her office be vacated;
- (iv) gives not less than one month's notice in writing of his or her intention to resign (but only if at least the required quorum of Trustees will remain in office when the notice of resignation takes effect);
- (v) ceases to be an elector; or
- (vi) reaches the age of 75 and is not a Trustee serving for life.

Vacancies

10. Upon the occurrence of a vacancy the Trustees shall cause a note thereof to be entered in their minute book at their next meeting.