

St Thomas Syro Malabar Catholic Church Bristol

Charity Company

INTERNAL LAW

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1. Introduction

This document is intended to give a description of the concept, formation and current set up of the company STSMCCB. It exists and operates abiding by the Articles of Association for Charitable Companies Act, Syro-Malabar Major Archiepiscopal Church England and Wales rules as published on 11/01/2015, and the INTERNAL LAW set out in paragraph 2 to 16 of this document.

2. The Formation of STSMCCB Charity Company

It was the desire of the members of the Syro-Malabar Catholic Church Bristol to own a place to come together for worship and to conduct faith related activities, especially to provide faith formation to younger generation. After many discussions and consultations, at the level of *Prathinidhiyogam* and the *Pothuyogam*, the decision to form a charitable company for the purpose of buying a suitable property was taken. Necessary permissions were given by the Bishop of Clifton, Bishop Declan Lang and Syro Malabar Bishop for migrants, Bishop Sebastian Vadakkal and legal consultation was taken from Deacon David A. Palmer, BA, FCA, CTA, and MCIPD to register the charity company with the Companies House.

3. STMCCB Charity Company – Current Setup

After discussions with Deacon David Palmer, the best advice was to form a company with minimum member of members and then to register it as a charity. Below are the details of the current set up of STSMCCB

Name of the Charity Company	ST THOMAS SYRO MALABAR CATHOLIC CHURCH BRISTOL
Registered address of the Company	ST JOSEPHS PRESBYTERY 232 FOREST ROAD FISHPONDS BRISTOL BS16 3QT
Company Number	09288800
Date of Incorporation	30/10/2014
Charity Number	1160432
Date of charity Registration	11/02/2015
Initial Members/Directors	<ol style="list-style-type: none">1. Rev Fr Thomas Parayadiyil (Syro Malabar Church co-ordinator England & Wales)2. Rev Fr Paul Vettikkattu,(Chaplain of STSMCC Bristol)3. Siji Sebastian,(then Custodian of STSMCC Bristol)

Governing document	Memorandum and articles incorporated on 30 Oct 2014
Bank Name	HSBC
Sort Code	40-14-14
Account Number	82103516
Bank Address	27 Gloucester Road North, Filton, Avon, BS7 0SQ, Bristol

4. Objectives of Charity Company STSMCCB

The objectives of Charity Company set out at the initial registration.

The advancement of the Catholic faith and Christian beliefs for the benefit of the public in accordance with the statements of beliefs of the Roman Catholic Church and Syro-Malabar Catholic Church in particular by:

1. The organisation of the celebration of sacraments and religious services, prayer meetings, missions and similar events.
2. The training of individuals and groups and the production and distribution of literature and the broadcasting of information using modern media to enlighten others about the catholic faith.
3. The acquisition and maintenance of land and buildings which are to be used primarily for the above purposes and available for hire or use by other community groups.
4. Any other related activities which support the promotion of Christian beliefs in the UK or overseas, including donations to individuals or organisations engaged in the promotion of the Christian faith.

5. Additional to initial Members/Directors

5.1 At meeting held on 09/05/2015 with *Pradhinidhiyogam* and initial three Directors, it was decided that the number of Members/Directors can be increased from the current number of three to seven. Three new Members/Directors other than Ex officio directors are to be selected/elected and the selection/election criteria was set out to appoint them from *Pothuyogam*.

5.2 If a Deacon or a Nun is available serving STSMCCB, then one of them is to be appointed as Director and the remaining two members are to be elected by following the election process from *Pothuyogam*.

5.3 At any given time any one of the directors selected/elected by the *Pothuyogam* should be a Lay Female practicing and living according to Syro-Malabar Faith.

5.4 In the absence of a Deacon or a serving Nun at STSMCCB, then all the 3 new directors are to be selected/elected from the *Pothuyogam*, again at any time any one of the new directors elected should be a Lay Female practicing and living according to Syro- Malabar Faith.

Directors
1. Syro Malabar Church Co-coordinator England & Wales(Ex officio)
2. Chaplain of STSMCC Bristol(Ex officio)
3. Custodian 1 of STSMCC Bristol(Ex officio)
4. Custodian 2 of STSMCC Bristol(Ex officio)
5. Elected Member from Pothuyogam
6. Elected Member from Pothuyogam
7. Elected Female Member from Pothuyogam

5.5 So as per the above decision at *Pothuyogam*, an election was conducted and the list of seven directors are as below.

Name	Position
Rev Fr Thomas Parayadiyil	Syro Malabar Church co-ordinator England & Wales
Rev Fr Paul Vettikkattu	Chaplain of STSMCC Bristol
Siji Sebastian	Custodian 1 of STSMCC Bristol
Johnson Mathew	Custodian 2 of STSMCC Bristol
Saliamma Joseph (Sr.Leena Mary)	Sister in charge STSMCCB
Jomy John	Elected Member from Pothuyogam
Rossily Sebastian	Elected Female Member from Pothuyogam

6. Criteria for Director/Member Candidate

The criteria for director need to follow the article 27 of Charity Memorandum and should be a practicing Syro-Malabar Faithful abiding the rules and regulations of the Syro Malabar Major Archiepiscopal Church England and Wales as published on 11/01/2015.

7. Term of Members/Directors

7.1 All Ex officio directors and members - during the term of their office.

7.2 For all other Directors and members - one year and are eligible for reelection in the *Pothuyogam*.

8. Governing Rules and Regulations of STSMCCB

The Charity Company STSMCCB shall be governed by the laws below.

Charity Governing document /and Other Governing Laws.	1. Charity Memorandum and articles incorporated 30 Oct 2014
	2. Rules and regulations of the Syro Malabar Major Archiepiscopal Church England and Wales as published on 11/01/2015
	3. STMCCB Charity Company Internal Law, set out in this document.
	4. All Decisions made must honor the directives given by Bishop of Clifton where STSMCCB operates.

Any decision made should be based on the latest version of above Governing documents

9. Functioning and Decision Making

To achieve the objectives of the Charitable Company, Directors shall adhere the following.

1. *Pratinidhiyogam* of STSMCC shall be the consultative body to the board of directors.

All the major decisions (eg. bank loans, buying and selling a property, construction etc.) shall be done in consultation with '*Pothuyogam*'.

2. *Pothuyogam* & *Pratinidhiyogam* of STSMCC Bristol shall follow the procedure rules for the general body and parish council dated 11th January 2015.

10. Contributions to STSMCCB Charity Account.

10.1 All contributions to the charity account is voluntary and without compulsion.

10.2 Any contributions made to this account cannot be reverted to the donor at any cause subject to sub paragraph 5 below (Paragraph 10.5) of this document.

10.3 No distinction shall be made between people who contribute, more, less or do not contribute.

10.4 A voluntary contribution of £50 was suggested at the *pothuyogam* which can be an initial norm to start the contribution towards the primary aim of the charity ie to buy/ acquire a place, but the individual can contribute any voluntary amount as he feels.

10.5 According to the charity law of Specific project funds, the contributions can be returned to the donor in case of the failure of the project. By the end of the year 2020, the Pothuyogam will make an assessment of the project and decisions will be made accordingly. Any refunds will be made in accordance with the rules and regulations of the HMRC and Charity Commission, England and Wales at that time.

11. Use of Funds in STSMCCB Charity Account

The funds collected in the charity account can be utilized only as below:

1. The funds raised in STSMCCB Charity account can be used to buy, acquire or to provide deposit to own a suitable place with adequate parking and other amenities for Bristol STSMCC faithful to come together and worship God.

2. Funds raised in the above account can be used to buy, owning or maintenance purposes of the offered property and premises.

3. When Bristol STSMCC faithful are in possession of a Church/Place of worship, any future funds coming into the above account can be used for building maintenance, building modifications and day to day running of Bristol STSMCC, in relation to objectives set out in charity company objectives of Bristol STSMCC.

4. In the unlikely event of Bristol STSMCC faithful not being able to purchase a property, the funds in the above account can be re-invested and the interest on such investment only can be used for day today running of Bristol STSMCC in relation to objectives set out in Charity company objectives of STSMCCB.

12. Future Amendments/Inclusions to STSMCCB INTERNAL LAW

12.1 Any amendments to the STSMCCB INTERNAL LAW should follow the approval process set out in Functioning and Decision Making in this document.

12.2 These laws are not exhaustive and is subject to the inclusion of new laws from time to time which is essential for the smooth progress and functioning of the Church project.

13. STSMCCB Finance Committee

13.1 There shall be a separate Finance Committee to manage the Financial affairs of the Charitable Company STSMCCB in accordance with the Charity rules and regulations set out in section "Governing Rules and Regulations of STSMCCB" in this document.

13.2 Finance committee shall consist of STSMCC Bristol Chaplain, one of the other Directors, 2 qualified persons elected by the '*Pratinidhiyogam*' from among themselves or from the Syro Malabar church Bristol members. One of the Finance Committee members shall be responsible for the maintenance of books and records and any HMRC dealings. Strict financial procedures such as issue of receipts and maintenance of books shall be followed by the Finance Committee.

13.3 Until STSMCCB is in possession of a Church/Place of worship, the current day to day running account of STSMCCB can remain separate, after which the two accounts could be merged.

14. Accounts and Audit

14.1 Internal auditor and Independent Examiner shall be suggested by *Pothuyogam* or *Pratinidhiyogam* and subsequently appointed by the board of directors.

14.2 Audited and approved Accounts shall be submitted to relevant Authorities.

15. Syro Malabar Diocese in UK/ Europe

When Holy Sea approves the formation of a Syro Malabar Diocese either in Europe or in the UK, and when it is fully functioning, at that time STSMCCB Charity company, shall be a parish of the newly formed diocese and all assets of STSMCCB shall be transferred to such Syro-Malabar Diocese following the charity governing rules.

16. Copy of the first Particular Laws as approved by Bishop Vadakel

Particular Laws concerning STSMCCB

The following rules and regulations were stipulated and approved at the meeting with Bishop Mar Sebastian Vadakel, Rev. Fr. Thomas Parayadiyil, the Syro-Malabar Church national co-ordinator, Fr. Paul Vettikkattu, STSMCC Chaplain and the members of the STSMCC *Prathinidhiyogam* on 09.05.2015.

The long cherished desire of the members of the Syro-Malabar Catholic Community Bristol is being started by registering it as a St Thomas Syro-Malabar Catholic Church Bristol (Charity No : 1160432).

Charitable company -St Thomas Syro-Malabar Catholic Church (STSMCC) was started with the following three members and Directors.

- 1. Rev Fr Thomas Parayadiyil, Syro Malabar Church co-ordinator England & Wales***
- 2. Rev Fr Paul Vettikkattu, Chaplain of STSMCC Bristol***
- 3. Siji Sebastian, the then Custodian of STSMCC Bristol***

Following shall be the structure of the Charitable Company.

Number of Members & Board Directors shall be 7 as follows

- 1. Syro Malabar Church co-ordinator England & Wales (Ex officio)***

2. Chaplain STSMCC Bristol (Ex officio)

3. Two Custodians of STSMCC Bristol (Kaikkaran) (Ex officio)

4. Three member from 'Pothuyogam' out of which of at least one shall be a female member.

The tenure of the directorship and membership shall be as follows

1. Ex officio directors and members - during the term of their office

2. For all other Directors and members - one year and are eligible for re election by the Pothuyogam.

Rules and Regulations

The Charity Company shall follow all applicable rules and regulations applicable to such companies and the rules and regulations of the Syro-Malabar Major Archiepiscopal Church England and Wales as published on 11/01/2015.

The Functioning of the Charitable Company

To achieve the objectives of the Charitable Company, Directors shall follow the following.

'Pratinidhiyogam' of STSMCC shall be the consultative body to the board of directors.

All the major decisions (eg. buying and selling a property, construction, etc) shall be done in consultation with 'Pothuyogam'.

'Pothuyogam' & 'Pratinidhiyogam' of STSMCC Bristol shall follow the procedure rules for the general body and parish council dated 11th January 2015

Finance Committee

There shall be a Finance Committee to manage the financial affairs of the Charitable Company in accordance with the Charity rules and Church procedures. Finance committee shall consist of STSMCC Bristol Chaplain, one of the other Directors, 2 qualified persons elected by the 'Pratinidhiyogam' from among themselves or from the Syro Malabar church Bristol members. One of the Finance Committee members shall be responsible for the maintenance of books and records. Strict financial procedures such as issue of receipts and maintenance of books shall be followed by the Finance Committee.

Internal Audit and Independent Examination of Accounts

Internal auditor and Independent Examiner shall be elected by 'Pothuyogam' and subsequently appointed by the board of directors.

Contributions

All contributions from the church members shall be collected kept in accordance with the Charity rules. The fund shall be used only for the objectives of the Charity Company.

An account has been opened with HSBC bank, Filton (A/c no: 82103516, Sort Code: 40-14-14). Since this is a charitable company we can claim the gift aid from HMRC which is 25% of

the amount donated by a tax payer in UK. As per the directives of the Syro-Malabar Church authorities the initial Directors are 1) Rev Fr Thomas Paradayil, co-coordinator of Syro-Malabar Church England & Wales. 2. Rev Fr Paul Vettikkattu, Chaplain of STSMCC Bristol. 3. Siji Sebastian, the then Custodian of STSMCC Bristol.

Transfer of Assets

At the time of the formation of the Diocese for Syro Malabar Church for UK/ Europe, all belongings of the Charitable Company shall be transferred to the Syro Malabar Diocese as per the Charity Rules.

17. Useful Links

Item	Links
Memorandum of association	https://www.gov.uk/government/publications/give-notice-of-subscribers-company-not-having-share-capital
Charities Act 2011 Web Site	http://www.legislation.gov.uk/ukpga/2011/25/contents
Company Accounts Page For STSMCCB	http://www.companiesaccounts.com/company/09288800
Company Search at Company House (Search for St Thomas Syro Malabar Catholic Church Bristol)	http://wck2.companieshouse.gov.uk//wckframe?name=accessCompanyInfo
Charity Company Details Online	http://m.openelectiondata.org/charities/1160432

18. Acronyms

1. STSMCCB - St Thomas Syro Malabar Catholic Church Bristol.