



Minutes of Statutory Assembly held 11th December 2019 at 2pm
Archangel Michael Hospice Cafeteria

Present

Keith Wallace Chairman SMHC

Keith Smith Trustee Shops Coordinator SMHC

Andrew Lauder Trustee Vice Chairman SMHC

Chris Peet Trustee Treasurer SMHC

Kay Boyd Platt Trustee Secretary SMHC

Surname First.....

Allen Ann

Ambrose Tony

Friend Ann

Halkett Carole

Ingram Linda

Lesley Susan

Mc Donald Cameron

Mc Donald Kathleen

Newman Barbara

Piper Brown John

Richards Marian

Rose Sheila

McLellan Margaret

Sheepwash Val

Daly Richard

Rose Ronald

Murphy Michael

Georgiou Marilyn

White Marlene

Alcock Francis

White David C

Hill Maggie

Hogan Dermot

Andronike Triona

Kennedy Fr Jim

Argyropoulos Cath

Collins Kay

Theocharides Mona

Christodoulou Rafaella

Wilson Ian

Allcock Karen

McGough Sue

Hadjikyriacou Charlotte

Runyard Chris

Truscott Jeanette

Burdon Wendy

Mott Ruth N

Fitzgerald Daryl

Fitzgerald Anna

Flores Fernando

Harward Peter

Harward Fiona

Roberts Paula

Ferrero Fr Carlos

Richards David

Pitt Lynn

Verni Pablo

Wilcockson Margaret

Dake Nikki

Ecclestone Geoff

Hurrell Brian

Eldred John

Watkinson William

De Silva Thamara

Kapetanos Yiannis

Bennett Gunda

Pitt Morag

Pitt Douglas

Washington Ros

Straughan Sandie

Brace Andy

Shields Ricky

Lauder Margaret

The meeting was preceded by a presentation of flowers from the Chairman and Trustees to our wonderful Shop Managers, Barbara Newman, Sue Lesley, Ann Friend and Marian Richards. A gift was presented to John Piper Brown Shop Manager. This to show appreciation for all their hard work in raising money to go to AMH.

The meeting was then declared open.

The Chairman Keith Wallace explained to the assembly that this was a Statutory Assembly with one item only on the Agenda, to agree to ratify the original Statute in line with the law.

It was explained that in spite of SMHC having had various Constitutional Documents accepted in law by the Ministry of Finance, and having been accepted as a proper Charitable Association, this matter had now come under the jurisdiction of the Ministry of the Interior, who did not accept any of the previous documents as legally acceptable, and we were therefore returning to grass roots. Those who are members of various Associations agreed that this was the situation for most Associations in Cyprus currently, and it was most unfortunate that this was having to be rushed through before the end of the Financial Year, and therefore just before Christmas. The Chairman apologised for the inconvenient timing of this meeting.

The reason for signing every member present was explained in that we were returning to the beginning, and starting over with properly registered voting members. Only those members present and fully paid up would be allowed to vote, but members may join at any time by fully completing the Membership Form, and paying their dues. All voting members will have to apply to the Secretary, and the Secretary will at regular intervals register all voters with the Ministry of Interior, equally, leavers or non paid-up members will have to be removed.

Only voting members may vote, all other supporters may join as voting members, or remain as supporters with no voting rights.

Sheila Rose asked a question about ongoing membership, it was explained as above, that anyone could apply to join at any time via the Secretary provided they completed the form and paid their dues.

Fr Carlos Ferrero pointed out the wording of Article 4. That the objective and aim of the friends, close assistants, collaborators and supporters was to stand for the principles and purposes of the Association “St Michaels Hospice Charity”.

Fr James Kennedy pointed out the SMHC was an Association.

As a result of questions from the floor, it was again pointed out that this was a legal requirement and not an effort to change the constitution in any way. Various members present pointed out their agreement to this situation including Ian Wilson and Yiannis Kapetanios who both said that all Charities and Associations were currently having to go through this procedure.

It was once again made clear that this was no change over our existing Statute.

Cameron McDonald said he had checked the document and articles could not be changed or amended without $\frac{3}{4}$ of the voting members present. It was pointed out that nothing was being changed, and that all the voting members were present. He said that he felt that the Board of Trustees had too much power, and that the Board should be answerable to the membership. The Secretary pointed out that the Board only decided on day to day strategy, and that all major decisions and constitutional matters could only be agreed with a vote by the members at the AGM. Cameron handed a paper to the Secretary asking that these items be added to the minutes.

[\(Thus... Statute Changes Necessary....](#)

[The sole beneficiary of fundraising via the charity is Archangel Michael Hospice as in Article 4.](#)

[Article 22 \(4\) The membership will decide if the Charity folds, not the Board.](#)

[Article 22 \(4\) If the Charity dissolves, all money and property will be transferred to Archangel Michael Hospice.](#)

All members of the charity have a vote on the future direction of the charity, not just members who attend the meeting on 11th December 2019.

The Charity Board are answerable to the membership, not as the supreme entity presiding over the membership.)

The Secretary was able to assure Cameron that all such articles to which he referred were not being changed, and that any changes he desired would have to be addressed later on, when this Statute was legally bound.

Fr Carlos Ferrera asked if there were proposed changes for there to be other beneficiaries of the SMHC apart from AMH. It was once again pointed out that no change was being made to the original statute.

Andy Brace asked The Chairman if he could assure volunteers who worked for the Charity that AMH was the sole beneficiary. Once again, no change to this was proposed.

Jeanette Truscott queried whether the meeting should be adjourned for 7 days so that everyone could read the Statute. The statute was available to be read at the meeting, and had not changed from the original document, so it was felt unnecessary and impractical to adjourn this near to Christmas, as many people would find this horribly inconvenient. There was no dissent from the floor regarding a lack of adjournment. The Chairman pointed out that our going beyond the end of the year without ratification of the Statute could mean payment of back VAT due to loss of our Charitable Association Status, and could cost in excess of Euros 40,000, a loss to the Hospice of available funds from SMHC.

Andrew Lauder explained that the Ministry of Finance had informed our lawyers that the 2018 Statute had been accepted and then in late 2019 the Ministry of Interior had said that it was no longer valid.

Cameron asked that a later meeting should propose that AMH were the sole beneficiary of SMHC fundraising. It was again pointed out that this meeting had only one item on the agenda, and we had been advised by our lawyers that only that agenda item could be discussed or voted on.

Having made every effort to answer all the questions from the floor, the meeting, scheduled to last one hour needed to be called to vote, as members with hospital appointments were anxious to leave.

The Chairman put the Proposal that the Statute be accepted, via a show of hands. FOR or AGAINST or ABSTAIN.

One lady showed her hand as against, but later approached the Secretary saying she had not understood, and did not wish to vote against. She was therefore counted as an abstention.

8 ABSTENTIONS

Michael Murphy

Mona Theocharides

Rafaella Christodoulou

Triona Andronike

Marilyn Georgeou

William Watkinson

Jeanette Truscott

Gunda Bennett

OUT OF 68 VOTING MEMBERS, EVERYONE ELSE WAS FOR therefore 60 IN FAVOUR of our Statute being accepted as proposed, so the Chairman declared the motion carried.

The meeting closed at 3-15 with the Chairman thanking everyone for making the effort to come at such a busy time.