



LEE BOLTON MONIER-WILLIAMS

Briefing Note October 2020

Charitable Companies and CIO AGMs

As Covid-19 continues to impact the good governance of charities, there is some positive news for incorporated charities.

The government have extended the provisions in the Corporate Insolvency and Governance Act 2020 which allows charitable companies and CIOs to hold AGMs and other members' meetings electronically until 30 December 2020.

This means that, even if your Articles or constitution require face-to-face meetings or votes in person, such meetings may be held by telephone or video; votes can be cast electronically (including by email) or by post; and members no longer have the right to attend in person.

This applies to members' meetings only. Your governing document will set out how trustees are to meet and vote.

For unincorporated charities (or those operating under a charter or Act of Parliament), trustees need to check if their charity's governing document allows them to hold meetings electronically. If it does not, and you cannot hold meetings or vote to take decisions in line with the governing document requirements whilst remaining safe and complying with government restrictions, you will need to consider amending those provisions to provide the flexibilities you need now and perhaps in the future.

LBMW has vast experience in charity governance and is well placed to help with making amendments to governing documents of all types. Please contact Jane Grenfell (jane.grenfell@LBMW.com) or Susan Newell (susan.newell@LBMW.com) for further information or advice.