

Girlguiding UK Charitable Status and Trustees

All guiding units and areas are charities in their own right. Only a certain number of them are obliged to register as charities. Girlguiding UK units and areas that are not obliged to register still have full charity status, and are excepted charities under the provisions of the Charities (Exceptions of Certain Charities for Boy Scouts and Girl Guides from Registration) Regulations 1961 (SI 1961 No 1044). They should describe themselves as 'excepted charities' if asked for a charity registration number.

To request a letter confirming that your unit is part of Girlguiding UK, please contact Membership Support Services, certcharitablestatus@girlguiding.org.uk, at CHO.

Under the provisions of the Charities Acts, the following units or areas are obliged to register as individual charities with the Charity Commission. Each is allocated its own charity registration number:

- Units and areas whose income (including legacies and donations) exceeds £100,000 in any year.
- Units or areas with any permanent endowment where income exceeds £5,000 in any year.
- Units or areas in rateable occupation of land or buildings where income exceeds £5,000 in any year.

Rateable occupation generally means having one of the following:

- ownership of freehold or leasehold land and/or buildings
- a tenancy agreement
- licence to occupy a building.

Any situation where a liability exists to pay the national non-domestic rate/uniform business rate involves 'rateable occupation', even if the local authority allows 100 per cent charitable relief from rates.

The Charities Act 2006 contains provisions altering the requirements for charity registration in England and Wales which are being introduced in stages. For current information on these requirements contact the Legal Department, legaldepartment@girlguiding.org.uk, at CHO. Where units or areas share ownership of property, each unit or area must register separately as a charity.

If property is held jointly with a Scout Group or area, each Girlguiding UK unit or area must register separately, even if part of a formal Joint Guide and Scout Group. Letter headings, cheques and all fundraising and promotional material used by a unit or area that is registered must state that it is a registered charity and, if convenient, include the registration number.

The responsibility for managing a charity falls upon the charity trustees.

In guiding, the charity trustees of a unit or area are typically:

- the voting members of a County or Country/Region Executive Committee
- the members of a Division or District Committee
- the Leader and any Assistant Leader(s) of a unit.

If a unit leader has general control and management of the administration of a unit (including the unit funds) and complies with Girlguiding UK procedures then she is in fact fulfilling her obligations as a charity trustee.

Under the Charities Act 1993, anyone who has been made bankrupt or has entered into a formal arrangement with creditors may not act as a charity trustee until discharged, unless the Charity Commission grants a waiver.

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Charitable status and constitution of units and areas (branches) of The Guide Association

The Guide Association is a registered charity, incorporated by Royal Charter, and has the working name Girlguiding UK. It is a national organisation and has organised Guiding activities throughout the United Kingdom by establishing units (Rainbows, Brownies, Guides and Rangers) and areas (Districts, Divisions and Counties) as branches of the Association.

These branches are formally constituted in accordance with the provisions of Article 2(iii) of the Royal Charter, and Bye-law 9(2)(c) of the Bye-laws made pursuant to Article 8 of the Royal Charter.

The units and areas of the Guide Association, although branches of the Association, have the status of independent charities capable of registration in their own right. By virtue of the Charities (Exception of Certain Charities for Boy Scouts and Girl Guides from Registration) Regulations, 1961 SI 1961 No. 1044, generally only those units and areas which have the rateable use and occupation of property, or a permanent endowment, are obliged to register; all others have the status of "excepted charities".

Bye-law 9(2)(d) empowers the Committee of the Council of the Guide Association to make rules for the regulation of the affairs of the units and areas for the time being governed by the Association, and pursuant to that Bye-law the constitutional structure and activities of units and areas of the Guide Association are regulated by the provisions of the Guiding Manual (currently the 4th edition, with amendments) and the Association's handbooks.

In accordance with these:-

1. The aim of Guiding is to help girls and young women develop emotionally, mentally, physically and spiritually so that they can make a positive contribution to their community and the wider world (reflecting the primary charitable object laid down by the Royal Charter).
2. The charity trustees of each branch will be the adult holders of guiding appointments in that branch, in accordance with the provisions for appointments and the termination of appointments laid down by the Guiding Manual.
3. In the event of the disbandment of the branch, its assets are transferred to the Guide Association (and by custom and practice redeployed for Guiding purposes in the same locality).
4. Membership of Girlguiding UK is open to any girl or young woman aged between her 5th and 26th birthdays, and adult membership to any women or men aged 18 or over, regardless of faith, race, culture, nationality or any other circumstance. Applications for membership are made to the appropriate adult leader or Commissioner, whose details are available from the Association's headquarters.

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