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DATED 4th November 1983

TOQEER ASLAM

- and -

OTHERS

DECLARATION OF TRUST
establishing a Charitable Trust
known as
WISHING WELL

CC No: 326524

48019

THIS DECLARATION OF TRUST is made the fourth day of November One

thousand nine hundred and eighty-three BY TOAEER ASLAM of 59 Ashley Road Montpellier Bristol 6 and SATISH REDDY address as aforesaid (hereinafter called "the Trustees" which expression shall include the Trustees or Trustee for the being hereof)

W H E R E A S :

- (1) It has been resolved to constitute a Trust for the charitable objects hereinafter declared
- (2) The Trustees have raised the sum of Ten pounds and intend to raise other funds and accept gifts for the said ob

N O W THIS DEED W I T N E S S E T H AND IT IS HEREBY AGREED AND DECLARED as follows :-

- 1. THE Trust hereby constituted shall be known as Wishing Well (hereinafter called "the Trust")
- 2. THROUGHOUT these presents (where the context so admits) the masculine shall be deemed to include the feminine and the singular to include the plural
- 3. THE Trustees shall stand possessed of the said sum of Ten pounds and of all other money and property which may be paid or transferred to them for the said objects and the investments and property from time to time representing the same (hereinafter called "the Trust Fund") UPON TRUST either to retain or sell the same and invest the proceeds in or upon any investments hereinafter authorised with power from time to time to change such investments for others of a like nature UPON TRUST that both the income and capital thereof shall be applied at the discretion of the Trustees in pursuance of the said objects as hereinafter declared
- 4. (a) THE objects of the Trust are the relief of poverty distress sickness and homelessness and the advancement of education



Name

Interpretation

The Trust Fund

Objects

(b) In furtherance of the said objects but not otherwise the Trustees shall have the following powers :-

- (i) To employ and pay any person or persons (not being a trustee) to supervise organise and carry on the work authorised by the Trustees and as employers of staff to make all reasonable and necessary provision for the payment of pensions and superannuation to or on behalf of employees and their widows and other dependants
- (ii) To raise funds and invite and receive contributions from any person or persons whatsoever by way of loan subscription donation and otherwise PROVIDED THAT the Trustees shall not undertake any permanent trading activities in raising funds for the said objects
- (iii) To co-operate and collaborate with voluntary bodies and statutory authorities operating in similar charitable fields and to exchange information and advice
- (iv) To purchase take on lease or in exchange hire or otherwise acquire any property and any rights and privileges necessary for the attainment of the said objects and to construct maintain and alter any buildings or erections so necessary as aforesaid
- (v) To make regulations for the management of any property which may be acquired
- (vi) To sell let mortgage dispose of or turn to account all or any of the property or assets of the Trust
- (vii) To invest trust moneys not immediately required for the said objects in or upon such investments or securities or property as are authorised by the terms of this Deed

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(viii) To arrange and provide for or join in arranging and providing for the holding of exhibitions meetings lectures seminars and training courses

(ix) To do all such other lawful things as are necessary for the attainment of the said objects

Power to make Regulations

5. THE Trustees shall have power to make vary and revoke Regulations for :-

(a) the time place and method of calling meetings of the Trustees

(b) the custody of monies deeds securities and documents belonging to the Trust (including regulations enabling any property forming part of the Trust Fund to be vested in the names of any two or more of the Trustees)

(c) the invitation to and appointment of such persons as they may select to be Patron President or Vice Presidents of the Trust and the powers and functions to be delegated to such persons PROVIDED THAT actions taken under delegated powers shall be reported back to the Trustees

Amendment

6. THE Trustees may by Supplemental Deed vary any of the provisions of this Deed other than those in Clause 4 and in this Clause PROVIDED THAT no amendment be made which would cause the Trust to cease to be a charity at law

Power to Delegate

7. THE Trustees in addition to the powers conferred by Section 23 of the Trustee Act 1925 may employ any agent or servant to transact any or all business of whatever nature required to be done in furthering the said objects and shall be entitled to be allowed and paid all charges and expenses reasonably incurred by them PROVIDED THAT all acts and proceedings of such agent or servant to whom powers are so delegated shall be reported back to the Trustees as soon as possible

Investment

8. (1) TRUST monies requiring investment under the

trusts hereof may be invested in the purchase of or at interest upon the security of such stocks funds shares securities or other investments of whatsoever nature as the Trustees shall in their absolute discretion think fit to the intent that the Trustees shall have the same full and unrestricted powers of investing and transposing investments in all respects as if they were absolutely entitled to the Trust Fund beneficially

(2) Money may be left uninvested on deposit at a Bank on such terms in such amount and for such period as the Trustees may reasonably think fit

(3) The Trustees may permit any investments to be held by any trust corporation and may also permit any securities transferable by delivery to be held on the account of the Trustees by any Bank and the Trustees may make such arrangements as they think fit for the collection of the income of such investments or securities

9. (a) THE Trustees may entrust and delegate to any two or more of their number (hereinafter referred to as "the Managing Trustees") the exercise of all powers of the Trustees hereby or by law conferred on the Trustees except the powers of (i) appointment of new trustees and of treasurer secretary and managing trustees (ii) approval of the accounts and proceedings of the Managing Trustees and (iii) regulating the meetings of the Trustees PROVIDED THAT all acts and proceedings of the Managing Trustees shall be reported back to the full body of the Trustees as soon as possible

(b) In the event of powers being entrusted and delegated as aforesaid there shall never be less than two managing trustees

(c) The Trustees may at any time by writing under their hands appoint any one or more of their number to fill any vacancy among the Managing Trustees or to be additional

Managing
Trustees

managing trustee/s and may by writing under their hands remove managing trustee/s

(d) Any managing trustee ceasing to be a trustee shall automatically cease to be a managing trustee

(e) In exercise of the power contained in sub-clause (a) of this Clause the Trustees **HEREBY APPOINT** the Managing Trustees to exercise all the powers which the Trustees are thereby enabled to confer upon them

(f) Whenever there are for the time being less than two managing trustees the powers hereby conferred upon or delegated to the Managing Trustees shall revert to and be exercisable by the Trustees

10. **THE** Trustees may from time to time appoint some person to act as honorary secretary and some person to act as honorary treasurer of the Trust Such persons may be (but need not be) trustees

11. (a) **TWO** trustees shall form a quorum and subject to Clause 14(c) hereof a meeting of trustees at which a quorum is present shall be competent to exercise all or any of the powers and discretions vested in the Trustees

(b) The Trustees shall elect a chairman and shall determine the period for which he is to hold office Such chairman shall at all times be one of the Managing Trustees

(c) The chairman may at any time and a trustee may at any time with the consent of the chairman cause the honorary secretary to convene a meeting of the Trustees

(d) The chairman shall preside at all meetings of the Trustees save that if at any meeting the chairman is not present within ten minutes after the time appointed for the same the Trustees may choose one of their number present to be chairman of that meeting

(e) Questions arising at any meeting shall be decided by a majority of votes (each trustee present having one vote)

Secretary and
Treasurer

Proceedings
of Trustees

and in case of an equality of votes the chairman shall have a second or casting vote

(f) The majority shall be a simple majority save in the case of the removal of a trustee when the special majority called for by Clause 14(c) hereof shall apply

(g) Notice of every meeting shall be sent by the honorary secretary to each trustee (other than a trustee for the time being not in the United Kingdom) Any notice posted ten clear days before the date of the meeting shall be deemed to have been duly served

(h) Every notice of a meeting shall state the place day and hour of the meeting and the business to be transacted thereat

12. (a) THE chairman shall cause the secretary to summon such regular meetings of the Managing Trustees as may be necessary for them to carry out the functions delegated to them hereunder

(b) The provisions of Clause 11 (a) (d) (e) (g) and (h) shall apply (mutatis mutandis) to the proceedings of the Managing Trustees

13. (a) THE Trustees and the Managing Trustees shall each cause proper minutes to be kept and entered in a book provided for the purpose of all their resolutions and proceedings and any minutes of any meeting of the Trustees or of the Managing Trustees purporting to be signed by the chairman of such meeting or by the chairman of the next succeeding meeting shall be conclusive evidence of the matters stated in such minutes

(b) The Trustees shall cause full and punctual accounts to be kept of the Trust Fund and all income arising therefrom and all dealings therewith and all payments made thereunder and at least once in each year cause to be prepared a statement of accounts and a balance sheet for the previous year

Proceedings
Managing
Trustees

Minutes and
Accounts

(c) The Trustees shall establish and operate both current accounts and deposit accounts with Bankers in the name of the Trust PROVIDED THAT cheques drawn on such account shall not be signed by less than two trustees

14. (a) A NEW trustee may be appointed by a resolution of the Trustees recorded in the minutes and signed by the new trustee and such record shall be conclusive evidence of his appointment

(b) A trustee may retire by writing under his hand and such retirement shall be recorded in the minutes and shall be conclusive evidence of his retirement

(c) The Trustees may in their absolute discretion remove any trustee by a resolution proposed at a meeting of the Trustees and approved by the positive votes of two-thirds of the Trustees there present and voting If the number of trustees there present and voting is not three or a multiple of three then the number of positive votes required shall be that nearest to two-thirds of the Trustees present and voting

(d) The number of trustees shall not be less than two and in the event of their number falling below two such additional trustees or trustee shall forthwith be appointed as shall be necessary to make their number up to two but so that the Trustees may from time to time exercise all or any of the trusts powers and discretions herein declared and contained notwithstanding any vacancy or vacancies in their number

15. (1) ANY trustee for the time being hereof being a solicitor or other person engaged in any profession shall be entitled to charge and be paid all usual professional or other charges for work done by him or his firm in connection with the execution of the trusts hereof

(2) Save as hereinbefore expressly provided the Trust Fund and the income thereof shall be applicable solely towards the purposes of the Trust and no trustee shall take or hold any

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Appointment
and Retirement
of Trustees

Charging

interest therein save in his capacity as a trustee or receive any remuneration or be interested in the supply of goods or services at the cost of the Trust in any circumstances whatsoever PROVIDED THAT this sub-clause shall not prevent a trustee from holding office or being a shareholder in a public company shares in which are held upon the trusts hereof or from obtaining the repayment of reasonable out-of-pocket expenses incurred in connection with the trusts hereof

Breaches

16. IN the execution of the trusts hereof no trustee shall be liable for any loss to the property of the Trust arising by reason of any improper investment made in good faith (so long as he shall have sought professional advice before making such investment) or for the negligence or fraud of any agent employed by him or by any other trustee hereof although the employment of such agent was strictly not necessary or expedient or by reason of any mistake or omission made in good faith by any trustee hereof or by reason of any other matter or thing other than wilful and individual fraud on the part of the trustee who is sought to be made liable

Protection of
Purchasers

17. ANY statement in writing signed by the Trustees or any two of them to the effect that any contract deed or act signed executed or done by the Trustees is signed executed or done in accordance with and is authorised by the trusts powers and provisions herein declared and contained shall in favour of any purchaser or other person dealing with the Trustees be conclusive evidence of the fact

Special powers
of the Managing
Trustees

18. (a) IN connection with the construction or adaptation of any property acquired by the Trustees the Managing Trustees shall be empowered to consult with and accept the advice of independent architects structural engineers quantity surveyors and other experts

(b) In connection with the control and organisation of any property acquired by the Trustees the Managing Trustees

shall be empowered to appoint a committee of management for each such property and subject to Clause 4(b)(i) hereof to employ either directly or through such committee staff adequate to run such property and to remunerate the staff PROVIDED THAT all acts and proceedings of any such committee shall be fully and promptly reported back to the Trustees as soon as possible

Failure of Trusts

19. IN the event of a dissolution of the Trust any assets remaining after the satisfaction of all its debts and liabilities shall not be paid to or distributed among the Trustees but shall be given to such other charitable institution or institutions having similar objects to the Trust as the Trustees shall decide

I N W I T N E S S whereof the parties hereto have hereunto set their respective hands and seals the day and year first before written

SIGNED SEALED AND DELIVERED)
by the said TOQEER ASLAM in the)
presence of :-

Toqeer Aslam

K.P. Ferris

K.P. FERRIS
22 Beaumont Park
Maidstone. Medical Practitioner.

SIGNED SEALED AND DELIVERED)
by the said SATISH REDDY in the)
presence of :-

S. V. Satish Reddy

E. Grant

N.C.V.O.
26 Bedford Square
W.C.1

Legal adviser

I hereby certify this to be a true copy of the Declaration of Trust dated 4th November 1983

9.

Signature *E. Grant* ...
26 Bedford Square, London, WC1B 3HU
Legal Adviser to N.C.V.O.