

Report on SCAR's New Legal Status

ICSU requires that all of its subsidiary bodies acquire independent legal status. To establish SCAR as a legal entity with charitable status in the UK required that SCAR be transformed into a Company Limited by Guarantee, and approved by the Charity Commissioners. This required that the Constitution and some of the Rules of Procedure be converted into a Memorandum of Association and Articles of Association.

Delegates to XXIX SCAR approved the Memorandum and Articles of Association in principle, but identified some specific points that need to be examined in relation to the status and powers of the Directors of the Limited Company. An inter-sessional *ad hoc* Working Group chaired by F. Davey (NZ) was formed to work with the Executive Director to examine the proposed Memorandum and Articles of Association in relation to the present Constitution and Rules of Procedure, so as to advise the Executive Committee what changes if any were needed to the documents. The advice was provided to the Executive Committee for consideration at its meeting in Washington DC. The Committee accepted the advice and instructed the Executive Director to work with the lawyers to finalise SCAR's legal and Charity status by 1 January 2008. Working Paper WP 25 reports on the outcomes of the actions by the law firm.

The Memorandum and Articles of Association are to be found on the SCAR web site at <http://www.scar.org/about/constitution/>.

SCAR became a UK Company Limited by Guarantee on April 14th 2008. Under the Memorandum and Articles of Association, SCAR Officers and the Executive Director become Directors of the Company.

The legal advisors then submitted the papers to the UK Charity Commissioners, in order for SCAR to become a UK Charity. The Charity Commissioners acknowledged receipt of the papers on June 10th and promised to try to deliver their response prior to the Delegates meeting. It is hoped that SCAR will be operating as a Charity by the end of July 2008.