

Royal Charter

Incorporating the amendments of 24th November 1999 and 13th October 2004

ELIZABETH THE SECOND by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories
Queen, Head of the Commonwealth, Defender of the Faith:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

Whereas We, by Royal Charter dated the seventh day of February in the sixteenth year of Our Reign, granted a new Charter replacing the Charter granted by His Majesty King George the Sixth on the ninth day of August in the tenth year of His Reign which constituted a Body Corporate by the name of "The Arts Council of Great Britain" with perpetual succession and with the power to sue and be sued by the said name and to use a common seal:

AND WHEREAS the said Charters provided for the appointment of committees to be called the Scottish Arts Council and the Welsh Arts Council

NOW THEREFORE KNOW YE that We, having taken the said representations into Our Royal Consideration, by virtue of Our Prerogative Royal and of Our especial grace, certain knowledge and more motion have granted and ordained and by these Presents do for Us, Our Heirs and Successors, grant and ordain as follows:

1. (1)The persons who shall in accordance with the provisions of this Our Charter be the Chairman and other members for the time being of Cyngor Celfyddydau Cymru or the Arts Council of Wales are hereby constituted and from henceforth for ever shall be one Body Corporate under the name of "Cyngor Celfyddydau Cymru" or "The Arts Council of Wales" (hereinafter referred to as "the Council").

(2) The Council shall have perpetual succession and a Common Seal and may exhibit either or both of such names or styles upon its Common Seal, with power to break, alter and make anew the said Seal from time to time at their will and pleasure and by their will shall and may sue and be sued in all courts and in all manner of actions and suits in either both of such names or styles, and shall have the power to enter into contracts, to acquire, hold and dispose of property of any kind, to accept trusts and generally to do all matters and

things incidental or appertaining to a Body Corporate in either or both of such names or styles.

(3) Without prejudice to the generality of the foregoing, the Council shall have the power to assume any rights, obligations and interests, including in land, of the said Arts Council of Great Britain.

2. The objects for which the Council are established and incorporated are as follows:

(a) to develop and improve the knowledge, understanding and practice of the arts;

(b) to increase the accessibility of the arts to the public;

(c) to advise and co-operate with Our National Assembly for Wales Departments of Our Government, local authorities, The Arts Councils for England, Scotland and Northern Ireland, and other bodies on any matters concerned, whether directly or indirectly, with the foregoing objects; and

(d) to carry out the objects through the medium of both the Welsh and English languages.

3. All monies and property howsoever received by the Council, including any monies voted by Our National Assembly for Wales, shall be applied solely towards the promotion of the above objects of the Council, and no portion thereof (except as otherwise provided in this Our Charter) shall be paid or transferred directly or indirectly to the members of the Council

4. (1) The Council shall consist of a Chairman, a Vice-Chairman and not more than 16 other members.

(2) The Chairman and the other members shall be appointed by Our National Assembly for Wales for such term not exceeding three years and the other terms of their appointment shall be determined by Our National Assembly for Wales.

(3) The Vice-Chairman shall be appointed by the Council from among the members of the Council and the terms of appointment as Vice-Chairman shall be determined by the Council, provided always that the appointment shall end no later than the day on which the Vice-Chairman ceases to be a member of the Council.

(4) Every member shall hold and vacate office in accordance

with the terms of his or her appointment but

(a) shall be eligible for re-appointment thereafter; and

(b) may resign at any time by notice in writing to Our National Assembly for Wales.

(5) If Our National Assembly for Wales is satisfied that any member of the Council

(a) Is an undischarged bankrupt.

(b) has been convicted of an offence of fraudulent character.

(c) is incapacitated by reason of mental or physical illness,
or

(d) is otherwise unable or unfit to discharge the functions of a member of Council, or is unsuitable to continue as a member,

Our National Assembly for Wales shall have power to remove that member from office as a member of the Council

(6) (i.) The Council may pay to members of the Council such remuneration as shall be authorised (either generally or specifically) in writing in advance by the Charity Commission of England and Wales upon such terms only as such authority shall require.

(ii). The Council may reimburse to members of the Council out of pocket expenses reasonably incurred by them in the performance of their duties.

5. (1) The Council may act notwithstanding a vacancy among the members and the validity of any proceedings of the Council shall not be affected by any defect in the appointment of a member.

(2) The quorum for meetings of the Council shall be five members personally present or such greater numbers as the Council may from time to time determine.

6. Subject to the provisions of this Our Charter, the Council may regulate their own procedure.

7. (1) The Council may appoint a person or committees and panels to advise and assist them in the exercise of such of their functions as determined by the Council.

(2) The Council shall appoint as Chairman of any such committee or panel a member of the committee or panel who is a member of the Council.

(3) The Council may appoint to any such committee or panel members who are not members of the Council and may at any time revoke the appointment of any member of such committee or panel.

8. (1) The Council may regulate the procedure of any committee or panel appointed by them in pursuance of article 7 of this Our Charter.

(2) Article 4(6)(2) of this Our Charter shall apply to members of such committees and panels appointed pursuant to article 7(1) hereof as it applies to members of the Council.

9. Any member of our Home Civil Service in the service of Our National Assembly for Wales who is appointed by Our National Assembly for Wales to be an observer to the Council, or to any committee or panel of the Council, shall be entitled to attend any meetings of the Council or as the case may be of any committee or panel to which they are so appointed.

10. (1) The Council shall, with the approval of Our National Assembly for Wales, appoint a chief officer who shall be the principal executive officer of the Council and may appoint such other officers and take into their employment such other persons as the Council may determine.

(2) The Council may

(a) pay to their chief officer and to their other officers and to other persons employed by them such remuneration as the Council may, with the approval of Our National Assembly for Wales, from time to time determine;

(b) with the approval of Our National Assembly for Wales pay to or in respect of any officer or other person employed by them such pensions (including gratuities) or provide and maintain for them such pension schemes (whether contributory or not).

(c) without prejudice to the generality of the foregoing take into their employment those officers and other persons previously in the employment of the Welsh Arts Council or the Arts Council of Great Britain.

11. (a) The Council shall keep proper accounts and other records, and shall prepare for each financial year statements of accounts in such form as Our National Assembly for Wales with the approval of the Lords Commissioners of Our Treasury may direct and submit those statements of account to Our National Assembly for Wales at such time as Our National Assembly for Wales may direct.

(b) The Council shall keep proper accounts and records of all monies and property received from all sources other than the National Lottery in such form as Our National Assembly for Wales may direct and submit those accounts to be audited by Our Auditor General for Wales who shall examine, certify and report on such accounts and of his report before Our National Assembly for Wales.

12. The Council shall as soon as possible after the end of each financial year make to Our National Assembly for Wales a report on the exercise and performance by them of their functions during that year.

13. The application of the Seal of the Council shall be authenticated by the signatures of the Chairman or of some other members of the Council authorised generally or especially by the Council to act for that purpose, and of one of such officers of the Council as may be authorised by the Council so to act.

14. The Council may by resolution in that behalf passed at a meeting of the Council by a majority of not less than three-quarters of the members present and voting (being an absolute majority of the whole number of the members of Council) and confirmed at a further meeting of the Council held not less than one month or more than four months afterwards by a like majority add to, amend, or revoke any of the provisions of this Our Charter and such additions, amendments or revocations, when allowed by Us, Our Heirs or Successors in Council, shall become effectual, so that this Our Charter shall thenceforward continue and operate as though it had been originally granted and made accordingly: and this provision shall apply to this Our Charter as added to or amended in manner aforesaid.

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL