

Section (Regulations)	Existing Text	Proposed Change	Comments/Rationale	Trust Council Comments
2. Interpretation 2.1	None	<b>“Good Standing”</b> means that all dues have been paid and received and recorded in the register of members	For clarity, defining a term used in the regulations.	<b>Approved &amp; Included in Amendment Bill</b>
4. Membership (1) (a)(b)&(c)	(a) Clubs; (b) Societies; (c) other associations of persons, to be known generally as Corporate Members;	(a) Companies to be known generally as Corporate Members or; (b) Other associations of persons to be known generally as Society Members;	It seems prudent to separate Corporate Members and Society Members as there may be greater opportunity to generate revenue from Corporate Members in future	<b>Approved &amp; Included in Amendment Bill</b>
5. Trust Council (1)	The four officers and the two at-large members shall be elected by ballot at the Annual General Meeting.	5.(1) The members described in regulation 4 must by majority vote appoint a Trust Council of not less than 8 and not more than 12 persons, each of whom holds office for such term, not exceeding 3 years, as may be specified in sub-regulation (5).	More specific and democratic. Also prevents the Trust Council from growing too large to be manageable. Simplifies previously complicated term limits.	<b>Approved &amp; Included in Amendment Bill</b>
(2)	Subject to the provision of regulation 5(3), officers shall serve a term of two years each, and except for the President shall be eligible for re-election. The President may not serve more than two consecutive terms of two years each but shall be eligible for re-election after a period of twelve months out of office. Elected Council members shall serve a term of one year but shall be eligible for re-election.	(2) Corporate and society members may nominate one member from their governing bodies to the Council for consideration by members at the Annual General Meeting, provided such corporate or society members have complied with regulation 4 and are in good standing with the Trust.	This ensures that the Members remain in control of the governing body of the organisation, and can elect those that they feel will best serve the Trust. Much of the existing text is removed as it is overly complex and is deemed unnecessary in light of insertions made by the sub-committee.	<b>Approved &amp; Included in Amendment Bill</b>
(3)	A serving Officer or Elected member of Council shall not be eligible for re-election if he has failed to attend 50% of the regular meetings of the Council	5. (3) The Council shall cause to be drawn up collaborative working agreements with existing locally registered organisations where there is shared	Inserted to ensure that strong and clearly defined relationships are maintained with organisations formerly entitled by	<b>Approved &amp; Included in Amendment Bill</b>

	during the previous year unless the Council by resolution and for good cause waives this disqualification.	interest, which shall include— (a) Heritage Society Ltd; (b) St Helena Nature Conservation Group; (c) Arts and Crafts Association; (d) St Helena Dive Club; (e) St Helena Commercial Fishermen’s Association; (f) St Helena Government.	the regulations to be represented on the Trust Council but that these relationships are more appropriate and beneficial to the Trust and partner organisations.	
5. Trust Council	-	5 (4) Four seats on the Council must be held for nominees from society or corporate members and may be filled by individual nominees only if no corporate or society member is nominated. Nominations must have the support of the Chair or President of the society or corporate member and be seconded by at least one other member of the Trust who is in good standing.	This is inserted to protect a portion of seats on the Governing Body of the Trust for those with insider knowledge of partner organisations so that this knowledge may support the work of the Trust and further protect collaborative working between the organisations.	<b>Approved &amp; Included in Amendment Bill</b>
5. Trust Council	-	5 (5) Members of the Council serve for a term of 3 years and may serve for a maximum of 2 consecutive terms uncontested, after which they may be re-elected in accordance with sub-regulation (7).	Clarifies and simplifies term limits ensuring principles of good governance are maintained without unnecessarily creating instability within the Trust’s leadership.	<b>Approved &amp; Included in Amendment Bill</b>
5. Trust Council	-	5 (6) The elected Council must designate from among their number certain members to be officers with the designations of President, Vice-President, Treasurer, and Secretary.	This provides for a simpler process of election when the full membership elects the Trust Council	<b>Approved &amp; Included in Amendment Bill</b>
5. Trust Council	-	5 (7) Re-election between terms of service is not required and continuing appointments may be approved by a	This clarifies something that has previously been rather ambiguous.	<b>Approved &amp; Included in Amendment Bill</b>

		majority vote of the Council. Each member is eligible for re-election after a period of 12 months out of office.		
5. Trust Council	-	5 (8) A member is not eligible for re-election if that member has failed to attend 50% of the regular meetings of the Council during any given year, unless the Council by resolution and for good cause waives this disqualification.	This encourages active engagement by members of the Council.	<b>Approved by Sub-Committee May 2019</b>
5. Trust Council	-	5 (9) A person may be removed from the Trust Council by a majority of all members present in St Helena at the time following a vote at a meeting convened in accordance with regulation 7.	This clarifies the process required for removing a member of Trust Council in extremis	<b>Approved by Sub-Committee May 2019</b>
5. Trust Council	-	5. (10) Acts and proceedings of the Council are not invalid due to a vacancy in its membership or by reason of a defect in the appointment or election of a member.	Inserted for clarity.	<b>Approved by Sub-Committee May 2019</b>
6. Council Meetings	-	6 (1A) The president must fix the date, time and place of meetings of the Council— (a) as often as he or she considers it necessary but, in any case, at least once in a period of 6 calendar months; and (b) at the written request of a majority of the Council made at least 14 days before the date proposed by such members for a meeting.	Inserted for clarity.	<b>Approved by Sub-Committee May 2019</b>
6. Council Meetings	-	6 (7) Subject to these regulations, the Council may regulate the proceedings of its meetings as it thinks fit.	Inserted for clarity.	<b>Approved by Sub-Committee May 2019</b>

8. Trust Committees	The Council may appoint an Executive Committee to which it may entrust the day-to-day business of the Trust to be chaired by the President of the Council and including such Members of Council and persons employed or co-opted by the Trust as the Council may decide; Provided that any significant business conducted by the Executive committee shall be reported to the next meeting of the Council.	8 (1) The Council may appoint and set the terms for such Committees as it may from time to time deem necessary	The new powers provided to the Executive of the Trust in the Amended Ordinance negate the need for this clause.	<b>Approved by Sub-Committee May 2019</b>
8. Trust Committees (2)	The Council may appoint such other committees, as it may from time to time find necessary.	8 (1) Any significant business conducted by a Committee referred to in sub-regulation (1) must be reported to the next meeting of the Council	Clarification in light of changes to 8 (1)	<b>Approved by Sub-Committee May 2019</b>
9. National Heritage Register	9(1) The Trust shall establish and maintain a National Heritage Register of natural, cultural and historical resources and property that the Council determines are of national significance and worthy of preservation. 9(2) The Council shall, from time to time, fix criteria for the inclusion of any cultural, historical or natural resource or property in the Heritage Register. 9(3) Any individual may recommend to the Council any resource or property for inclusion in the Heritage Register. 9(4) The Council shall review any	DELETE	This is out of place in these regulations. While it is a good aspiration, given the recent approval by EXCO of the recommendations made by the ENRC Heritage Sub-Committee, it would be appropriate to remove it from these regulations. It can only be supported if accompanied by the resources (human and financial) to deliver it.	<b>Approved by Sub-Committee May 2019</b>

	<p>recommendations received under sub-regulation (3) and, after consultation with the owners of the resources or properties concerned, if any, shall resolve whether to include the resources or properties in the Heritage Register.</p> <p>9(5) The Council may categorise resources or properties included in the Heritage Register according to the importance of their preservation.</p> <p>9(6) The Trust shall offer whatever help towards preserving resources or properties included in the Heritage Register as it considers appropriate and feasible, and in so doing shall seek the co-operation of the owner concerned.</p>			
<p>10. Financial Regulation and Review 10(5) &amp; 10(6)</p>	<p>10(5) The Council may, from time to time, appoint a financial review committee consisting of—</p> <ul style="list-style-type: none"> <li>(1) the treasurer as chairman;</li> <li>(2) up to four other Members of the Council; and</li> <li>(3) such other persons co-opted to the committee by the Council whose expertise may be useful to the committee, but who may not vote on any matter before it.</li> </ul> <p>10(6) The functions of the financial review committee shall be to consider matters referred to it by the Council</p>	<p>DELETE</p>	<p>Covered by revisions to Section 8.</p>	<p><b>Approved by Sub-Committee May 2019</b></p>

	which, in the opinion of the Council, may have potentially significant economic implications for the Trust.			
12. Appointment and powers of employees and agents (change from 'agents' to 'representatives') 12(1) & 12(2)	<p>12(1) The Council may appoint such employees and agents as it deems necessary for the management of the affairs of the Trust and the management of Trust properties.</p> <p>12(2) The Council shall, in making such appointments, fix the duties and responsibilities, remuneration, if any, for the employees and agents so appointed.</p>	<p>12.1 The Council shall appoint a Director who in turn has the power to appoint such employees and representatives as they deem necessary for the management of the affairs of the Trust and the management of Trust properties.</p> <p>12.2 The Director, in making such appointments, must fix the duties and responsibilities, remuneration, if any, and reporting relationship for the employees and representatives so appointed subject to the availability of funding and in accordance with the annual budget as approved by the Council.</p>	Clarification and bringing this clause into line with the Amended Ordinance. This also provides for appropriate oversight of appointments and finances by the Trust Council.	<b>Approved by Sub-Committee May 2019</b>