



Charities



Southampton's premier law firm - providing a full range of legal services to individuals and businesses across the Solent region for over 190 years.

Our aim is simple...

“To recognise and respond to our clients’ needs with prompt, clear and practical advice, based on a thorough knowledge of their situation.”

With ever increasing regulations and demands on charities and the not for profit sector, it pays to take specialist advice at the earliest opportunity.

This brochure outlines the services we can offer on formation, running your organisation effectively and dealing with all the matters that you might face from time to time.

Our clients range from multi-national corporations, major companies and large public sector organisations, through to smaller family firms, partnerships, entrepreneurs and private individuals.

We act for Central and Local Government client's, advise on EU procurements, and provide services for NHS Trusts, higher education institutions, colleges and schools, Housing Associations charities and the not-for-profit sector.

Our reputation is based on many factors

Amongst them are the finest practical legal advice; sound knowledge of the people and businesses we serve; and a commitment to investing in the latest IT and support resources.

Above all, we offer both strength and integrity, together with a high level of specialisation of the kind essential to modern legal needs. This, together with our thorough all-round experience, ensures we can provide a hand-picked team to specifically address any requirement.

We would be delighted to discuss how we might help your organisation further.

Services

For charities and the not for profit sector we provide advice on the following services:

Formation and Registration of Charities

Drafting charity objects clauses

Advice on Community Interest Companies

Constitutional matters relating to the charity

both in formation and generally

Formation of charitable companies

Advice on charity trading activities

Property dealings

Taxational legacy giving

Appointment of Trustees

Local authority and other special Trustees

Duties of Trustees

Liabilities of Trustees

Risk assessments

Insurance cover for Trustees

Employment and HR matters

Licensing

Fund raising

Dispute resolution

Property

The Property Department at Paris Smith is widely recognised as being one of the strongest in the southern region, with a range of specialist teams offering unparalleled advice throughout the full spectrum of commercial property. The department acts for all types and size of client, ranging from large commercial organisations and Government departments to clients starting out in their very first business.

Due to its size and the resources available to it, the department is able to assemble large teams of Solicitors to work on major transactions if required. At the same time we can provide expert advice on the requirements of smaller charities. It is this flexibility that enables Paris Smith to give all its clients 'city quality advice' at regional prices. It is part of the firm's client care philosophy that the right level of experience is offered to clients after considering with them their requirements.

We act for a number of charities and not for profit organisations, dealing with incorporation (including companies limited by guarantee), management, funding, land and securities and general administration.

Other services include advice on purchases, disposal mortgages, planning and landlord and tenant law.

Employees

Charities are not exempt from the mass of employment laws that every employer, small or large, has to deal with.

Common questions you might ask are:

Do I have to give my employees a contract?

What do I do about holiday pay and sick pay?

Am I liable for maternity and paternity pay?

What if I employ people with disabilities?

What is the legal position of any volunteers working for me?

What if I need to consider redundancies?

You need specialist help to keep you up to date and talk you through these issues. Our team deals exclusively with matters pertaining to employment law and has an established reputation for excellence.

Fund Raising Activities

House to house collections

Licensing - Alcohol licensing is a common request for charities organising fund raising events. Specifically occasional permissions are often obtained for “one off” or annual events, for various charities and not for profit organisations.

Appeals for funds

Legacies and bequests

Lotteries and gaming matters - Betting and gaming licences and lottery licences are more complex to obtain than alcohol. However it is always possible to try and obtain lottery licensing. The size and types of lotteries are many and varied and there is no statutory definition of a ‘lottery’, although a legal criteria has been established. Any charity promoting a lottery must be appropriately registered.

General Investment Advice

Every charity is different. This applies to investment and pensions as it does to everything else in life. While some people/charities are looking for a high and stable income, some are seeking an income that will rise over the years ahead. The main concern of others could be maximising capital growth. Tax efficiency is important for all investors and savers.

We can help you meet your objectives, whatever they are, by using our professional knowledge.

A major change that occurred during 2000 has been the abolition of the 1961 Trustee Investment Act. The new Trustee Act 2000 came into force from 1 February 2001 the trustees of many charity funds in England and Wales will be freed from the investment restrictions. This new legislation eliminates rigid, and in many cases, overly complicated requirements such as separating equities and bonds in different accounts, limits on equity investment and the inability to invest in any company with less than five years dividend record.

Taxation Advice

Tax considerations often play a key role in decisions affecting the business and its proprietors. They need to be taken into account at the outset to achieve the best net result. Taxation is an area where business matters are closely linked with clients personal needs and we are here to provide services on both fronts.

Capital Gains Tax

Stamp duty

Tax efficient giving in wills and elsewhere

Dispute Resolution

The firm's Litigation Department has for many years provided litigation advice and conducted proceedings in the courts for individuals, businesses and office holders involved in insolvency procedures. It also acts for office holders and others involving civil proceedings in relation to the recovery, preservation of assets or dispute as to their ownership.

The department covers all aspects of civil litigation relating to contract, tort, personal injury, property litigation, debt collection, disputes in inheritance claims.

More Information

For further details of how we may help you please contact any of the following who will be happy to discuss the services we can provide:

Head of the Charity Unit

Nick Vaughan, Partner

t: 023 80482252

Corporate or Governance Issues

Douglas Cooper, Partner

t: 023 80482213

Property Matters

Nick Vaughan, Partner

t: 023 80482252

Planning Matters

James Snaith, Partner

t: 023 80482254

Employment

Clive Dobbin, Partner

t: 023 80482370

Licensing & Fundraising

Clive Thomson, Partner

t: 023 80482285

Investment & Taxation

Crispin Jameson, Partner

t: 023 80482294

Litigation Debt Collecting or Dispute Resolution

Howard Lee, Solicitor

t: 023 80482227

Chris Holliss, Legal Assistant

t: 023 80482265

Fees

We understand that costs are a major concern, and we ensure that our charges are clear. We provide information on our charges before work begins, with our letters of engagement setting out the work involved and the fee basis.

 Paris Smith

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